

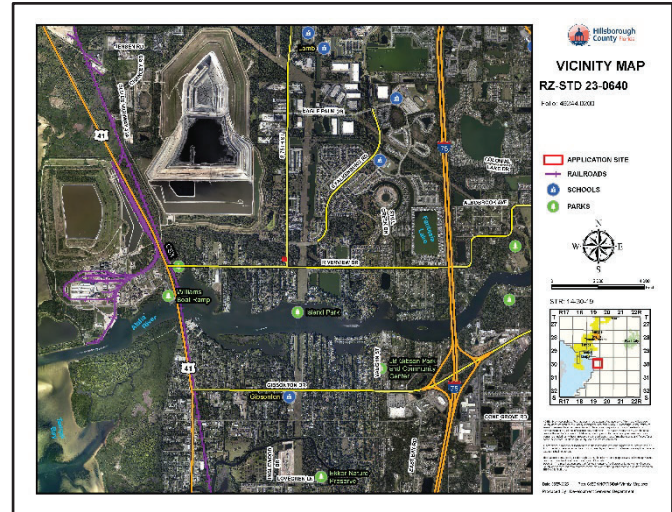
Rezoning Application: 23-0640
Zoning Hearing Master Date: September 18, 2023
BOCC Land Use Meeting Date: November 7, 2023



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Murina Godil
FLU Category: Residential -6 (Res-6)
Service Area: Urban
Site Acreage: 0.35 +/-
Community Plan Area: Riverview
Overlay: None
Request: Rezone from Business – Professional Office (BPO) to **Commercial General - Restricted (CG-R)**



Request Summary:

The request is to rezone from the existing **Business Professional Office (BPO)** zoning district to the proposed commercial General with Restrictions (CG-R) zoning district. The proposed zoning for CG permits development limited to retail uses and personal services in freestanding buildings or small shopping centers to serve residential neighborhoods, on lots containing a minimum of 10,000 square feet (sq. ft). The applicant has proposed: access limitations for the parcel to address transportation concerns; restrictions to certain commercial uses; and proposed additional buffering and screening the west property lines line to mitigate and enhance an appropriate transition between residential and commercial zoned parcels.

Zoning:

Uses	Current BPO Zoning	Proposed CG-R Zoning
	Office	Commercial General
Acreage	0.35+/- Acres (ac); 15, 246 square feet (sf)	0.35 +/- ac; 15,246 sf
Density / Intensity	0.20 Floor Area Ratio (FAR)	0.27 FAR
Mathematical Maximum*	3,049 sf	4,117 sf

Development Standards:

	Current BPO Zoning	Proposed CG-R Zoning
Density / Intensity	3,049 sf / 0.20 FAR	0.27 FAR
Lot Size / Lot Width	7,000 sf / 70'	10,000 sf / 75'
Setbacks/Buffering and Screening	30' - Front (East)	30' - Front (East)
	20' Type B Buffering – Side (North)	20' Type B Buffering – Side (North)
	0' – Side (South)	0' – Side (South)
	20' Type B Buffering – Rear (West)	20' Type B Buffering – Rear (West)
Height	50'	50'

Additional Information:

PD Variations	N/A
Waiver(s) to the Land Development Code	None

Additional Information:

Planning Commission Recommendation	Consistent
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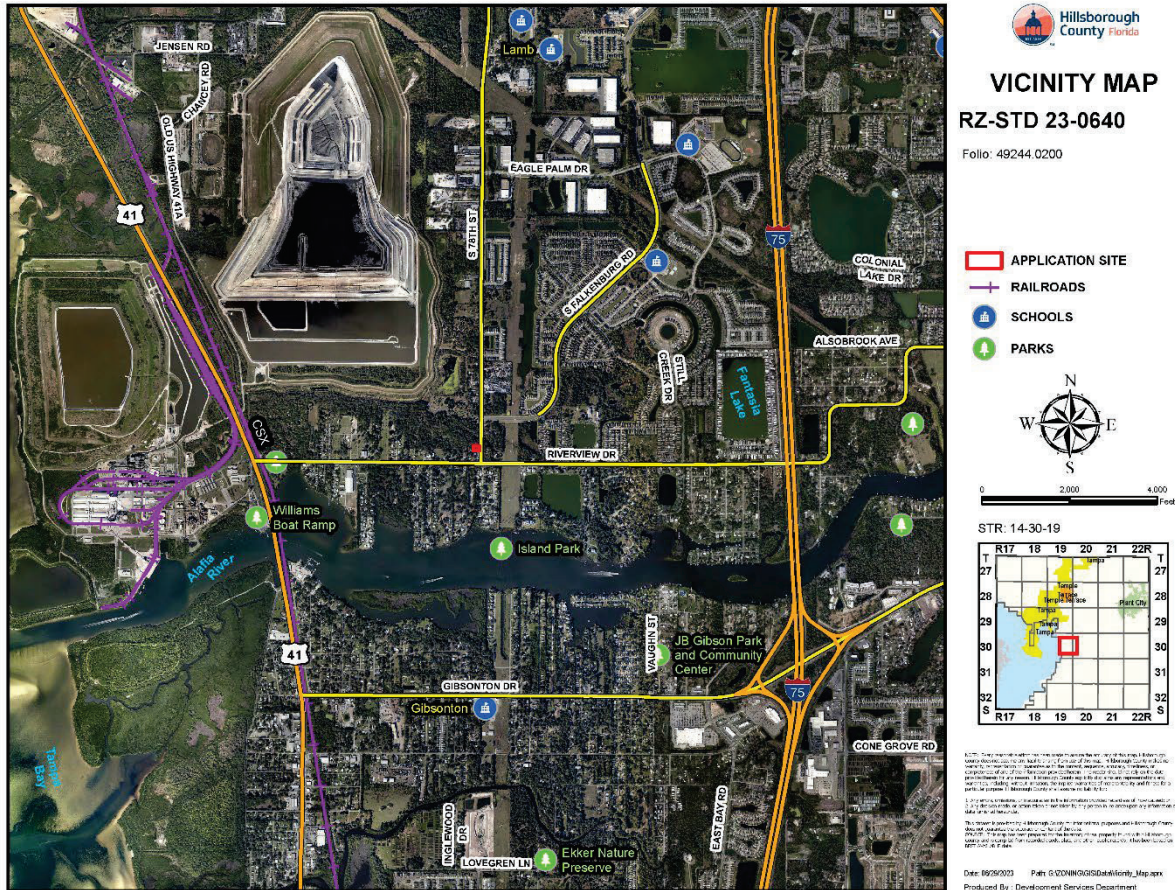
Additional Information:

Development Services Department Recommendation

Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

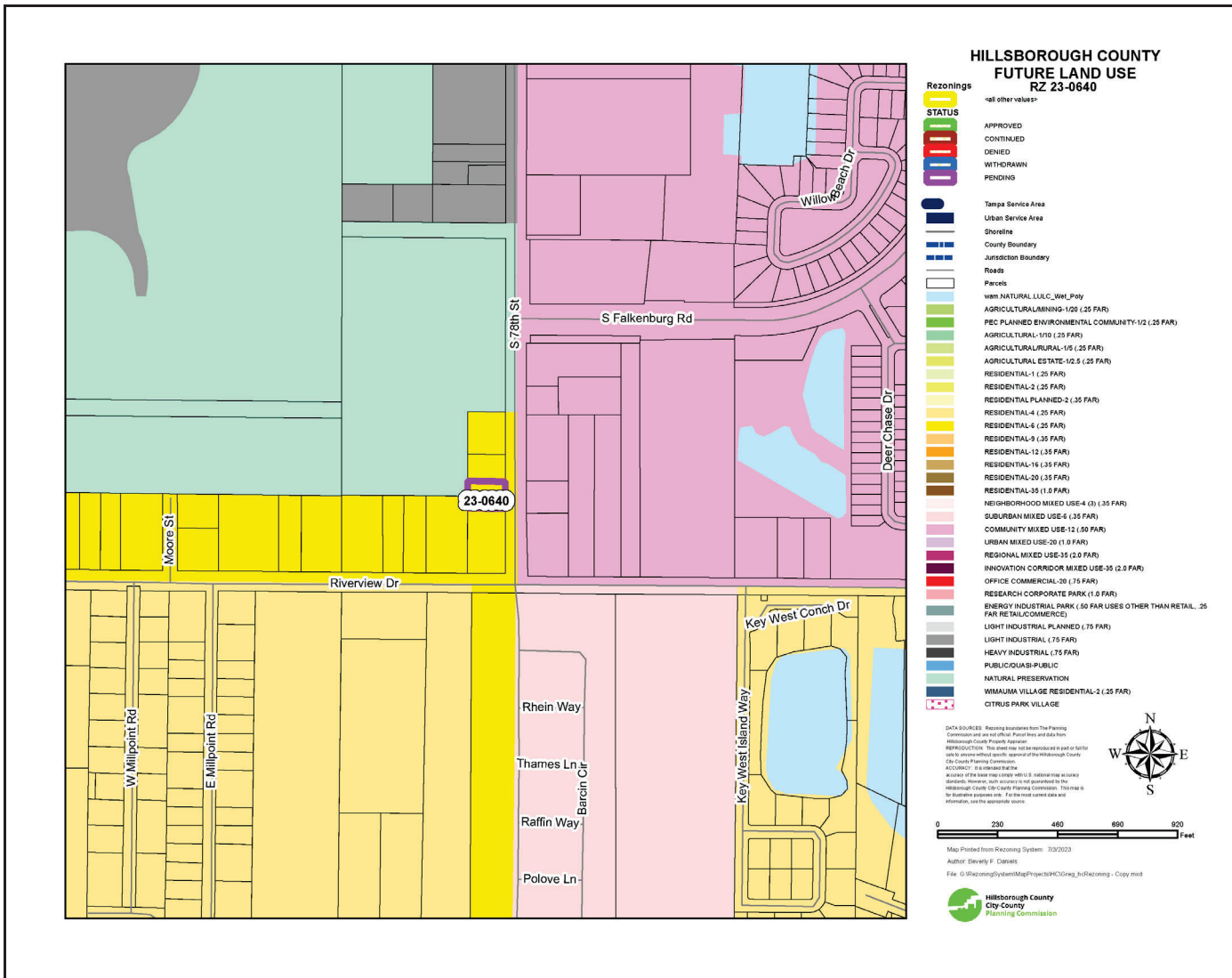


Context of Surrounding Area:

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west and south, and roadway to the east. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east).

2.0 LAND USE MAP SET AND SUMMARY DATA

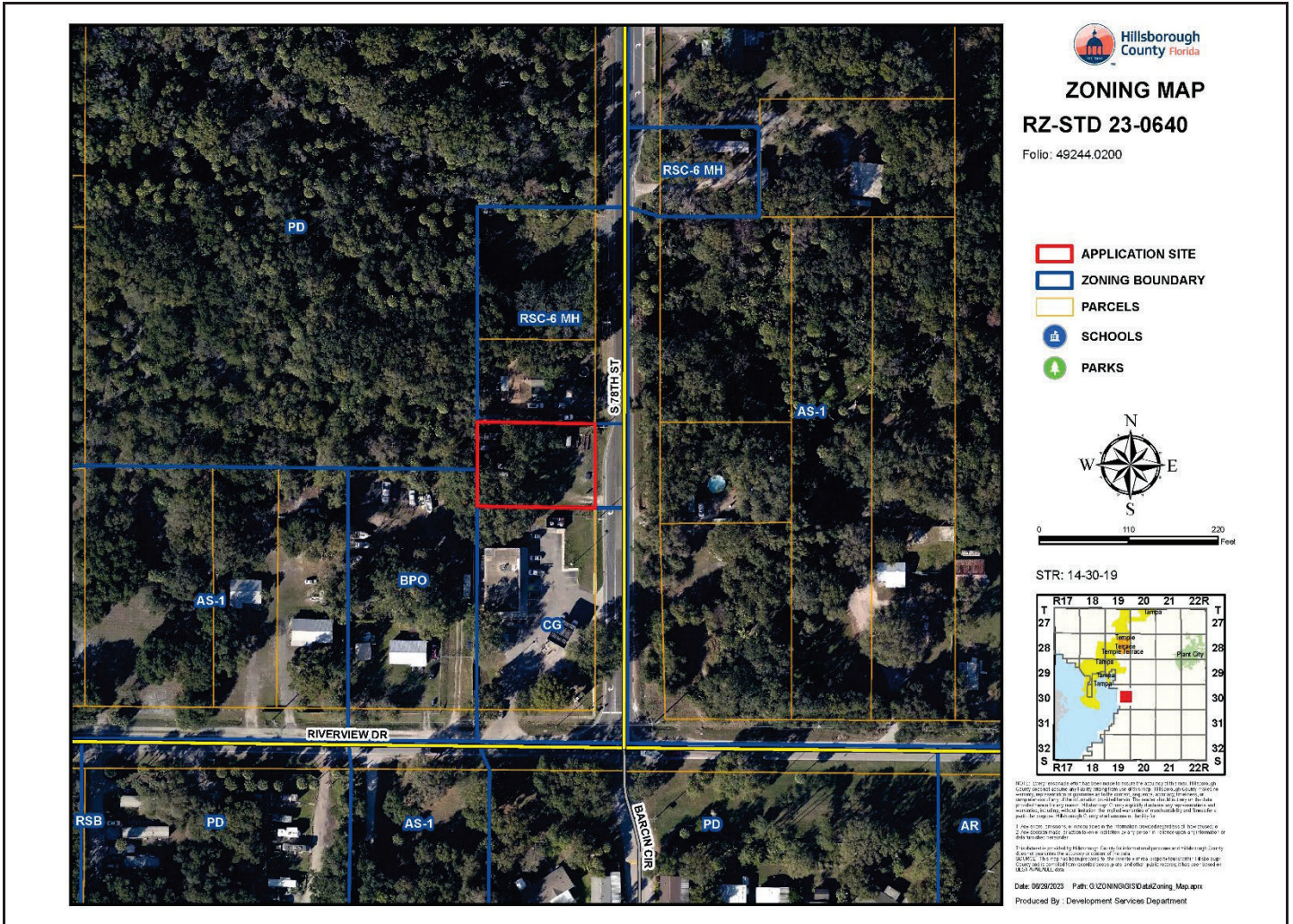
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 6 (Res-6)
Maximum Density/F.A.R.:	6 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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	RSC-6 MH	1 du / 7,000 sq ft	Single-Family Residential (Conventional/Mobile Home)	Single Family Residential
South	CG	FAR 0.27	General Commercial, Office and Personal Services	Convenience Store
West	PD 99 -1153	FAR 0.27	Intensive Commercial, Office and Personal Services	Mosaic Fertilizer LLC
	BPO	FAR 0.20	Office	Office
East	Street	N/A	Street	S. 78 th Street

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

Not Applicable

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
S. 78 th Street	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	137	12	15
Proposed	1,716	165	127
Difference (+/-)	(+) 1, 579	(+) 153	(+) 112

*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		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	See Transportation Agency report
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west commercial uses to the and south, and-west, and a roadway to the east south. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the, north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east and east)., Commercial General (CG) (to the west) and the subject property is also located within a Coastal High Hazard Area. Therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.04.00 of the Land Development Code.

The site is located within the Hillsborough County Urban Service Area, and therefore would require connection to the County's potable water and wastewater systems. A 16-inch water main exists adjacent to the site and is located east of the subject property within the west Right-of-Way of South 78th Street. 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. Additionally, A 4-inch wastewater force main exists adjacent to the site and is located north of the subject property within the east Right-of-Way of South 78th Street. 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.

The subject site meets Commercial Locational Criteria. To address the lots size, transition and compatibility concerns, the applicant has proposed that the following uses be prohibited on the subject site: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels. Additionally, to address Transportation Staff Review concerns the applicant has offered:

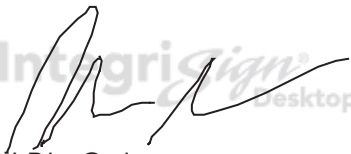
- Reorientation of Potential Building Envelope and Potential Sidewalk, Parking, and Drive Aisle, Potential Stormwater Pond.
- Right-of-Way Preservation Strip (as shown as Potential Stormwater Pond per HC Engineer's suggestion).
- Existing Driveway to be used for Emergency Vehicle Access Only. And
- Proposed Pedestrian Cross Access, Proposed Vehicle Cross Access, and Proposed Shared Access.

Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattern along this southern portion of S. 78th Street. The property's frontage is along the west side of S. 78th Street. To the south, the parcel abutting subject parcel whose frontage is also along S. 78th Street is zoned CG. The proposed CG zoning district is similarly situated and is, therefore, a continuation of the existing commercial development pattern along this portion of S. 78th Street and a compatible infill development.

5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following applicant proposed restrictions:

1. The project shall be permitted all uses all CG (Commercial General) uses excluding: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels; and
2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

Zoning Administrator Sign Off:	 <p>J. Brian Grady Mon Sep 18 2023 14:12:40</p>
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 8/10/2023

Revised: 9/12/2023

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RV/ South

PETITION NO: RZ 23-0640

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

This agency has no comments.

This agency has no objection.

This agency has no objection, subject to the listed or attached restrictions.

This agency objects for the reasons set forth below.

PROPOSED RESTRICTIONS

1. The project shall be permitted all uses all CG (Commercial General) uses excluding:
 - a) Alcoholic Beverage Establishments;
 - b) Ambulance Services;
 - c) Bank/Credit Unions;
 - d) Bowling Alleys;
 - e) Brew Pubs;
 - f) Car Wash Facilities;
 - g) Convenience Store With Gas Pumps;
 - h) Drug Stores;
 - i) Funerals and Mortuaries, with or without Accessory Crematoriums;
 - j) Gasoline Sales and Service;
 - k) Grocery Stores;
 - l) Laundromats;
 - m) Liquor Store;
 - n) Medical Marijuana Dispensing Facility;
 - o) Microbreweries;
 - p) Motor Vehicle Repair, Major;
 - q) Motor Vehicle Repair, Minor;
 - r) Motor Vehicle Repair, Neighborhood;
 - s) Restaurants (Eating Establishments) with or without drive-throughs;
 - t) Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles;
 - u) Sales, Rental and Service of Recreational Vehicles;
 - v) Schools, Private and Charter (K-12);
 - w) Schools, Public (K-12);
 - x) Service Station;
 - y) Sexually Oriented Businesses;
 - z) Small Motor Repair;
 - aa) Specialty Food Store;
 - bb) Supermarket;
 - cc) Taverns, Bars, Lounges, Nightclubs and Dance Halls;
 - dd) Tobacco Shops;
 - ee) Trade Schools; and,
 - ff) Wedding Chapels.

2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 0.35 ac. parcel from Business Professional Office (BPO) to Commercial General (CG) with Restrictions (CG-R). The applicant is offering to restrict the zoning such that the following uses would not be permitted:

“schools, drive-through banks, bowling alleys, drug stores, taverns, funeral homes, laundromats, fast food restaurants (with drive-thru windows), sexually oriented businesses, smoke shops, supermarkets, wedding chapels, ambulance services, car washes, auto repair, and gas stations.”

Staff noted that other high intensity uses including but not limited to restaurants without drive-up facilities, convenience stores without gas pumps, free-standing bars, lounges, nightclubs and dance halls, drug stores, medical marijuana dispensing facilities, microbreweries, specialty food stores, walk-in banks could still be permitted. The applicant and staff worked together after staff’s initial objection was filed to create a new set of restrictions that would address staff’s concerns. Those have been provided hereinabove.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO, 3,811 s.f. Medical Office Uses (ITE LUC 720)	137	12	15

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 3,811 s.f. Fast-Food Restaurant without Drive-Through (ITE LUC 933)	1,716	165	127

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 1,579	(+) 153	(+) 112

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard collector roadway characterized by +/- 11-foot travel lanes in average condition (in the vicinity of the proposed project). Along the project’s frontage, the roadway lies within a +/- 70-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along a portion of the west side of S. 78th St. in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project.

Along the project’s frontage, S. 78th St. is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. The amount of right-of-way preservation needed is arrived at by taking the minimum right-of-way necessary for a 4-lane urban collector roadway (TS-6 within the Hillsborough County Transportation Technical Manual), which requires a minimum of 110 feet of right-of-way, and adding an additional 11 feet of right-of-way for the southbound exclusive right turn lane. As such, a minimum total of 121 feet of right-of-way is needed to accommodate the future widening. As there is +/- 70 feet of right-of-way existing along the project’s frontage, the applicant will be required to preserve one-half of the +/- 51-foot shortfall (or +/- 25.5 feet of right-of-way along the project’s frontage).

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project’s potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff’s opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did identify concerns regarding future project access, and worked with the applicant to propose a restriction regarding project access as provided hereinabove. This will require the property to take access through the adjacent property to the south (which is currently owned by the same company (i.e. “Ms Homes Real Estate Inc”). Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review, in addition to the proposed restrictions.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
78 th St.	Riverview Dr.	Madison Ave.	D	C

Source: Hillsborough County 2020 Level of Service Report.

ZHM HEARING DATE: September 18, 2023

BOCC LUM MEETING DATE: November 7, 2023

Case Reviewer: Isis Brown

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 23-0640
DATE OF HEARING:	September 18, 2023
APPLICANT:	Munira Godil
PETITION REQUEST:	The request is to rezone a parcel of land from BPO to CG-R
LOCATION:	8609 2. 78 th Street
SIZE OF PROPERTY:	0.35 acres m.o.l.
EXISTING ZONING DISTRICT:	BPO
FUTURE LAND USE CATEGORY:	RES-6
SERVICE AREA:	Urban

DEVELOPMENT REVIEW STAFF REPORT

***Note:** Formatting issues prevented the entire Development Services Department staff report from being copied into the Hearing Master's Recommendation. Therefore, please refer to the Development Services Department web site for the complete staff report.

1.0 APPLICATION SUMMARY

Applicant: Murina Godil

FLU Category: Residential -6 (Res-6)

Service Area: Urban

Site Acreage: 0.35 +/-

Community Plan Area: Riverview

Overlay: None

Request: Rezone from Business – Professional Office (**BPO**) to **Commercial General - Restricted (CG-R)**

Additional Information:

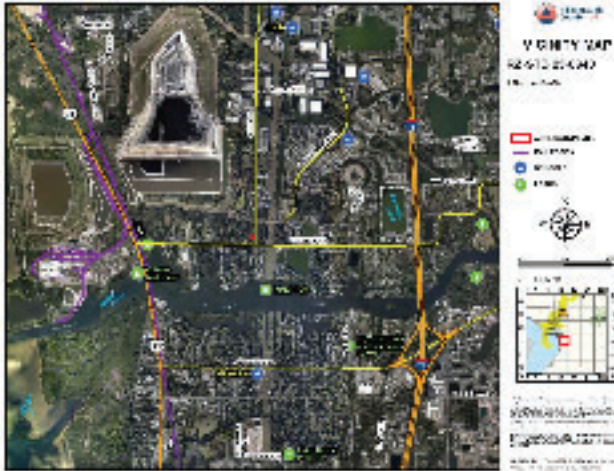
PD Variations: N/A

Waiver(s) to the Land Development Code: None

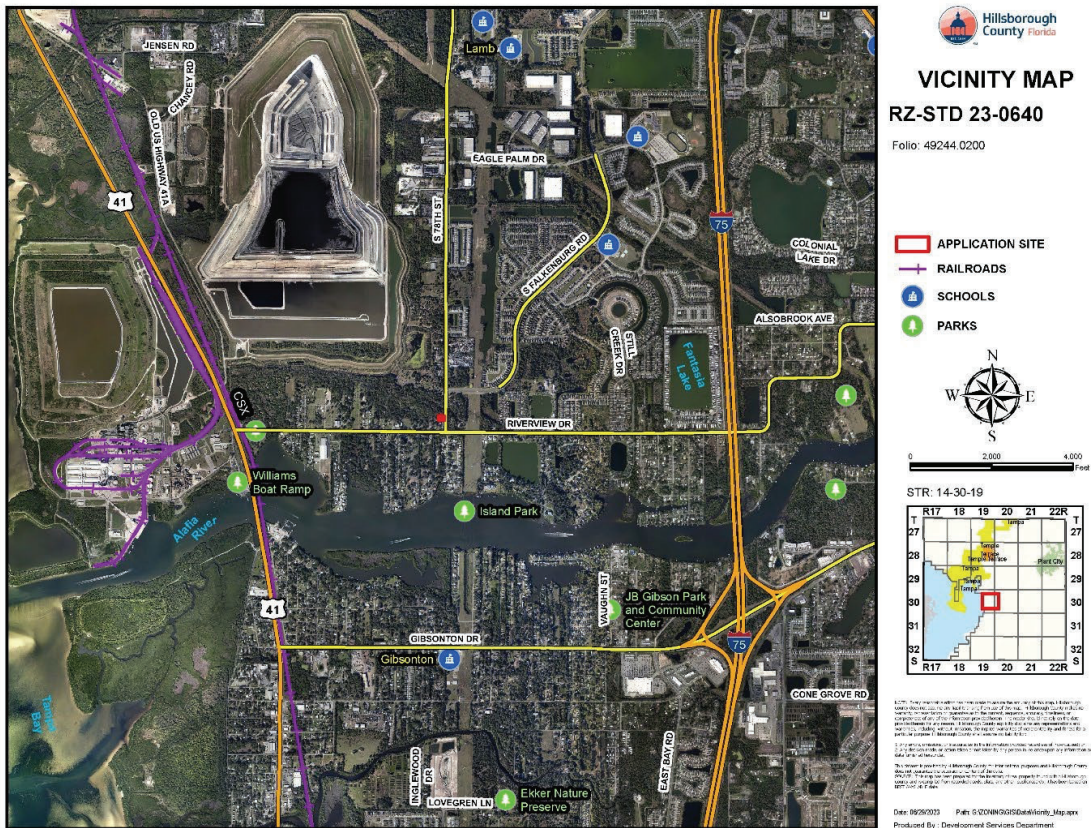
Additional Information:

Planning Commission Recommendation: Consistent

Development Services Department Recommendation: Approvable



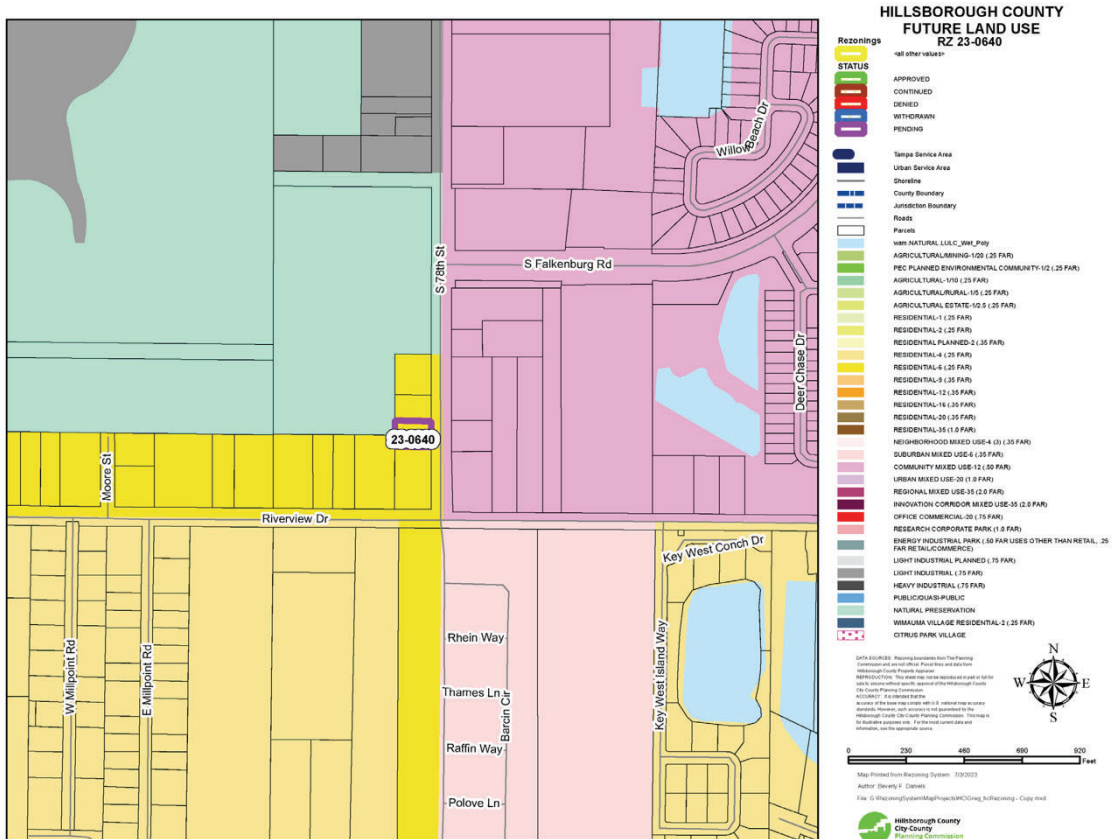
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west and south, and roadway to the east. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east).

2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



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

Adjoining Roadways (check if applicable)

S. 78th Street	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
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Project Trip Generation Not applicable for this request

Connectivity and Cross Access Not applicable for this request

Design Exception/Administrative Variance Not applicable for this request

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Environmental: Objections	Conditions Requested	Additional Information/Comments

Check if Applicable:

- Wetlands/Other Surface Waters
- Use of Environmentally Sensitive Land Credit Wellhead Protection Area
- Surface Water Resource Protection Area
- Potable Water Wellfield Protection Area

- Significant Wildlife Habitat
- Coastal High Hazard Area
- Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property
- Other _____

Public Facilities: Objections	Conditions Requested	Additional Information/Comments
Transportation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
		See Transportation Agency report

<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A			
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A			
Comprehensive Plan: Findings		Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west commercial uses to the and south, and-west, and a roadway to the east south. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the, north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east and

east)., Commercial General (CG) (to the west) and the subject property is also located within a Coastal High Hazard Area. Therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.04.00 of the Land Development Code.

The site is located within the Hillsborough County Urban Service Area, and therefore would require connection to the County's potable water and wastewater systems. A 16-inch water main exists adjacent to the site and is located east of the subject property within the west Right-of-Way of South 78th Street. 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. Additionally, A 4-inch wastewater force main exists adjacent to the site and is located north of the subject property within the east Right-of-Way of South 78th Street. 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.

The subject site meets Commercial Locational Criteria. To address the lots size, transition and compatibility concerns, the applicant has proposed that the following uses be prohibited on the subject site: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels. Additionally, to address Transportation Staff Review concerns the applicant has offered:

- Reorientation of Potential Building Envelope and Potential Sidewalk, Parking, and Drive Aisle, Potential Stormwater Pond.
- Right-of-Way Preservation Strip (as shown as Potential Stormwater Pond per HC Engineer's suggestion).
- Existing Driveway to be used for Emergency Vehicle Access Only. And
- Proposed Pedestrian Cross Access, Proposed Vehicle Cross Access, and Proposed Shared Access.

Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattern along this southern portion of S. 78th Street. The property's frontage is along the west side of S. 78th Street. To the

south, the parcel abutting subject parcel whose frontage is also along S. 78th Street is zoned CG. The proposed CG zoning district is similarly situated and is, therefore, a continuation of the existing commercial development pattern along this portion of S. 78th Street and a compatible infill development.

Based on the above considerations, staff finds the request approvable, with the following applicant proposed restrictions:

1. The project shall be permitted all uses all CG (Commercial General) uses excluding: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels; and
2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on September 18, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Ms. Tu Mai 14031 North Dale Mabry Tampa testified on behalf of the applicant. Ms. Mai stated that the request is to rezone 0.35 acres from BPO to CG Restricted. Ms. Mai listed the proposed land uses that would be prohibited as detailed in the County's staff report. She cited numerous Comprehensive Plan policies that the request complied with and stated that there is an existing natural buffer that abuts the property to the north and west. Ms. Mai testified that shared access is proposed with the parcel to the south which is owned by the applicant's family member. Direct access will be retained to 78th Street and only used for emergency vehicles and shall be gated. Ms. Mai concluded her presentation by stating that no objections were received from reviewing agencies.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the applicant is requesting a rezoning on 0.35 acres from BPO to CG Restricted and that the property meets commercial locational criteria. Ms. Brown stated that the applicant has reoriented the building envelope to address County transportation staff concerns. She concluded her remarks by stating that the request for CG is a continuation of the existing commercial development along South 78th Street and is considered infill development.

Ms. Jillian Massey, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Massey stated that the subject property is within the Residential-6 Future Land Use classification and the Urban Service Area and the Riverview Community Planning Area. Ms. Massey stated that the extensive list of Restricted uses limits adverse impacts on the surrounding area. She concluded her presentation by stating that the property meets commercial locational criteria and that the Planning Commission staff found the proposed rezoning is consistent with the Riverview Community Plan and the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. No one replied.

Hearing Master Finch asked for members of the audience in opposition to the application. No one replied.

County staff and Ms. Mai did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

Ms. Heinrich submitted a copy of the revised County staff report into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject property is 0.35 acres in size and is zoned Business Professional Office (BPO) and is designated Residential-6 (RES-6) by the Comprehensive Plan. The property is located within the Urban Service Area and the Riverview Community Planning Area.

2. The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district. An extensive list of prohibited land uses are proposed in the Restrictions. These prohibited uses include but are not limited to alcoholic beverage establishment, convenience stores with gas, liquor stores, motor vehicle repair-major, restaurants with or without drive-thrus, sales or service of new or used vehicles, bars and supermarkets. Please refer to the Development Services Department staff report for a complete listing of the prohibited land uses. The Restrictions also state that the existing direct access to South 78th Street shall be gated and used for emergency vehicles only. Access will be via a shared driveway to the adjacent parcel Folio 049244.0100.
3. The Planning Commission staff supports the rezoning request. Staff stated that the extensive list of Restricted uses limits adverse impacts on the surrounding area and that the property meets commercial locational criteria. The Planning Commission staff found the proposed rezoning is consistent with the Riverview Community Plan and the Future of Hillsborough Comprehensive Plan.
4. No testimony in opposition was provided at the Zoning Hearing Master hearing.
5. The subject parcel is surrounded by parcels zoned RSC-MH to the north, CG to the south, PD and BPO to the west and the 78th Street right-of-way to the east.
6. The request for CG-R is consistent with the commercial development pattern in the area and provides infill development that is compatible in the area. The extensive list of prohibited land uses that are restricted by the zoning minimizes the potential for adverse impacts to the community.

FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

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

CONCLUSIONS OF LAW

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

SUMMARY

The applicant is requesting a rezoning to the CG-R zoning district. The property is 0.35 acres in size and is currently zoned BPO and designated RES-6 by the Comprehensive Plan. The parcel is located within the Urban Service Area and the Riverview Community Planning Area.

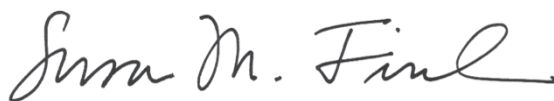
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The Planning Commission staff supports the rezoning request. Staff found that the property meets commercial locational criteria and the rezoning is consistent with the Riverview Community Plan and the Comprehensive Plan.

The request for CG-R is consistent with the commercial development pattern in the area and provides infill development that is compatible in the area. The extensive list of prohibited land uses that are restricted by the zoning minimizes the potential for adverse impacts to the community.

RECOMMENDATION

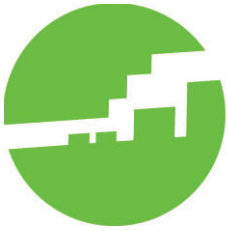
Based on the foregoing, this recommendation is for **APPROVAL** of the CG-R rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



October 9, 2023

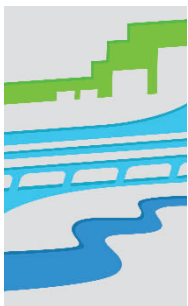
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: September 18, 2023 Report Prepared: September 6, 2023	Petition: RZ 23-0640 8609 South 78th Street <i>On the west side of South 78th Street, north of Riverview Drive</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan	Riverview & SouthShore Areawide Systems
Request	Rezoning from Business Professional Office (BPO) to Commercial General - Restricted (CG-R) for a strip commercial plaza
Parcel Size (Approx.)	0.35 ± acres (15,246 square feet)
Street Functional Classification:	South 78 th Street – County Collector Riverview Drive – County Collector
Locational Criteria	Meets
Evacuation Zone	A



Context

- The 0.35 ± acre subject site is located on the west side of South 78th Street, north of Riverview Drive.
- The subject site is located within the Urban Service Area and is within the limits of the Riverview Community Plan and the SouthShore Areawide Systems Plan.
- The subject site is located within the Future Land Use category of Residential-6 (RES-6), which can be considered for a maximum density of up to 6 dwelling units per gross acre and a maximum intensity of 0.25 FAR. The RES-6 Future Land Use category is intended for areas that are suitable for low density residential development. Suburban scale neighborhood commercial, office and mixed-use projects serving the area may be permitted subject to the Goals, Objectives and Policies of the Land Use Element and established locational criteria for specific land uses. Typical uses of RES-6 include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development.
- RES-6 surrounds the subject site to the north, south, and southwest. Natural Preservation (N) is located to the west and further north. Community Mixed Use-12 (CMU-12) is located east of the subject site across South 78th Street. Further south are the Residential-4 (RES-4) and Suburban Mixed Use-6 (SMU-6) Future Land Use categories.
- According to the Hillsborough County Property Appraiser data, there are currently heavy industrial uses on the site. There is one single family residential property located to the north followed by a vacant lot. Light commercial uses are located directly south. To the southwest, there are single family homes located along Riverview Drive. To the west and further north, there are mining uses that exist on property owned by Mosaic Fertilizer LLC. There are single family and vacant uses interspersed east of the subject site along South 78th Street. The area has a variety of industrial, commercial, mining, and single family uses that are interspersed around the subject site.
- The subject site is currently zoned Business Professional Office (BPO). The property located directly to the southwest is also zoned BPO. Commercial General (CG) zoning is located directly south. Residential Single Family Conventional (RSC-6) zoning is located directly north. To the west and further north is a Planned Development (PD). To the east across South 78th street is Agricultural Single Family (AS-1) zoning.
- The applicant is requesting to rezone the subject site from Business Professional Office (BPO) to Commercial General - Restricted (CG-R) for a strip commercial plaza. The subject site meets established Commercial Locational Criteria and is limited to a maximum FAR of 0.25 (or 3,811 square feet).

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Relationship to the Future Land Use Map

Objective 7: The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.

Policy 7.1: The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text.

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.

Policy 8.2: Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.

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 a 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 16.1: Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;
- c) requiring buffer areas and screening devices between unlike land uses;

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.

Commercial Locational Criteria

Objective 22: To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;

- *establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and*
- *establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.*

Policy 22.2: *The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short-range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.*

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five-year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long-Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

4.0 COMMUNITY LEVEL DESIGN

4.3 COMMERCIAL CHARACTER

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

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

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

GOAL 12: *Design neighborhoods which are related to the predominant character of the surroundings.*

OBJECTIVE 12-1: *New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) 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: Riverview Community Plan

Goals

Goal 2: *Reflect the vision of Riverview using the Riverview District Concept Map. The Riverview District Concept Map will illustrate the unique qualities and land uses related to distinct geographic areas identified as "districts".*

The following specific districts are incorporated into the Riverview District Concept Map. Require future development and redevelopment to comply with the adopted Riverview District Concept Map.

6. Industrial—*Attract employment centers and desirable industry with appropriate infrastructure in areas without conflicting with surrounding land use.*

LIVABLE COMMUNITIES ELEMENT: SouthShore Areawide Systems Plan

Economic Development Objective

The SouthShore community encourages activities that benefits residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life.

1. Land Use/ Transportation

a. *Analyze, identify and market lands that are available for economic development, including: residential, commercial, office, industrial, agricultural (i.e., lands that already have development orders or lands that are not developable.)*

b. *Recognize preferred development patterns as described in individual community plans, and implement the communities' desires to the greatest extent possible (including codification into the land development code). I.e., activity center, compatibility, design and form, pedestrian and bicycle/trail connectivity.*

Staff Analysis of Goals, Objectives and Policies

The 0.35 ± acre subject site is located on the west side of South 78th Street, north of Riverview Drive. The subject site is located within the Urban Service Area and is within the limits of the Riverview Community Plan and SouthShore Areawide Systems Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Residential-6 (RES-6). The applicant is requesting to rezone the entire subject site from Business Professional Office (BPO) to Commercial General with Restrictions (CG-R).

The subject site is located in the Urban Service Area (USA) where according to Objective 1 of the Future Land Use Element (FLUE), Hillsborough County shall pro-actively direct new growth with the goal that at least 80% of all population growth will occur within the USA during the horizon of the Comprehensive Plan. Similarly, FLUE Policy 1.4 defines compatibility as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. The proposed request is consistent with this policy direction, as the proposed rezoning includes a list of extensive restrictions that will limit the possibility of adverse effects on the surrounding area. FLUE Policy 1.4 also notes that compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development. The surrounding area has a variety of uses including single family residential, mining, vacant, and light commercial uses. The proposed rezoning to CG-R is compatible with the surrounding development pattern and therefore meets the intent of this policy direction.

Objective 8 and Policies 8.1 and 8.2 assesses the character of each land use category and evaluate which uses are in compliance with the policy direction established by the Future Land Use Element. The subject site is located within the RES-6 Future Land Use category. This category allows for the consideration of non-residential uses, subject to locational criteria. The request for CG-R zoning on the subject site is allowable for consideration under the site’s designated Future Land Use category and is therefore consistent with the aforementioned Objective and Policies.

According to FLUE Objective 9 and Policy 9.2, all development proposals must meet or exceed all local, state and federal land development regulations. On August 10th, 2023, Transportation staff under the Development Services Department issued an objection to this request. The objection was filed one day after the Planning Commission filed a report finding this request consistent with the Unincorporated Hillsborough County Comprehensive Plan ahead of the August 21st ZHM hearing. At the time of uploading this report, updated comments from Transportation staff were not yet available and thus were not taken into consideration for analysis of this request.

The proposed rezoning meets the intent of FLUE Objective 16 and FLUE Policies 16.1, 16.2, 16.3 and 16.5. The subject site meets established Commercial-Locational Criteria and is therefore limited to a maximum FAR of 0.25 (or 3,811 square feet). The proposal also includes extensive restrictions that will allow for commercial uses on a scale that reflects the overall character of the neighborhood. Some of these restricted uses include car washes, auto repair services, gas stations, and ambulance services among others. On July 31st, 2023, the applicant submitted buffering and screening proposals for the western and northern boundaries of the site. The western boundary will include a 20-foot Type B buffer and a 6-foot-high PVC fence. The northern boundary will maintain the existing Type B buffer and will also include a 6-foot-high PVC fence. This will help ensure adequate buffering between the singular single-family use located directly north of the subject site. Additionally, the request will ensure that there is a gradual transition of intensity between uses. Further north of the site, there is approximately 670 feet of land along South 78th Street that is currently utilized for mining activities. This type of land use is more intense than restricted commercial activities, therefore making the subject site a viable location for the proposed CG-R zoning district. FLUE Policy 16.5 asserts that 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. South 78th Street and Riverview Drive are both County Collector roadways.

Additionally, the surrounding area of the subject site contains a variety of commercial, mining, and vacant uses. Given that the proposal's FAR would be limited to 3,811 square feet and that the range of uses would be restricted, the subject site is an appropriate location for CG-R zoning. The applicant has also demonstrated that the proposal will mitigate potential adverse impacts through buffering and screening techniques on the western and northern boundaries on the subject site. The proposal is consistent with the Neighborhood Protection objectives and policies.

The subject site meets Commercial-Locational Criteria as defined in FLUE Objective 22 and FLUE Policies 22.1 and 22.2. The nearest qualifying intersection is identified at South 78th Street and Riverview Drive. The entirety of the front facing boundary of the subject site falls within the required 900-foot distance as established by FLUE Policy 22.2. Therefore, the proposal is limited to a maximum allowable FAR of 0.25 (or 3,811 square feet).

Goal 9 and Policy 9-1.3 of the Community Design Component (CDC) in the FLUE evaluate the creation of commercial design standards in a scale and design that complements the character of the community. Policy 9-1.3 encourages new commercial zoning to be located at commercial redevelopment areas. The property located directly south of the subject site currently utilizes light commercial uses. This proposal would encourage a shift from the existing heavy industrial use to restricted commercial use, which is similar in nature to the development pattern of the area. The restricted uses and FAR maximum also ensure that the proposed zoning district will complement the overall character of the community.

Goal 12, Objective 12-1, and Policy 12-1.4 of the Community Design Component in the FLUE offer policy direction for compatible neighborhood level design. The proposed zoning district and its list of restricted uses is consistent with Goal 12, which encourages neighborhood design to reflect the prominent character of the surroundings. Objective 12-1 and Policy 12-1.4 require new developments to be compatible with their surroundings through the utilization of site design techniques such as transitions in uses, buffering, setbacks, and open space. As previously noted in this report, the applicant has submitted a list of restricted uses and buffering methods that would be implemented on the subject site upon approval. Planning Commission staff are supportive of the restrictions and buffering techniques, as they help ensure compatibility with the surrounding uses.

Goal 17 of the CDC encourages developments that improve the ambiance of commercial development in the county. CDC Objective 17-1, and Policy 17-1.4 seek to facilitate patterns of development that are organized and purposeful. The property located to the south of the subject site is zoned as Commercial General (CG) and the property to the north of the subject site is zoned as Residential Single Family Conventional (RSC-6). The proposed rezoning to CG-R and its list of restricted uses will provide for a development pattern that is purposeful and organized given the zoning pattern of the surrounding area.

The Riverview Community Plan includes the Riverview District Concept Map, which illustrates the unique qualities and land uses that are related to distinct geographic areas labeled as distinctive "districts." Future developments are required to comply with the intent of their respective districts. The subject site is located within the industrial district on the Riverview Community Plan's concept map. This district seeks to attract employment centers and desirable industry with appropriate infrastructure in areas without conflicting with surrounding land use. The proposed zoning district will attract employment while also remaining compatible with the surrounding land uses and is therefore consistent with the Riverview Community Plan.

As part of its Economic Development Objective, the SouthShore Areawide Systems Plan encourages activities that benefit residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life. This Objective seeks to identify lands that are available for a variety of economic development opportunities, including commercial uses. The SouthShore Areawide Systems Plan also encourages the development patterns that are described in individual community plans, such as the aforementioned Riverview Community Plan. The proposed rezoning would allow for economic development that is encouraged by the SouthShore Areawide Systems Plan and the Riverview Community Plan and is therefore consistent with the Livable Communities Element of the Comprehensive Plan.

Overall, the proposed rezoning would allow for development that is consistent with the goals and objectives regarding the Urban Service Area and would allow for a development that is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan for Unincorporated Hillsborough County.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, *subject to the restrictions proposed by the Development Services Department*.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 23-0640

Rezonings
STATUS

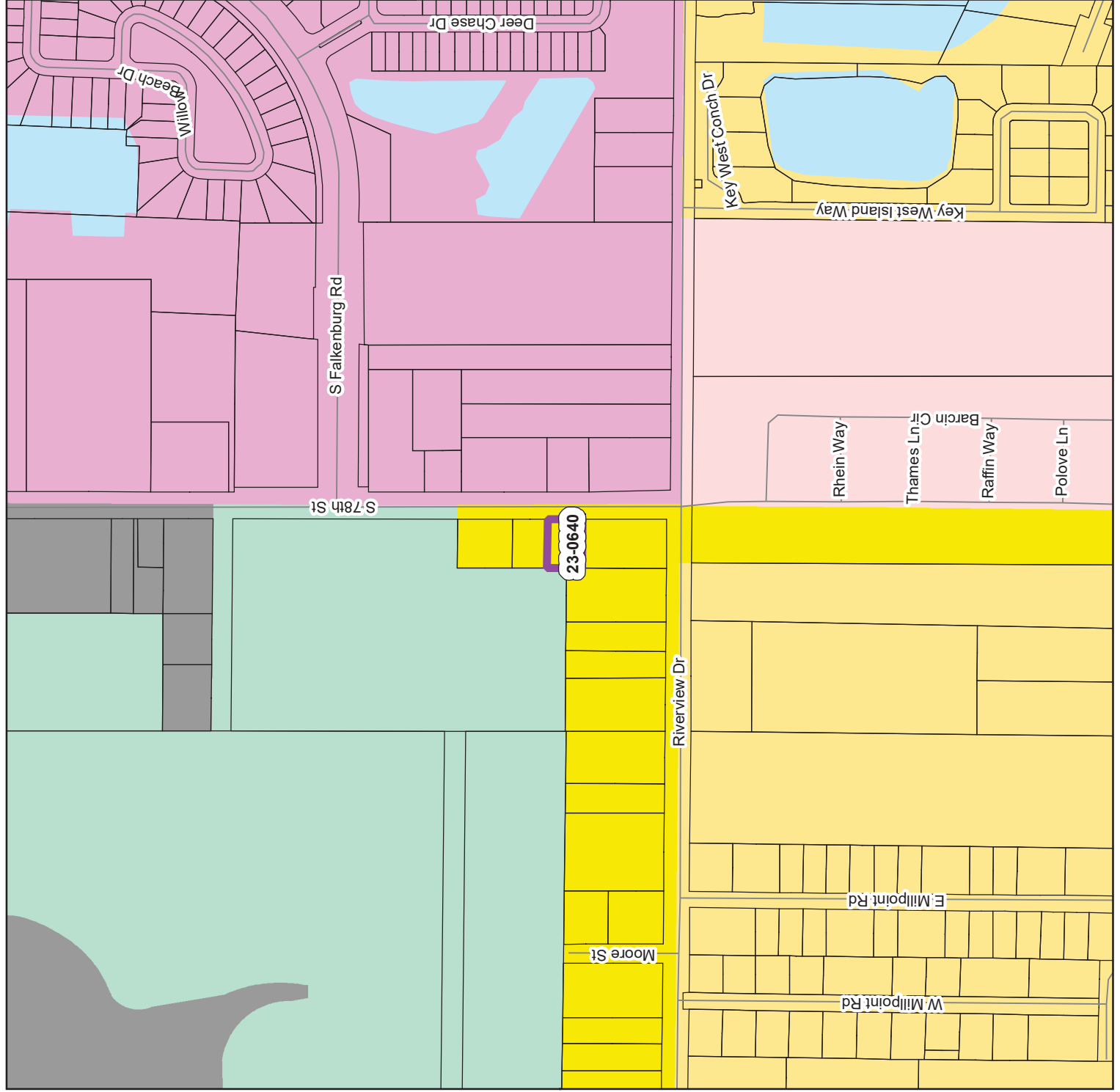
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- WATER/NATURAL/LULC_Web_Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

Map Printed from Rezoning System: 7/3/2023
 Author: Beverly F. Daniels
 File: C:\Rezonings\System\MapProjects\HIC\Gen_HReZoning_Copy.mxd

Hillsborough County
City-County
Planning Commission





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 8/10/2023

Revised: 9/12/2023

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RV/ South

PETITION NO: RZ 23-0640

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached restrictions.
- This agency objects for the reasons set forth below.

PROPOSED RESTRICTIONS

1. The project shall be permitted all uses all CG (Commercial General) uses excluding:
 - a) Alcoholic Beverage Establishments;
 - b) Ambulance Services;
 - c) Bank/Credit Unions;
 - d) Bowling Alleys;
 - e) Brew Pubs;
 - f) Car Wash Facilities;
 - g) Convenience Store With Gas Pumps;
 - h) Drug Stores;
 - i) Funerals and Mortuaries, with or without Accessory Crematoriums;
 - j) Gasoline Sales and Service;
 - k) Grocery Stores;
 - l) Laundromats;
 - m) Liquor Store;
 - n) Medical Marijuana Dispensing Facility;
 - o) Microbreweries;
 - p) Motor Vehicle Repair, Major;
 - q) Motor Vehicle Repair, Minor;
 - r) Motor Vehicle Repair, Neighborhood;
 - s) Restaurants (Eating Establishments) with or without drive-throughs;
 - t) Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles;
 - u) Sales, Rental and Service of Recreational Vehicles;
 - v) Schools, Private and Charter (K-12);
 - w) Schools, Public (K-12);
 - x) Service Station;
 - y) Sexually Oriented Businesses;
 - z) Small Motor Repair;
 - aa) Specialty Food Store;
 - bb) Supermarket;
 - cc) Taverns, Bars, Lounges, Nightclubs and Dance Halls;
 - dd) Tobacco Shops;
 - ee) Trade Schools; and,
 - ff) Wedding Chapels.

2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 0.35 ac. parcel from Business Professional Office (BPO) to Commercial General (CG) with Restrictions (CG-R). The applicant is offering to restrict the zoning such that the following uses would not be permitted:

“schools, drive-through banks, bowling alleys, drug stores, taverns, funeral homes, laundromats, fast food restaurants (with drive-thru windows), sexually oriented businesses, smoke shops, supermarkets, wedding chapels, ambulance services, car washes, auto repair, and gas stations.”

Staff noted that other high intensity uses including but not limited to restaurants without drive-up facilities, convenience stores without gas pumps, free-standing bars, lounges, nightclubs and dance halls, drug stores, medical marijuana dispensing facilities, microbreweries, specialty food stores, walk-in banks could still be permitted. The applicant and staff worked together after staff’s initial objection was filed to create a new set of restrictions that would address staff’s concerns. Those have been provided hereinabove.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO, 3,811 s.f. Medical Office Uses (ITE LUC 720)	137	12	15

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 3,811 s.f. Fast-Food Restaurant without Drive-Through (ITE LUC 933)	1,716	165	127

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 1,579	(+) 153	(+) 112

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard collector roadway characterized by +/- 11-foot travel lanes in average condition (in the vicinity of the proposed project). Along the project’s frontage, the roadway lies within a +/- 70-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks

along a portion of the west side of S. 78th St. in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project.

Along the project’s frontage, S. 78th St. is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. The amount of right-of-way preservation needed is arrived at by taking the minimum right-of-way necessary for a 4-lane urban collector roadway (TS-6 within the Hillsborough County Transportation Technical Manual), which requires a minimum of 110 feet of right-of-way, and adding an additional 11 feet of right-of-way for the southbound exclusive right turn lane. As such, a minimum total of 121 feet of right-of-way is needed to accommodate the future widening. As there is +/- 70 feet of right-of-way existing along the project’s frontage, the applicant will be required to preserve one-half of the +/- 51-foot shortfall (or +/- 25.5 feet of right-of-way along the project’s frontage).

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project’s potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff’s opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did identify concerns regarding future project access, and worked with the applicant to propose a restriction regarding project access as provided hereinabove. This will require the property to take access through the adjacent property to the south (which is currently owned by the same company (i.e. “Ms Homes Real Estate Inc”). Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review, in addition to the proposed restrictions.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
78 th St.	Riverview Dr.	Madison Ave.	D	C

Source: Hillsborough County 2020 Level of Service Report.

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
S. 78 th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	137	12	15
Proposed	1,716	165	127
Difference (+/-)	(+) 1,579	(+) 153	(+) 112

*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access <input checked="" type="checkbox"/> 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		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Restrictions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: August 21, 2023 PETITION NO.: 23-0640 EPC REVIEWER: Abbie Weeks CONTACT INFORMATION: (813) 627-2600 X 1101 EMAIL: weeksa@epchc.org	COMMENT DATE: August 2, 2023 PROPERTY ADDRESS: 8609 S 78th St, Riverview FOLIO #: 049244.0200 STR: 14-30S-19E
REQUESTED ZONING: From BPO to CG-Restricted	
FINDINGS	
WETLANDS PRESENT	No
SITE INSPECTION DATE	n/a
WETLAND LINE VALIDITY	n/a
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Desktop Review of EPC files, aerial photographs and soils survey data indicate no apparent wetlands onsite
INFORMATIONAL COMMENTS:	
<p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.</p>	

aow/

ec: algodil@aol.com

Environmental Excellence in a Changing World

Environmental Protection Commission - Roger P. Stewart Center
 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org



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:** 7/31/2023

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 8/2/2023

APPLICANT: Munira Godil **PID:** 23-0640

LOCATION: 8609 S. 78th Street Riverview, FL 33578

FOLIO NO.: 49244.0200

AGENCY REVIEW COMMENTS:

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Surface Water Resource Protection Area (SWRPA), and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code. Hillsborough County Environmental Services Division (EVSD) has no objection.

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

PETITION NO.: RZ-STD 23-0640 REVIEWED BY: Clay Walker, E.I. DATE: 7/31/2023

FOLIO NO.: 49244.0200

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 16 inch water main exists (adjacent to the site), (approximately ___ feet from the site) and is located east of the subject property within the west Right-of-Way of South 78th Street. 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 4 inch wastewater force main exists (adjacent to the site), (approximately 750 feet from the site) and is located north of the subject property within the east Right-of-Way of South 78th Street. 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.

COMMENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 7 Jul. 2023

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

APPLICANT: Tu Mai

PETITION NO: RZ-STD 23-0640

LOCATION: 8609 S 78th St., Riverview, FL 33578

FOLIO NO: 49244.0200

SEC: 14 TWN: 30 RNG: 19

- This agency has no comments.

- This agency has no objection.

- This agency has no objection, subject to listed or attached conditions.

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.



VERBATIM TRANSCRIPT

1 MS. ALBERT: No. I just want to thank you. And, just
2 for the record, Isabelle Albert; I am a certified planner.
3 Thank you.

4 HEARING MASTER: Thank you. I appreciate it. With
5 that, we'll close 23-0573 and go to the next case.

6 MS. HEINRICH: Our next case is Item C.5, Standard
7 Rezoning 23-0640. The applicant is requesting to rezone from
8 BPO to CGR. Isis Brown with Development Services will present
9 staff findings. And there is a revised staff report that's been
10 provided to you that makes a correction in the introduction
11 summary to reflect the access restriction.

12 HEARING MASTER: I see it. Thank you very much.
13 Good evening.

14 MS. MAI: Good evening, Zoning Hearing Master. My
15 name is Tu Mai, 14031 North Dale Mabry Highway, Tampa, Florida,
16 33618. I'm here representing the applicant. Petition 23-0640
17 is a request to rezone a 0.35 acre parcel Folio number 049244.22
18 from BPO to CG restricted with the following restricted uses:
19 Alcoholic beverage establishments, ambulance services, bank and
20 credit unions, bowling alleys, brew pubs, carwash facilities,
21 taverns, bars, lounges, night clubs, dance halls, tobacco shops,
22 trade schools, and wedding chapels, just to name a few
23 restricted uses. The complete list of proposed restrictions has
24 been submitted to the record prior to tonight.

25 Policy 16.2 of the compatibility plan, as a

1 paraphrase, gradual transitions of intensity between different
2 land uses shall be provided through the use of professional site
3 planning, buffering and screening techniques, and control of
4 specific land uses. Our proposed development meets the intent
5 of Policy 16.2 by the following: The applicant is proposing a
6 20-foot buffer with Type B screening along the property boundary
7 to the adjacent residential zone properties to the north and
8 west. Additional trees will be planted and staggered to fill in
9 the gaps on site.

10 There is an existing natural vegetative buffer, as
11 shown on the exhibit, that abuts the subject site to the north
12 and west. The applicant is proposing a six-foot high PVC fence
13 along the north and west property boundary. The solid PVC fence
14 with Type B screening and trees will provide landscape buffer
15 and protect the privacy of the residential development next
16 door.

17 In addition, the applicant is proposing a shared
18 access with a parcel to the south which is also owned by the
19 applicant's family member. The applicant is proposing to retain
20 direct access on 78th Street to the subject site. This direct
21 access will only be used for emergency vehicles and shall be
22 gated.

23 To conclude, we received no objections from all the
24 review agencies. We concur with staff's finding of the request
25 as approvable. Thank you to Development Services and Planning

1 Commission staff for working with us on this petition. We
2 respectfully request your recommendation for approval. I'm
3 available for questions. Thank you.

4 HEARING MASTER: I don't have any at this time. Thank
5 you so much. If you could please sign in.

6 Development Services.

7 MS. BROWN: Good evening. Isis Brown, Development
8 Services. Standard Rezone 23-0640, the request is to rezone a
9 property of approximately 0.35 acres from BPO to proposed CG
10 with restrictions. The properties adjacent to the subject
11 parcels to the north are RSC-6 with a mobile home overlay and PD
12 to the northwest, BP to the southwest, CG to the south and 78th
13 Street to the east, commercial CG to the west. The subject
14 property is located within a coastal high hazard area and,
15 therefore, LDC section 3.0400 is applicable to this property.

16 The subject property does meet locational criteria.
17 To address the lot size, transition and compatibility concerns,
18 the applicant has proposed the following uses be prohibited on
19 the subject site, listed A through FF within the transportation
20 section of the report. And, additionally, the applicant has --
21 to address transportation staff review concerns, the applicant
22 has offered reorienting the potential building envelope and
23 potential sidewalk parking and drive aisles, potential
24 stormwater pond; two, right-of-way preservation strip as shown
25 on potential stormwater pond per Hillsborough County Engineer's

1 suggestion; existing driveway to be used for emergency access
2 only; and proposed pedestrian cross access, proposed vehicle
3 cross access, and proposed shared access.

4 Staff finds that the request is consistent and
5 compatible with the existing and emerging zoning pattern of
6 development along the southern portion of South 78th Street.
7 The property's frontage is along the west side of South 78th
8 Street. To the south, the parcel abutting the subject parcel
9 whose frontage is along South 78th Street is zoned CG. The
10 proposed CG zoning district is similarly situated and,
11 therefore, a continuation of the existing commercial development
12 pattern along South 78th Street is a compatible infill
13 development.

14 Based on the above considerations and the proposed
15 restrictions as listed in the staff report, staff finds the
16 request approvable. I'm available for any questions.

17 HEARING MASTER: None at this time. Thank you.

18 Planning Commission.

19 MS. MASSEY: Jillian Massey, Planning Commission
20 staff. The subject property is in the residential 6 Future Land
21 Use category. It's in the urban service area and within the
22 limits of the Riverview and SouthShore AreaWide Systems
23 Community Plans. The proposed request is consistent with policy
24 direction relating to compatibility, as the proposed rezoning
25 includes a list of extensive restrictions that will limit the

1 possibility of adverse facts on the surrounding area.

2 Future Land Use Element Policy 1.4 also notes that
3 compatibility does not mean the same as, rather, it refers to
4 the sensitivity of development proposals in maintaining the
5 character of existing development. The surrounding area has a
6 variety of variety of uses including single-family residential,
7 mining, banking, and like commercial uses. The proposed
8 rezoning to commercial-general restricted is compatible with the
9 surrounding development pattern and therefore meets the intent
10 of this policy direction.

11 The proposed rezoning meets the intent of Future Land
12 Use Element Objective 16 and associated policies relating to
13 neighborhood protection. The subject site also meets the
14 established commercial-locational criteria and is therefore
15 limited to a maximum floor area ratio of 0.25 or 3,811 square
16 feet of nonresidential development. The proposal also includes
17 extensive restrictions that will allow for commercial uses on a
18 scale that reflects the overall character of the neighborhood.

19 The Riverview Community Plan includes the Riverview
20 district concept map which illustrates the unique qualities and
21 land uses that are related to the distinct geographic areas
22 labeled as distinctive districts. Future developments are
23 required to comply with the intent of their respective
24 districts, and the subject site is located within the industrial
25 district on the concept map. This district seeks to attract

1 employment centers and desirable industry with appropriate
2 infrastructure in areas without conflicting with surrounding
3 land use. The proposed zoning district will attract employment
4 while also remaining compatible with the surrounding land uses
5 and is therefore consistent with the Riverview Community Plan.

6 And based on these considerations, Planning Commission
7 staff finds the proposed rezoning consistent with the
8 Unincorporated Hillsborough County Comprehensive Plan subject to
9 the restrictions proposed by the Development Services
10 Department.

11 HEARING MASTER: Thank you so much. Is there anyone
12 in the room or online that would like to speak in support?
13 Anyone in favor? Seeing no one. Anyone in opposition? No one.

14 Ms. Heinrich, anything else?

15 MS. HEINRICH: No, ma'am.

16 HEARING MASTER: Ms. Mai, anything you want to add
17 before I close?

18 MS. MAI: No, ma'am.

19 HEARING MASTER: Okay. Thank you so much. With that,
20 we'll close rezoning 23-0640 and go to the next case.

21 MS. HEINRICH: Our next case is Item C.6, Standard
22 Rezoning 23-0792. The applicant is requesting to rezone
23 property from ASC-1 to RC-2. Carolanne Peddle with Development
24 Services will provide staff findings after the applicant's
25 presentation.

P R O C E E D I N G S

1
2
3 HEARING MASTER: All right. Good evening. And
4 welcome to the August 21, 2023 Zoning Hearing Master Meeting.
5 I'm Pamela Jo Hatley. I'll be your Zoning Hearing Master this
6 evening. Before we get started, please stand, if you're able,
7 for the Pledge of Allegiance.

8 (Pledge of Allegiance said in unison.)

9 HEARING MASTER: All right. Welcome again to the
10 August 21, 2023 Zoning Hearing Master Meeting. I'm
11 Pamela Jo Hatley.

12 If you have any items on you tonight that make noise,
13 would you please silence those at this time? And we'll, first
14 hear from Michelle Heinrich with Hillsborough County Development
15 Services Department who will introduce Staff and an agenda
16 changes.

17 MS. HEINRICH: Good evening. Michel Heinrich,
18 Development Services. We also have with us to my left is Mary
19 Dorman with the County Attorney's Office. And with the
20 Planning Commission we have Bryce Fehringer.

21 And the changes to the Agenda that I need to go over
22 starts with Agenda page six, Item C.1, Rezoning 23-0082. Staff
23 has requested a continuance of this application to
24 September 18, 2023 ZHM hearing.

25 Agenda page seven, Item C.5, Rezoning 23-0640. Staff

1 is requesting a continuance to the September 18, 2023 ZHM
2 hearing.

3 Agenda page seven, Item D.1, Major Mod 22-0671. This
4 is to correct -- make a correction on the agenda for the Future
5 Land Use, which is R-6 and R-9.

6 And lastly, Agenda page eight, Item D.3, Major Mod
7 22-1638. This application is being withdrawn from the ZHM
8 process.

9 HEARING MASTER: All right. Thank you. And so those
10 first two are continued. We don't need to hear from -- all
11 right, from the applicants. Okay.

12 Do we want to go ahead, then, if you would please then
13 read in the published withdrawals and continuances?

14 MS. HEINRICH: Sure. Item A.1, Major Mod 22-1543.
15 This application is being withdrawn by the Zoning Administrator
16 in accordance with LDC Section 10.03.02.C.2.

17 Item A.2, PD 23-0059. This application is being
18 continued by the applicant to the September 18, 2023 ZHM
19 hearing.

20 Item A.3, PD 23-0109. This application is out of
21 order to be heard and is being continued to the
22 September 18, 2023 ZHM hearing.

23 Item A.4, PD 23-0153. This application is out of
24 order to be heard and is being continued to the
25 September 18, 2023 ZHM hearing.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

PAGE 1 OF 6

DATE/TIME: 9/18/2023 6pm HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>23-0369</u>	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>206 2nd Ave S. #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____
APPLICATION # <u>23-0203</u>	PLEASE PRINT NAME <u>SUSAN SWIFT</u> MAILING ADDRESS <u>607 S. Alexander St #101</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33731</u> PHONE <u>813 247 9100</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-524 1260</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>Michael Bernstein</u> MAILING ADDRESS <u>19537 Deer Lake Rd</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813 293 1930</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>JAY A MUFFLY</u> MAILING ADDRESS <u>102 5TH AVE SE</u> CITY <u>LUTE</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813 949-2224</u>
APPLICATION # <u>23-0552</u> <u>VS</u>	PLEASE PRINT NAME <u>Gloria Linda Stewart</u> MAILING ADDRESS <u>6997-B Professional Parkway East</u> CITY <u>Sarasota</u> STATE <u>FL</u> ZIP <u>34246</u> PHONE _____

SIGN-IN SHEET: RFR, **ZHM**, PHM, LUHO

PAGE 2 OF 6

DATE/TIME: 9/18/23 6pm HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>23-0552</u> <u>VS</u>	PLEASE PRINT NAME <u>Mollie Usher</u> MAILING ADDRESS <u>5513 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____
APPLICATION # <u>23-0552</u>	PLEASE PRINT NAME <u>Jonathan Hoke</u> MAILING ADDRESS <u>5513 Rain Frog Ln</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813-7205151</u>
APPLICATION # <u>23-0552</u>	PLEASE PRINT NAME <u>Gretchen Genrich Hoke</u> MAILING ADDRESS <u>5513 Rain Frog Lane</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813-707-7000</u> <u>760-3981</u>
APPLICATION # <u>23-0552</u> <u>VS</u>	PLEASE PRINT NAME <u>Mollie Genrich</u> MAILING ADDRESS <u>5521 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____
APPLICATION # <u>23-0552</u> <u>VS</u>	PLEASE PRINT NAME <u>Margaret Thompson</u> MAILING ADDRESS <u>5507 Rain Frog Ln</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____
APPLICATION # <u>23-0552</u> <u>VS</u>	PLEASE PRINT NAME <u>Charles Genrich</u> MAILING ADDRESS <u>5521 Rain Frog Ln.</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE _____

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 3 OF 6

DATE/TIME: 9/18/23 6 pm HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>23-0571</u>	PLEASE PRINT NAME <u>Ruth Londono</u> MAILING ADDRESS <u>1502 W. Busch Blvd</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33612</u> PHONE <u>(813) 919-7802</u>
APPLICATION # <u>23-0572</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> MAILING ADDRESS <u>1000 W. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 331-0976</u>
APPLICATION # <u>23-6640</u>	PLEASE PRINT NAME <u>Tu Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Tu Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Hung Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>813 962-6230</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Aleathea Hoskins</u> MAILING ADDRESS <u>2108 Siloam Springs Dr</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>813-431-9903</u>

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

PAGE 4 OF 6

DATE/TIME: 9/18/23 6pm HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Teri Wagner</u> MAILING ADDRESS <u>2108 Arch McDonald Dr</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33502</u> PHONE <u>8134346722</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Dana Wilson</u> MAILING ADDRESS <u>2102 Arch McDonald Drive</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>309-287-9739</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Th Mai</u> MAILING ADDRESS <u>14031 N. Dale Mabry Hwy</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813)962-6230</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Justin Tillman</u> MAILING ADDRESS <u>2106 Siloam Springs</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>32527</u> PHONE <u>813335-484</u>
APPLICATION # <u>23-0792</u>	PLEASE PRINT NAME <u>Jow Berry</u> MAILING ADDRESS <u>1620 S Dover Rd</u> CITY <u>Dover</u> STATE <u>FL</u> ZIP <u>33527</u> PHONE <u>8132307536</u>
APPLICATION # <u>23-08416</u>	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-277-8421</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 5 OF 6

DATE/TIME: 9/18/23 6 PM HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # <u>23-0846</u></p>	<p>PLEASE PRINT NAME <u>Kathryn Barry</u></p> <p>MAILING ADDRESS <u>3028 Colonial Ridge Dr</u></p> <p>CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>540-419-5122</u></p>
<p>APPLICATION # <u>23-0846</u></p>	<p>PLEASE PRINT NAME <u>STEVE HENRY</u></p> <p>MAILING ADDRESS <u>5023 W. LAMAR ST</u></p> <p>CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-289-0039</u></p>
<p>APPLICATION # <u>23-0059</u></p>	<p>PLEASE PRINT NAME <u>Mark Bentley</u></p> <p>MAILING ADDRESS <u>401 E Jackson</u></p> <p>CITY <u>TPA</u> STATE _____ ZIP _____ PHONE <u>813-225-2250</u></p>
<p>APPLICATION # <u>23-0059</u></p>	<p>PLEASE PRINT NAME <u>RYAN MANASSE</u></p> <p>MAILING ADDRESS <u>401 E JACKSON ST</u> STE <u>3100</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-225-2500</u></p>
<p>APPLICATION # <u>23-0109</u> <u>VS</u></p>	<p>PLEASE PRINT NAME <u>Steve Schmitt</u></p> <p>MAILING ADDRESS <u>5545 Wildwood Dr.</u></p> <p>CITY <u>Reno</u> STATE <u>NV</u> ZIP <u>89511</u> PHONE _____</p>
<p>APPLICATION # <u>23-0414</u></p>	<p>PLEASE PRINT NAME <u>Kevin Reali</u></p> <p>MAILING ADDRESS <u>401 E Jackson ST #2100</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-222-5059</u></p>

SIGN-IN SHEET: RFR, **ZHM** PHM, LUHO

PAGE 6 OF 6

DATE/TIME: 9/18/23 6 PM HEARING MASTER: Susan Finch

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 23-0578	PLEASE PRINT NAME <u>Alexandra Schaler</u> MAILING ADDRESS <u>400 N. Ashley Dr. Suite 1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-319-0702</u>
APPLICATION # 23-0578	PLEASE PRINT NAME <u>KATHY REYES</u> MAILING ADDRESS <u>10433 ALDER GREEN DR</u> CITY <u>RIVERVIEW</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>845-598-7541</u>
APPLICATION # 23-0578	PLEASE PRINT NAME <u>ARMY ANTON</u> MAILING ADDRESS <u>10371 Scarlett Skimmer Dr.</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>706-410-7933</u>
APPLICATION # 23-0578 VS	PLEASE PRINT NAME <u>Cathy Aponte</u> MAILING ADDRESS <u>1340 Scarlett Skimmer Dr.</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE _____
APPLICATION # 23-0578	PLEASE PRINT NAME <u>STEVE HENRY</u> MAILING ADDRESS <u>5023 WILLOW ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-789-0039</u>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____

HEARING TYPE:

ZHM, PHM, VRH, LUHO

DATE: September 18, 2023

HEARING MASTER:


Susan Finch

PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 23-0203	Susan Swift	1. Applicant Presentation Packet	No
RZ 23-0082	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0082	Todd Pressman	2. Applicant Presentation Packet	No
RZ 23-0552	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0552	Jonathan Hoke	2. Opposition Presentation Packet	No
RZ 23-0552	Gretchen Hoke	3. Opposition Presentation Packet	No
RZ 23-0571	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0571	Ruth Londono	2. Applicant Presentation Packet	No
RZ 23-0573	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0573	Isabelle Albert	2. Applicant Presentation Packet	Yes (Copy)
RZ 23-0640	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0792	Aleathea Hoskins	1. Opposition Presentation Packet	No
RZ 23-0792	Tu Mai	2. Applicant Presentation Packet	No
RZ 23-0846	Michelle Heinrich	1. Revised Staff Report – Email	No
RZ 23-0846	Kami Corbett	2. Applicant Presentation Packet	No
RZ 23-0059	Mark Bentley	1. Applicant Presentation Packet	Yes (Copy)
RZ 23-0109	Michelle Heinrich	1. Revised Staff Report – Email	No
MM 23-0414	Michelle Heinrich	1. Revised Staff Report- Email	No
MM 23-0414	Kevin Reali	2. Applicant Presentation Packet	No
MM 23-0578	Michelle Heinrich	1. Revised Staff Report – Email	No
MM 23-0578	Alexandra Schaler	2. Applicant Presentation Packet	No

SEPTEMBER 18, 2023 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, September 18, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

 Susan Finch, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduced Development Services (DS).

A. WITHDRAWALS AND CONTINUANCES

 Michelle Heinrich, DS, introduced staff, and reviewed changes/withdrawals/continuances.

 Susan Finch, ZHM, overview of ZHM process.

 Mary Dorman, Senior Assistant County Attorney, overview of oral argument/ZHM process.

 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 23-0203

 Michelle Heinrich, DS, called RZ 23-0203.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0203.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 23-0082

 Michelle Heinrich, DS, called RZ 23-0082.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0082.

MONDAY, SEPTEMBER 18, 2023

C.2. RZ 23-0552

 Michelle Heinrich, DS, called RZ 23-0552.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0552.

C.3. RZ 23-0571

 Michelle Heinrich, DS, called RZ 23-0571.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0571.

C.4. RZ 23-0573

 Michelle Heinrich, DS, called RZ 23-0573.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0573.

C.5. RZ 23-0640

 Michelle Heinrich, DS, called RZ 23-0640.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0640.

C.6. RZ 23-0792

 Michelle Heinrich, DS, called RZ 23-0792.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0792.

MONDAY, SEPTEMBER 18, 2023

C.7. RZ 23-00846

 Michelle Heinrich, DS, called RZ 23-0846.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 23-0846.

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM) :

D.1. RZ 23-0059

 Michelle Heinrich, DS, called RZ 23-0059.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0059.

D.2. RZ 23-0109

 Michelle Heinrich, DS, called RZ 23-0109.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0109.

D.3. RZ 23-0369

 Michelle Heinrich, DS, called RZ 23-0369.


 Testimony presented.

 Susan Finch, ZHM, continued RZ 23-0369 to November 13, 2023, ZHM.

D.4. MM 23-0414

 Michelle Heinrich, DS, called MM 23-0414.

 Testimony provided.


 Susan Finch, ZHM, closed MM 23-0414.

MONDAY, SEPTEMBER 18, 2023


D.5. MM 23-0578

 Michelle Heinrich, DS, called MM 23-0578.

 Testimony provided.

 Susan Finch, ZHM, closed MM 23-0578.

ADJOURNMENT

 Susan Finch, ZHM, adjourned meeting at 10:54 p.m.

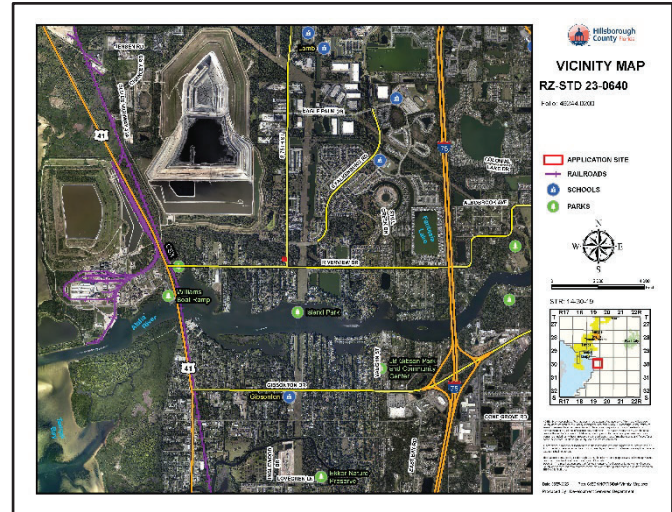
Rezoning Application: 23-0640
Zoning Hearing Master Date: September 18, 2023
BOCC Land Use Meeting Date: November 7, 2023



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Murina Godil
FLU Category: Residential -6 (Res-6)
Service Area: Urban
Site Acreage: 0.35 +/-
Community Plan Area: Riverview
Overlay: None
Request: Rezone from Business – Professional Office (BPO) to **Commercial General - Restricted (CG-R)**



Request Summary:

The request is to rezone from the existing **Business Professional Office (BPO)** zoning district to the proposed commercial General with Restrictions (CG-R) zoning district. The proposed zoning for CG permits development limited to retail uses and personal services in freestanding buildings or small shopping centers to serve residential neighborhoods, on lots containing a minimum of 10,000 square feet (sq. ft). The applicant has proposed: access limitations for the parcel to address transportation concerns; restrictions to certain commercial uses; and proposed additional buffering and screening the west property lines line to mitigate and enhance an appropriate transition between residential and commercial zoned parcels.

Zoning:

Uses	Current BPO Zoning	Proposed CG-R Zoning
		Office
Acreage	0.35+/- Acres (ac); 15, 246 square feet (sf)	0.35 +/- ac; 15,246 sf
Density / Intensity	0.20 Floor Area Ratio (FAR)	0.27 FAR
Mathematical Maximum*	3,049 sf	4,117 sf

Development Standards:

	Current BPO Zoning	Proposed CG-R Zoning
Density / Intensity	3,049 sf / 0.20 FAR	0.27 FAR
Lot Size / Lot Width	7,000 sf / 70'	10,000 sf / 75'
Setbacks/Buffering and Screening	30' - Front (East)	30' - Front (East)
	20' Type B Buffering – Side (North)	20' Type B Buffering – Side (North)
	0' – Side (South)	0' – Side (South)
	20' Type B Buffering – Rear (West)	20' Type B Buffering – Rear (West)
Height	50'	50'

Additional Information:

PD Variations	N/A
Waiver(s) to the Land Development Code	None

Additional Information:

Planning Commission Recommendation	Consistent
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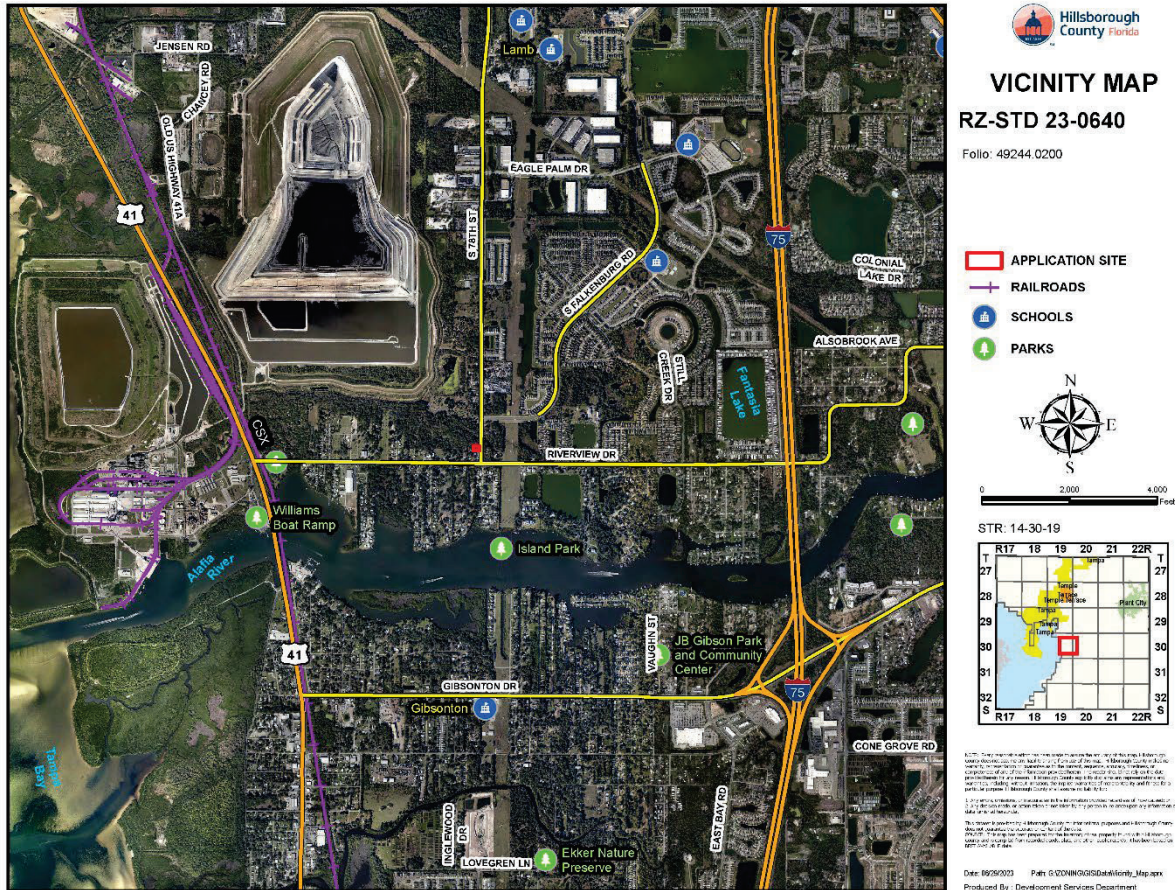
Additional Information:

Development Services Department Recommendation

Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

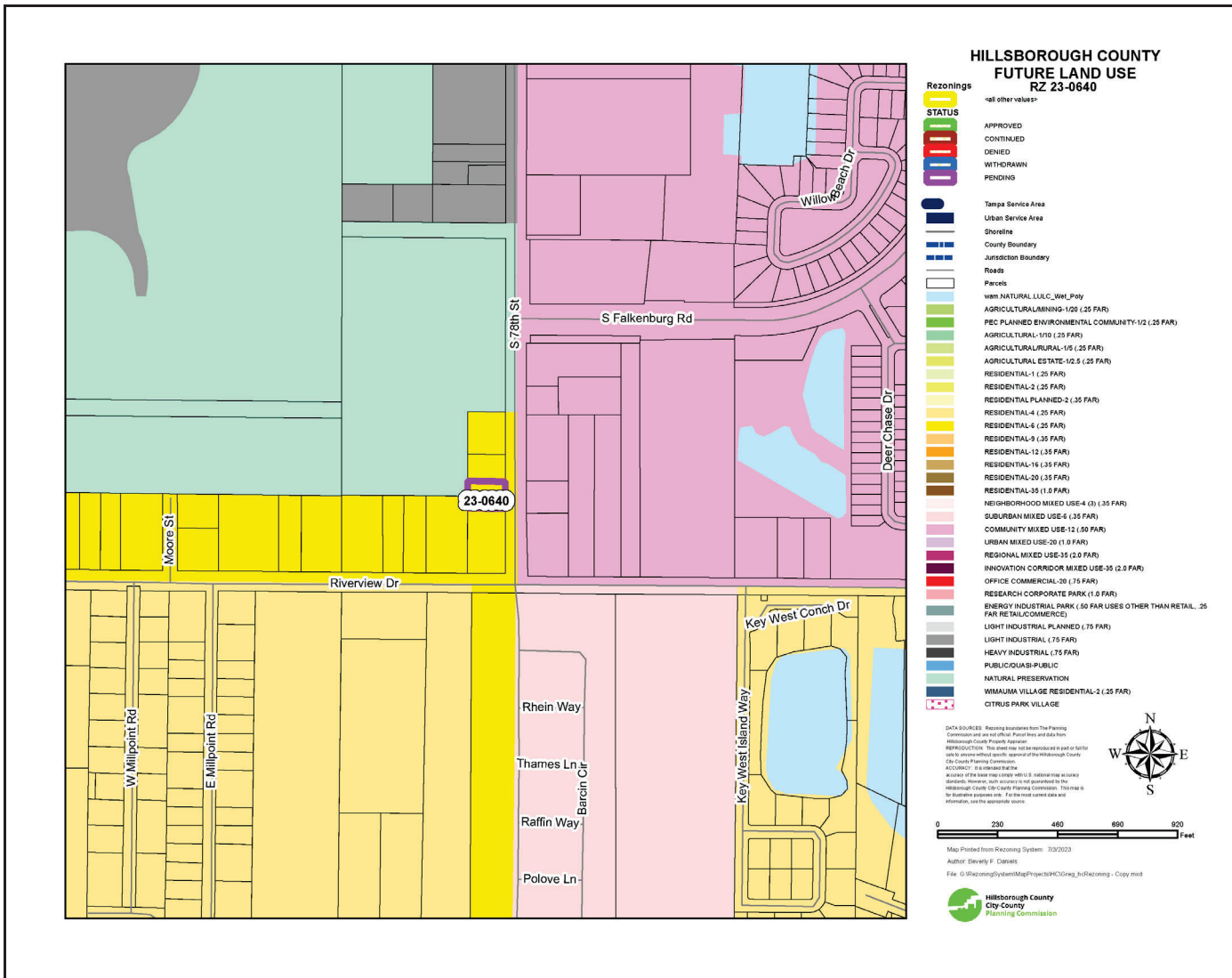


Context of Surrounding Area:

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west and south, and roadway to the east. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east).

2.0 LAND USE MAP SET AND SUMMARY DATA

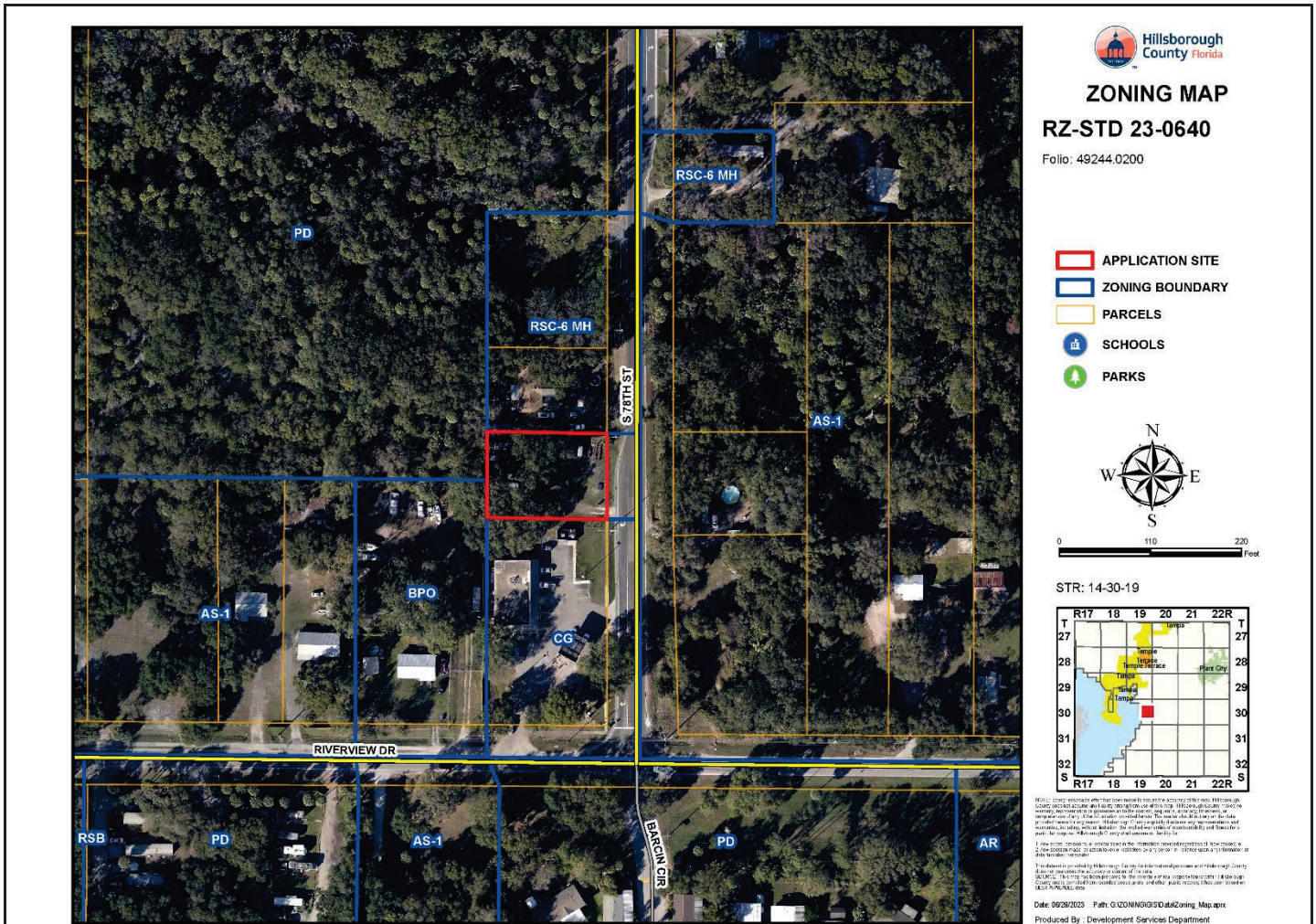
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 6 (Res-6)
Maximum Density/F.A.R.:	6 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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	RSC-6 MH	1 du / 7,000 sq ft	Single-Family Residential (Conventional/Mobile Home)	Single Family Residential
South	CG	FAR 0.27	General Commercial, Office and Personal Services	Convenience Store
West	PD 99 -1153	FAR 0.27	Intensive Commercial, Office and Personal Services	Mosaic Fertilizer LLC
	BPO	FAR 0.20	Office	Office
East	Street	N/A	Street	S. 78 th Street

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

Not Applicable

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
S. 78 th Street	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	137	12	15
Proposed	1,716	165	127
Difference (+/-)	(+) 1, 579	(+) 153	(+) 112

*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		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	See Transportation Agency report
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of mixed-uses, to include commercial general and commercial neighborhood and single-family residential uses with mobile home overlay. The surrounding uses include a single-family to the immediate north, PD 99-1153 (with industrial and mining type uses) to the north-west, Business professional Office and commercial to the south-west commercial uses to the and south, and-west, and a roadway to the east south. The adjacent properties are zoned RSC-6 MH (to the north) PD 99-1153 (to the, north-west, BPO (to the south-west), CG (to the south), and S. 78th Street (to the east and east)., Commercial General (CG) (to the west) and the subject property is also located within a Coastal High Hazard Area. Therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.04.00 of the Land Development Code.

The site is located within the Hillsborough County Urban Service Area, and therefore would require connection to the County's potable water and wastewater systems. A 16-inch water main exists adjacent to the site and is located east of the subject property within the west Right-of-Way of South 78th Street. 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. Additionally, A 4-inch wastewater force main exists adjacent to the site and is located north of the subject property within the east Right-of-Way of South 78th Street. 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.

The subject site meets Commercial Locational Criteria. To address the lots size, transition and compatibility concerns, the applicant has proposed that the following uses be prohibited on the subject site: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels. Additionally, to address Transportation Staff Review concerns the applicant has offered:


- Reorientation of Potential Building Envelope and Potential Sidewalk, Parking, and Drive Aisle, Potential Stormwater Pond.
- Right-of-Way Preservation Strip (as shown as Potential Stormwater Pond per HC Engineer's suggestion).
- Existing Driveway to be used for Emergency Vehicle Access Only. And
- Proposed Pedestrian Cross Access, Proposed Vehicle Cross Access, and Proposed Shared Access.

Staff finds the request is consistent and compatible with the existing and emerging zoning and development pattern along this southern portion of S. 78th Street. The property's frontage is along the west side of S. 78th Street. To the south, the parcel abutting subject parcel whose frontage is also along S. 78th Street is zoned CG. The proposed CG zoning district is similarly situated and is, therefore, a continuation of the existing commercial development pattern along this portion of S. 78th Street and a compatible infill development.

5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following applicant proposed restrictions:

1. The project shall be permitted all uses all CG (Commercial General) uses excluding: Alcoholic Beverage Establishments, Ambulance Services, Bank/Credit Unions, Bowling Alleys, Brew Pubs, Car Wash Facilities, Convenience Store with Gas Pumps, Drug Stores, Funerals and Mortuaries, with or without Accessory Crematoriums, Gasoline Sales and Service, Grocery Stores, Laundromats, Liquor Store, Medical Marijuana Dispensing Facility, Microbreweries, Motor Vehicle Repair-Major, Motor Vehicle Repair-Minor, Motor Vehicle Repair-Neighborhood, Restaurants (Eating Establishments) with or without drive-throughs, Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles, Sales, Rental and Service of Recreational Vehicles, Schools, Private and Charter (K-12), Schools, Public (K-12), Service Station, Sexually Oriented Businesses, Small Motor Repair, Specialty Food Store, Supermarket, Taverns, Bars, Lounges, Nightclubs and Dance Halls, Tobacco Shops, Trade Schools, Wedding Chapels; and
2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

Zoning Administrator Sign Off:	 J. Brian Grady Mon Sep 18 2023 14:12:40
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 8/10/2023

Revised: 9/12/2023

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RV/ South

PETITION NO: RZ 23-0640

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This agency has no comments.

This agency has no objection.

This agency has no objection, subject to the listed or attached restrictions.

This agency objects for the reasons set forth below.

PROPOSED RESTRICTIONS

1. The project shall be permitted all uses all CG (Commercial General) uses excluding:
 - a) Alcoholic Beverage Establishments;
 - b) Ambulance Services;
 - c) Bank/Credit Unions;
 - d) Bowling Alleys;
 - e) Brew Pubs;
 - f) Car Wash Facilities;
 - g) Convenience Store With Gas Pumps;
 - h) Drug Stores;
 - i) Funerals and Mortuaries, with or without Accessory Crematoriums;
 - j) Gasoline Sales and Service;
 - k) Grocery Stores;
 - l) Laundromats;
 - m) Liquor Store;
 - n) Medical Marijuana Dispensing Facility;
 - o) Microbreweries;
 - p) Motor Vehicle Repair, Major;
 - q) Motor Vehicle Repair, Minor;
 - r) Motor Vehicle Repair, Neighborhood;
 - s) Restaurants (Eating Establishments) with or without drive-throughs;
 - t) Sales, Rental and Service of New or Used Domestic Vehicles, Farm and Garden Equipment, Private Pleasure Crafts and Hobby Vehicles;
 - u) Sales, Rental and Service of Recreational Vehicles;
 - v) Schools, Private and Charter (K-12);
 - w) Schools, Public (K-12);
 - x) Service Station;
 - y) Sexually Oriented Businesses;
 - z) Small Motor Repair;
 - aa) Specialty Food Store;
 - bb) Supermarket;
 - cc) Taverns, Bars, Lounges, Nightclubs and Dance Halls;
 - dd) Tobacco Shops;
 - ee) Trade Schools; and,
 - ff) Wedding Chapels.

2. Except for gated access serving only emergency vehicles, direct vehicular access to S. 78th St. shall be prohibited from the subject parcel. Access to S. 78th St. for the above permitted uses shall be via a Shared Access Facility through folio 049244.0100.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 0.35 ac. parcel from Business Professional Office (BPO) to Commercial General (CG) with Restrictions (CG-R). The applicant is offering to restrict the zoning such that the following uses would not be permitted:

“schools, drive-through banks, bowling alleys, drug stores, taverns, funeral homes, laundromats, fast food restaurants (with drive-thru windows), sexually oriented businesses, smoke shops, supermarkets, wedding chapels, ambulance services, car washes, auto repair, and gas stations.”

Staff noted that other high intensity uses including but not limited to restaurants without drive-up facilities, convenience stores without gas pumps, free-standing bars, lounges, nightclubs and dance halls, drug stores, medical marijuana dispensing facilities, microbreweries, specialty food stores, walk-in banks could still be permitted. The applicant and staff worked together after staff’s initial objection was filed to create a new set of restrictions that would address staff’s concerns. Those have been provided hereinabove.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
BPO, 3,811 s.f. Medical Office Uses (ITE LUC 720)	137	12	15

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 3,811 s.f. Fast-Food Restaurant without Drive-Through (ITE LUC 933)	1,716	165	127

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 1,579	(+) 153	(+) 112

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. 78th St. is a 2-lane, undivided, publicly maintained, substandard collector roadway characterized by +/- 11-foot travel lanes in average condition (in the vicinity of the proposed project). Along the project’s frontage, the roadway lies within a +/- 70-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along a portion of the west side of S. 78th St. in the vicinity of the proposed project. There are no bicycle facilities present along S. 78th St. in the vicinity of the proposed project.

Along the project’s frontage, S. 78th St. is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. The amount of right-of-way preservation needed is arrived at by taking the minimum right-of-way necessary for a 4-lane urban collector roadway (TS-6 within the Hillsborough County Transportation Technical Manual), which requires a minimum of 110 feet of right-of-way, and adding an additional 11 feet of right-of-way for the southbound exclusive right turn lane. As such, a minimum total of 121 feet of right-of-way is needed to accommodate the future widening. As there is +/- 70 feet of right-of-way existing along the project’s frontage, the applicant will be required to preserve one-half of the +/- 51-foot shortfall (or +/- 25.5 feet of right-of-way along the project’s frontage).

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project’s potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff’s opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did identify concerns regarding future project access, and worked with the applicant to propose a restriction regarding project access as provided hereinabove. This will require the property to take access through the adjacent property to the south (which is currently owned by the same company (i.e. “Ms Homes Real Estate Inc”). Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review, in addition to the proposed restrictions.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
78 th St.	Riverview Dr.	Madison Ave.	D	C

Source: Hillsborough County 2020 Level of Service Report.

ZHM HEARING DATE: September 18, 2023

BOCC LUM MEETING DATE: November 7, 2023

Case Reviewer: Isis Brown



**PARTY OF
RECORD**

NONE