

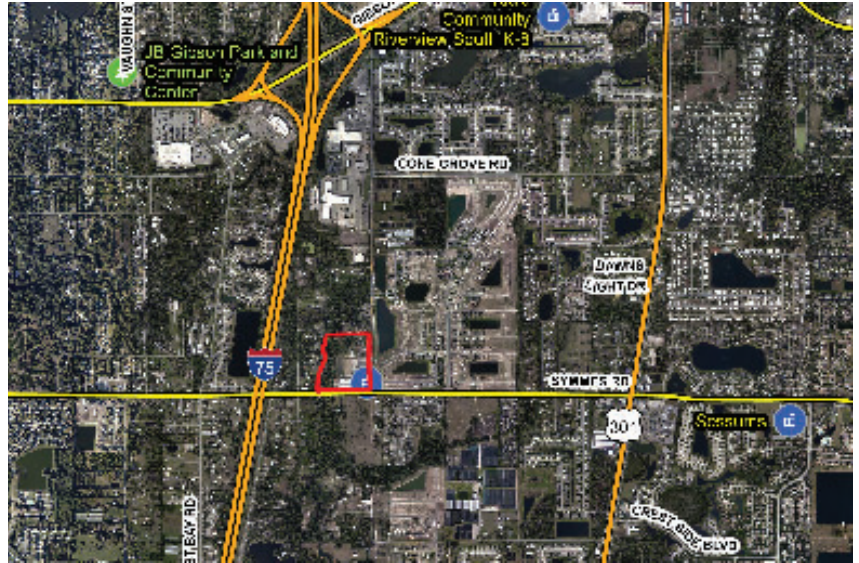


PD Modification Application: PRS 22-0822

BOCC Land Use Meeting Date: June 7, 2022

1.0 APPLICATION SUMMARY

Applicant: MG3 Riverview, LLC
 FLU Category: SMU-6
 Service Area: Urban
 Site Acreage: 20.9
 Community Plan Area: Riverview
 Overlay: None



Introduction Summary

The property is located within PD 18-1058 last modified by PRS 19-0983. The applicant requests modifications to reduce the student count, reconfigure the site, and remove the option to develop the site with a maximum of 61 townhouse units, a maximum of 22,500 square feet of floor space for BPO and CN uses. The charter school is under construction with a planned opening in July 2022 for the 2022-23 school year.

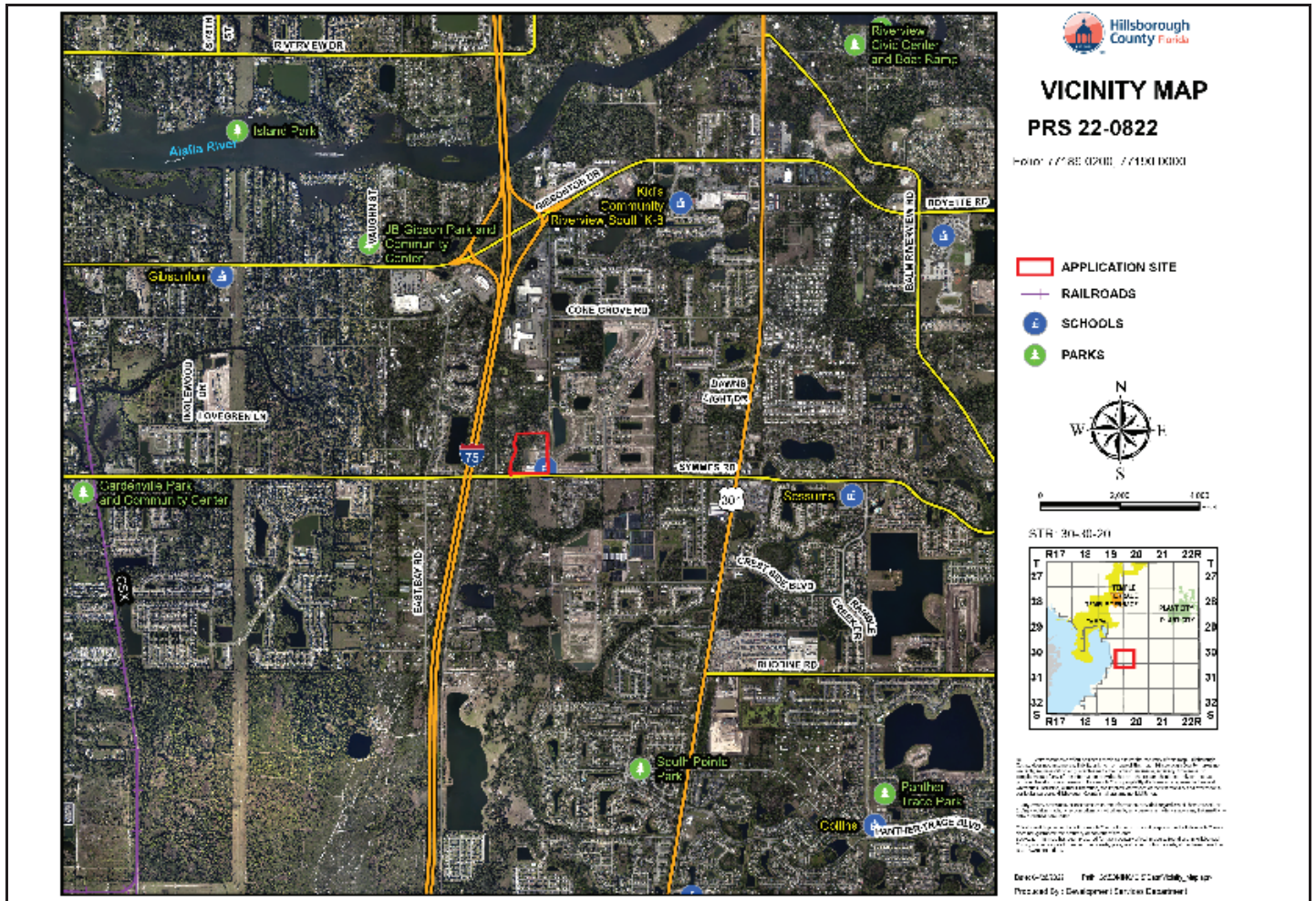
Existing Approval(s)	Proposed Modification(s)
The property may be developed under two options. Option #1 is to develop the site for a K-12 charter school. Option #2 allows a maximum of 61 townhomes and a maximum of 22,500 square feet of floor space for BPO and CN uses, with drive through facilities, convenience stores, and fast food restaurants being prohibited.	The general site plan modifications include reducing the onsite parking and queuing, reconfiguring the impervious surface area, and shifting the baseball field towards the parking area that is being reduced. The number of high school (grades 9-12) students will be reduced by 200 to 748, resulting in a reduced total student count from 1,840 to 1,640. Option #2 will be an allowable development of the property.

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

Planning Commission Recommendation	N/A
Development Services Recommendation	Supportable, with Conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

The subject property is located in Riverview at the northwest intersection of Symmes Road and Fern Hill Drive. The site is within the Urban Service Area and has an SMU-6 Future Land Use designation. Surrounding uses include single-family, conventional; single-family, mobile home; vacant business, professional office; and vacant commercial neighborhood.

The adjoining properties to the north are zoned Agricultural (A) and are developed for residential, single-family conventional uses.

Separated from the subject site by Fern Hill Drive (approximately 80 feet wide right-of-way), the properties to the east are zoned PD 87-0110 (Commercial General) and are developed for single-family residential.

To the south, the properties include an ASC-1 parcel developed for single-family use and vacant site zoned PD 07-1325 that allows residential; business, professional office; and commercial, neighborhood uses. The properties to the south are separated from the subject property by Symmes Road, a right-of-way that varies from approximately 72 to 103 feet in width.

The adjoining parcels to the west are zoned RSC-2, ASC-1, AS-1 and are developed for residential uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density/F.A.R. Permitted by Zoning District	Allowable Use	Existing Use
North	AR	1 du/5 ga	Agricultural and single-family residential	Single Family, Conventional & Vacant
South	PD 07-1325	0.35 F.A.R. 4.2 du/ga	Business, Professional Office, Neighborhood Commercial, and single-family conventional	Vacant
South	ASC-1	1.0 du/ga	Agricultural and single-family residential	Residential, Mobile Home
East	PD 87-0110	3.56 du/ga	Single-family residential	Single-Family, Conventional
West	AS-1	1.0 du/ga	Agricultural and single-family residential	Single-Family, Conventional
West	ASC-1	1.0 du/ga	Agricultural and single-family residential	Single-Family, Conventional
West	RSC-2	2.0 du/ga	Single-family residential	Residential, Mobile Home

APPLICATION NUMBER: PRS 22-0822

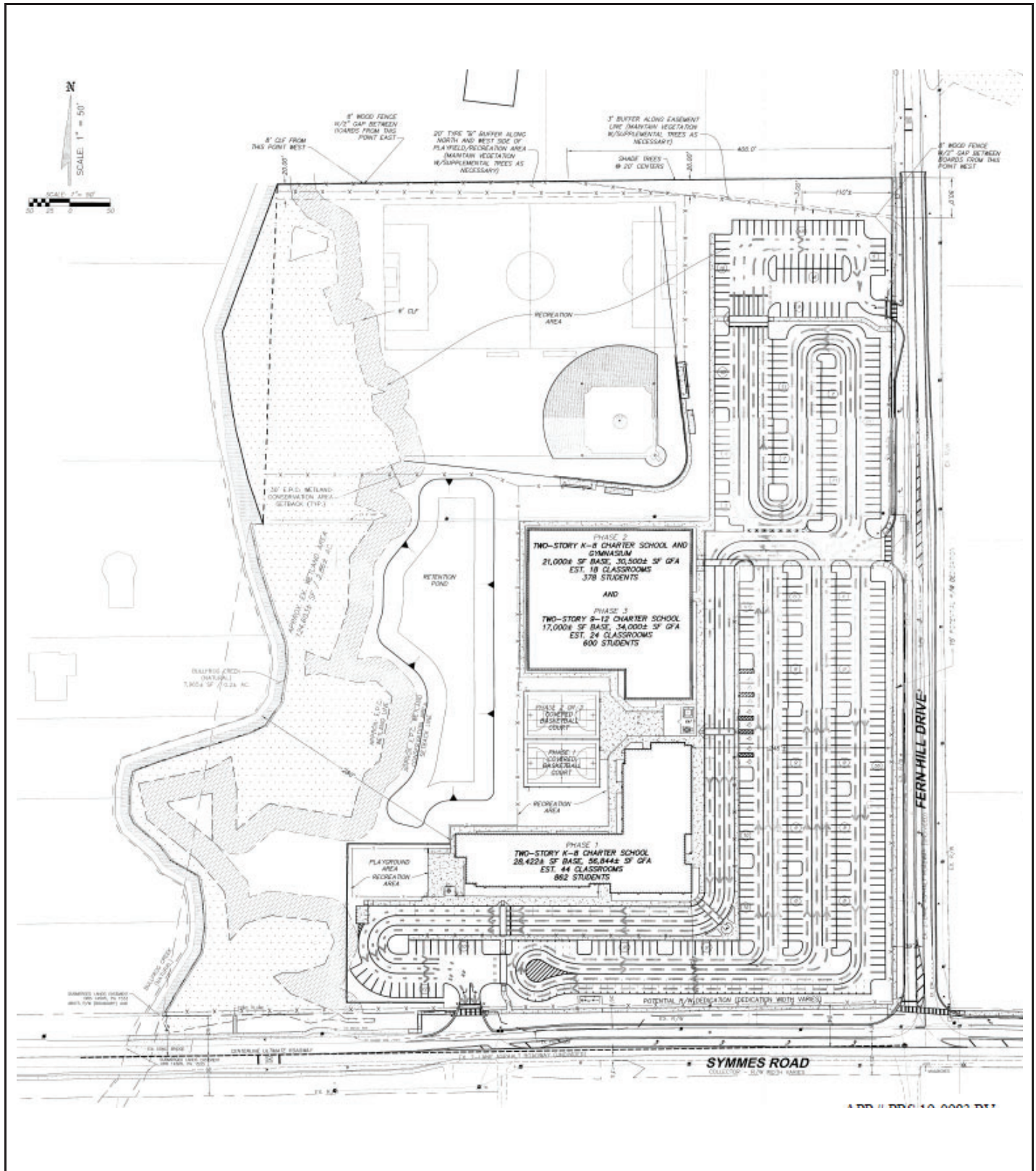
ZHM HEARING DATE: N/A

BOCC LUM MEETING DATE: June 7, 2022

Case Reviewer: Sam Ball

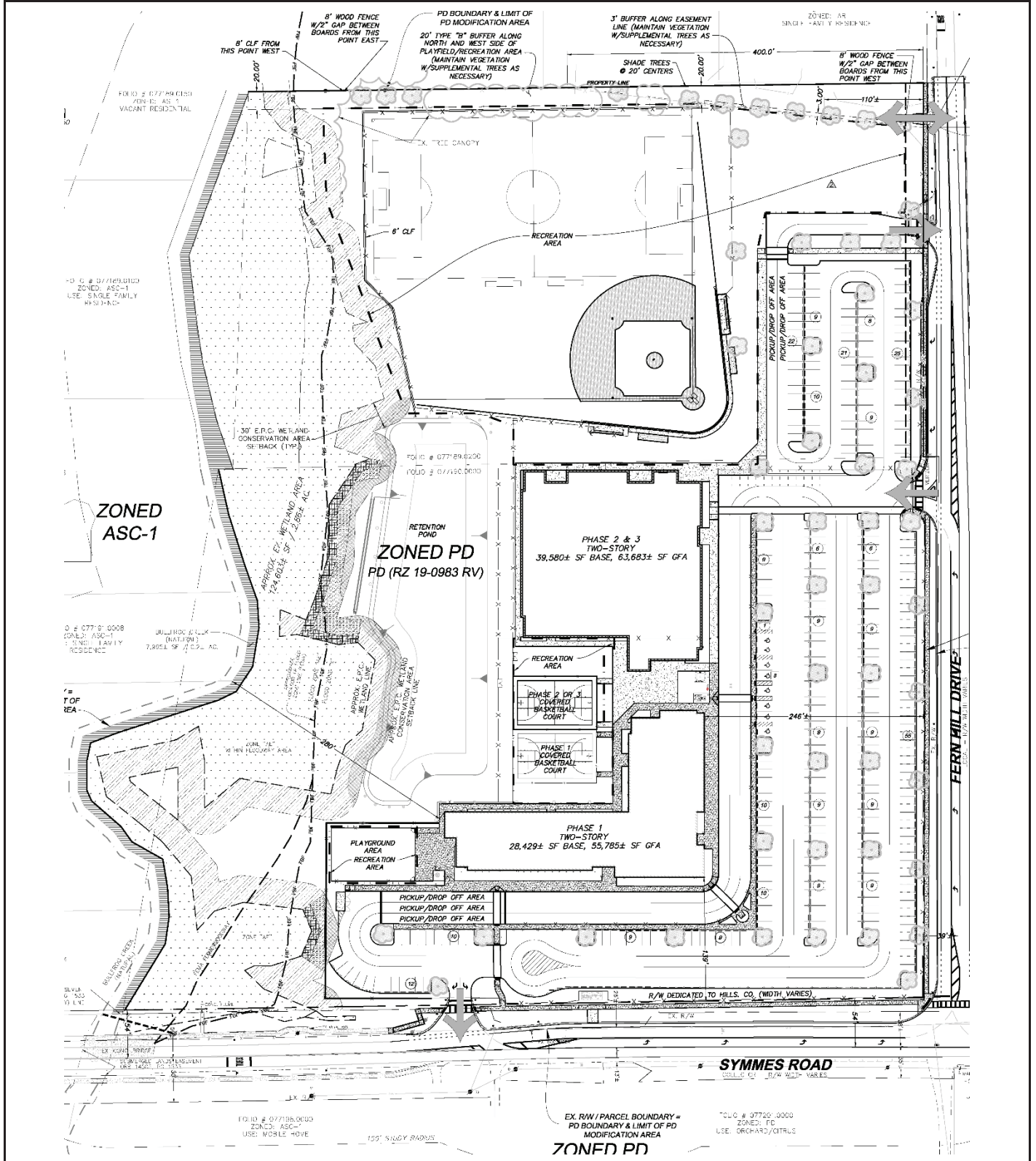
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Fern Hill Dr.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" 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
Symmes Rd.	County Collector – Urban and Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" 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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,563	1,472	313
Proposed	4,067	1,312	279
Difference (+/-)	(-) 496	(-) 160	(-) 34

*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		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West		None	None	Meets LDC

Notes: Although there is an access which crosses the northern project boundary, “None” was selected since this access serves three single-family home parcels and does not provide access to school related traffic.

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Fern Hill Dr. – Spacing Variance	Administrative Variance Requested	Approvable
Fern Hill Dr. – Number of Access Connections	Administrative Variance Requested	Approvable
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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	<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 type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input 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"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

Staff finds the revised development configuration compatible with the surrounding development pattern. The proposed modifications will reduce the number of students and as a result create less of an impact on the surrounding uses.

Based on the adjacent zonings and uses identified in the report, staff finds the proposed modification to PD 00-1167 compatible.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

6.0 PROPOSED CONDITIONS

Prior to certification, the general development plan must be revised with the boundary line of the PRS removed.

Approval – Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted April 25, 2022.

- 1. The project may be permitted as a charter school (K-12). ~~the following development options:~~

~~Option #1: Charter School (K-12);~~

~~Option #2: Maximum of 61 townhouse units, a maximum of 22,500 square feet of floor space for BPO and CN uses.~~

~~These above entitlements shall be subject to formal delineation of on-site conservation areas, preservation areas and water bodies and final calculation of maximum density/intensity (FAR) permitted by the Comprehensive Plan in accordance with the Environmentally Sensitive Lands Credits requirement of the Comprehensive Plan. If the maximum number of units and/or maximum square footage for the project as permitted herein exceeds the maximum density/intensity (FAR) permitted by the Comprehensive Plan, per the Environmentally Sensitive Lands Credits requirement, the number of dwelling units and/or square footage allowed in the project shall decrease as necessary to conform to the Comprehensive Plan.~~

~~1.1 As an interim use, a maximum of 3 single family dwelling units may be permitted on the parcel of property described as having folio# 77190.000 and shall remain in accordance with ASC-1 zoning district standards and consistent with all site development and subdivision requirements of the Land Development Code. Additional interim uses include those consistent with the AR zoning district. Also permitted as an interim use is a maximum of 1 single family residential dwelling unit on a parcel of property described as folio# 77189.0200 and shall remain in accordance with AS-1 zoning district standards and consistent with all site development and subdivision requirements of the Land Development Code.~~

~~1.2 The following commercial uses shall be prohibited: uses with drive through facilities, convenience stores, and fast food restaurants.~~

- ~~2. The residential component of the project (Option #2) shall be developed in accordance with RMC-6 zoning district standards unless otherwise specified herein:~~

~~2.1 Structures with a height over 20 feet shall not be subject to the additional setback requirements (2:1).~~

~~2.2 Two-story units shall be located as shown on the certified site plan.~~

- ~~2.3 Buildings along the northern project boundary shall be limited to a maximum of 4 units per building.~~
- ~~2.4 Townhome units shall be setback a minimum of 20 feet from project boundaries.~~
- ~~3. The non-residential (BPO and CN uses) portion of the project (Option # 2) shall be developed in accordance with CN zoning district standards unless otherwise specified herein:~~
 - ~~3.1 CN uses shall be limited to the first floor of the two non-residential buildings as shown on the site plan and shall not exceed a combined total of 11,250 square feet of space. BPO uses shall be permitted on the first floor of the buildings in place of CN uses at the discretion of the developer. Free standing neighborhood commercial development shall not be permitted.~~
 - ~~3.2 Buildings shall be located as shown on the site plan. Minimum building setback from Fern Hill Drive shall be 15 feet and minimum building setback from Symmes Road shall be 30 feet.~~
 - ~~3.3 At least 60% of the length of each façade that faces a public right-of-way shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, porticos, or pilasters. Prior to Construction Plan approval, the developer shall submit a building elevation indicating consistency with this condition.~~
- ~~24.~~ The Charter School development ~~is (Option #1) permits grades K-12~~ to be developed in accordance with the following standards unless otherwise provided herein:
 - ~~2.14.1~~ A maximum of ~~1,640~~^{1,840} students and ~~868~~⁹ classrooms. ~~The number of students and classrooms shall comply with the Certified Site Plan as shown.~~
 - ~~2.24.2~~ The school development shall be limited to a maximum of 130,000 square feet and developed as shown on the Certified Site Plan.
 - ~~2.34.3~~ If the Charter School is developed, the existing vegetation with the wetland conservation area setbacks as shown on the General Site Plan provide adequate alternative screening and buffering to the west project boundary.
 - ~~2.44.4~~ There shall be no 2:1 setback to height ratio required for the Charter School.
 - ~~2.54.5~~ Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to assess the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,840 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include revised staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.
 - ~~2.64.6~~ The charter school shall operate under the following split arrival/dismissal phasing scenario:

K-5 students will arrive at 8 AM with a 2:30 PM dismissal. 6th -8 grade students will arrive 8:15 am with a 3:15pm dismissal, while 9-12 students will arrive at 8:45 AM with dismissal at 3:45 PM. **Schedule times may be modified subject to the review and approval of Hillsborough County.**

~~2.74.7~~ As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.

[THIS CONDITION HAS BEEN SATISFIED]

~~2.84.8~~ The developer shall construct the following site related improvements at the Fern Hill Drive project entrance:

- A northbound left turn lane; and,
- A southbound right turn lane;

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works. The queue (storage) length will be determined based on consideration of the required detailed transportation analysis.

[THIS CONDITION HAS BEEN SATISFIED]

~~4.9~~ As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.

~~2.94.10~~ Project access shall be as follows: ~~The project shall have one access driveway on Symmes Road restricted to exit only right out and left out. This exit shall be signed appropriately to restrict any inbound movements.~~

~~2.9.1~~ The school shall be served by one (1) access connection to Symmes Rd. This access shall be restricted to permit right-out and left-out only turning movements (i.e. no inbound movements shall be permitted). This exit shall be signed appropriately to restrict any inbound movements.

~~2.9.2~~ The school shall be served by two (2) access connections to Fern Hill Dr. The southernmost access connection shall permit left-in and right-in only turning movements (i.e. no outbound movements shall be permitted at this access). The northmost connection shall be restricted to right-out only turning movements (i.e. no inbound right, inbound left, or outbound left turning movements shall be permitted).

~~2.9.3~~ Notwithstanding anything shown on the PD site plan to the contrary, concurrent with the development of school site the developer shall remove the existing pavement at the northernmost school access which allows outbound left turning movements, and final design of this improvement shall include removal of excess pavement, curb and sidewalk extensions and sodding, as needed.

2.9.4 The project shall be permitted one (1) additional connection to Fern Hill Dr. (i.e. the northernmost connection), which represents an existing driveway serving uses on adjacent folios 077189.0000, 077189.0010 and 077189.0400. This connection shall be permitted to remain provided it serves only the existing uses on those folios, and such connection may be eliminated if those folios gain alternative legal access to Fern Hill Dr.

~~2.104.11~~ Access management, vehicle queuing, and staff placement shall occur consistent with the Traffic Circulation Plan, as shown (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 2.5. ~~The applicant shall submit a detailed vehicle circulation plan as a part of the site/construction plan review process. Access management, vehicle queuing, and staff placement shall occur consistent with those future submittals as well as the Special Use Vehicular Circulation Plan (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5, above, or as otherwise approved by Hillsborough County Public Works.~~

~~2.114.12~~ The developer shall construct operational improvements at the intersection of Fern Hill Drive and Symmes Road. Given the high volumes of traffic making eastbound lefts and westbound rights, the applicant shall be required to construct the following improvements:

- A westbound right turn lane at the intersection of Fern Hill Drive and Symmes Road and;
- An eastbound left turn lane at the intersection of Fern Hill Drive and Symmes Road.

[THIS CONDITION HAS BEEN SATISFIED.]

~~2.124.13~~ Symmes Road in the vicinity of the project is identified as a 2 lane enhanced road on Hillsborough County Corridor Preservation Plan. Right of Way requirements for a 2 lane enhanced road is 76 feet. The developer shall preserve approximately 14 feet of right of way along Symmes Road for future roadway improvements.

~~2.14~~ Event Parking shall be provided in accordance with the Event Parking Plan (Sheet 3 of 3). Modifications to Event Parking Plans shall be permitted, subject to review and approval of Hillsborough County Public Works.

~~2.15~~ If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.03.I. requirements regarding project access. Approval of this variance will permit up to four (4) access points to serve the project, as further described herein these conditions.

~~2.16~~ If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.07 access spacing standards for the northernmost project access. Approval of this variance will permit up the access to remain in a location +/- 90 feet from the northernmost school access driveway, subject to the terms of condition 4.9.4 hereinabove.

~~3.5.~~ Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided for herein:

~~THE FOLLOWING SHALL APPLY TO OPTION #2~~

- ~~5.1~~ A 15-foot buffer with a Type B screen shall be provided between the residential and commercial components. This buffer shall be shown on the site plan prior to certification.
- ~~5.2~~ A 10-foot buffer shall be provided along the northern, southern, and eastern boundaries of the residential component of the project.
- ~~5.3~~ Landscaping consistent with a Type A screen shall be provided along the southern and eastern boundary of the residential component of the project. A solid wall/fence shall not be permitted. In lieu of a solid wall/fence, a split rail fence shall be permitted but shall not be provided in lieu of the required landscaping.
- ~~5.4~~ The northern project boundary shall be screened and buffered in accordance with conditions of approval contained herein and the applicable General Development Plan as shown.
- ~~6.~~ A park/recreation area containing a minimum of 11,000 square feet shall be provided within the residential portion of the project (Option #2). The park shall be provided as shown on the site plan. In the event that the environmental approvals necessary to locate/access the park as proposed cannot be obtained, the developer shall provide a park of equivalent size east of the wetland area within the residential portion of the project.
- ~~7.~~ Pedestrian and vehicular cross access shall be provided among all components of the project. (Applies to Development Option #2).
- ~~4.8.~~ The project shall have two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department. Final design, if approved by Hillsborough County Development Services Department may include, but is not limited to: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. (Applies to both Development Options).
- ~~5.9.~~ Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s). The turn lane(s) shall be constructed to FDOT and/or Hillsborough County standards using FDOT standard Index 301 & 526 and an asphalt overlay shall be applied over the entire portion of roadway where a left turn lane is provided. If required based on the analysis, or County and/or FDOT regulations, the Developer shall construct the following turn lanes at his expense:
- ~~5.19.1~~ EB left turn lane on Symmes Road at the intersection of Symmes Road and Fern Hill Drive.
- ~~5.29.2~~ Construct left turn lane at full-access project entrance(s).
- ~~6.10.~~ If it is determined by the results of the analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

~~7.11.~~ Based on the projected trip generation to the site, access onto the public road would be via "Type III" Major Roadway Connection (more than 1,500 trip ends per day), LDC 6.04.01.F. The Land Development Code requires that all internal access (the "throat") to the driveways must be a minimum of 100 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces that might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 100 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 100 feet in length to accommodate stacking vehicles.

~~8.12.~~ Prior to Construction Plan approval, the Developer may be required to dedicate one-half of the right-of-way on Fern Hill Drive and Symmes Road to meet Hillsborough County standards. The right-of-way shall be dedicated to bring the substandard right-of-way up to Transportation Technical Manual. Right-of-way shall be measured from the centerline of the roadway.

~~9.13.~~ As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.

~~10.14.~~ The Developer may be required to improve Fern Hill Drive and Symmes Road adjacent to the site. The roadway may be required to widen to Hillsborough County Transportation Technical Manual standards. The Developer shall provide documentation at Preliminary Site Plan submittal regarding the existing pavement width and right-of-way along Fern Hill Drive and Symmes Road. If the Developer can provide signed and sealed documentation that the current pavement width on Fern Hill Drive and Symmes Road meets the minimum standards, and then the Developer may not be required to widen the roadway.

~~11.15.~~ The developer shall dedicate a drainage easement over Bullfrog Creek. The easement shall extend the length of the channel and shall have a width equal to the width of the channel from top-of-bank plus 20 feet. The specific location and size of the easement shall be subject to review and approval by Hillsborough County Public Works Department.

~~The following conditions apply to both development options:~~

~~12.16.~~ The Developer shall construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and, if applicable, along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.

~~13.17.~~ The project shall be subject to all tree preservation requirements of the Land Development Code. Minor adjustments to the locations of buildings shall be permitted provided the minimum building setbacks and buffers are maintained (~~Applies to both Development Options~~).

~~14.18.~~ The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.

~~15.19.~~ The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

~~15.119.1~~ Ground Signs shall be limited to Monument Signs.

~~15.219.2~~ Billboards, pennants and banners shall be prohibited.

~~16.20.~~ Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.

~~17.21.~~ Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.

~~18.22.~~ If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

~~19.23.~~ The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

~~20.24.~~ The construction and location of any proposed wetland impacts are not approved this correspondence, but shall be reviewed by EPC staff under separate cover pursuant to Chapter 1-11, Wetlands, Rules of the EPC, to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

~~21.25.~~ Prior to the issuance of any building or land alteration permits or other development, the approved wetland/OSW line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

~~22.26.~~ Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

~~23.27.~~ The project shall have a two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.

ZHM HEARING DATE: N/A

BOCC LUM MEETING DATE: June 7, 2022

Case Reviewer: Sam Ball

Zoning Administrator Sign Off:



IntegriSign[®]
Desktop

J. Brian Grady
Tue May 24 2022 07:51:45

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.

APPLICATION NUMBER: PRS 22-0822

ZHM HEARING DATE: N/A

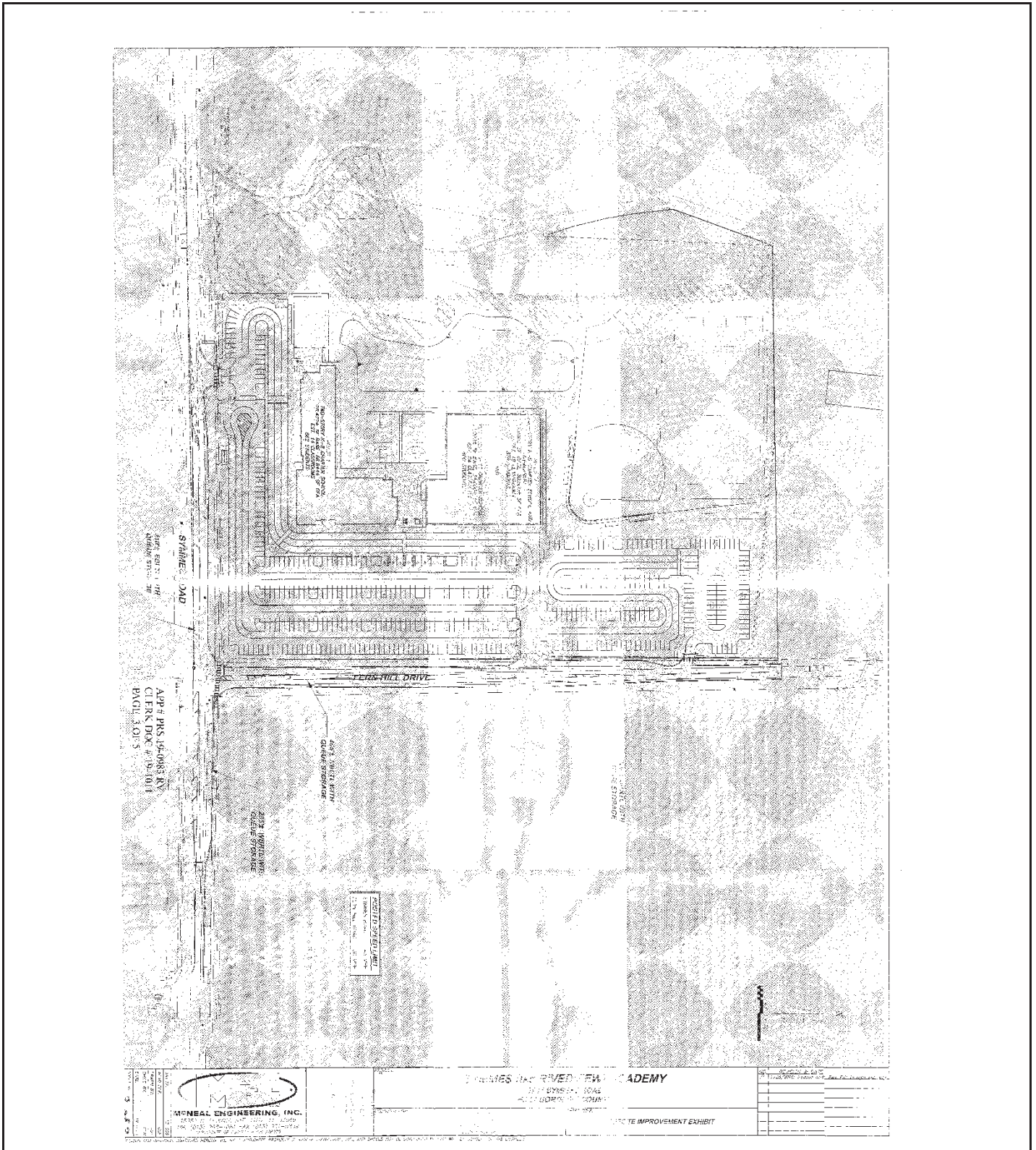
BOCC LUM MEETING DATE: June 7, 2022

Case Reviewer: Sam Ball

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

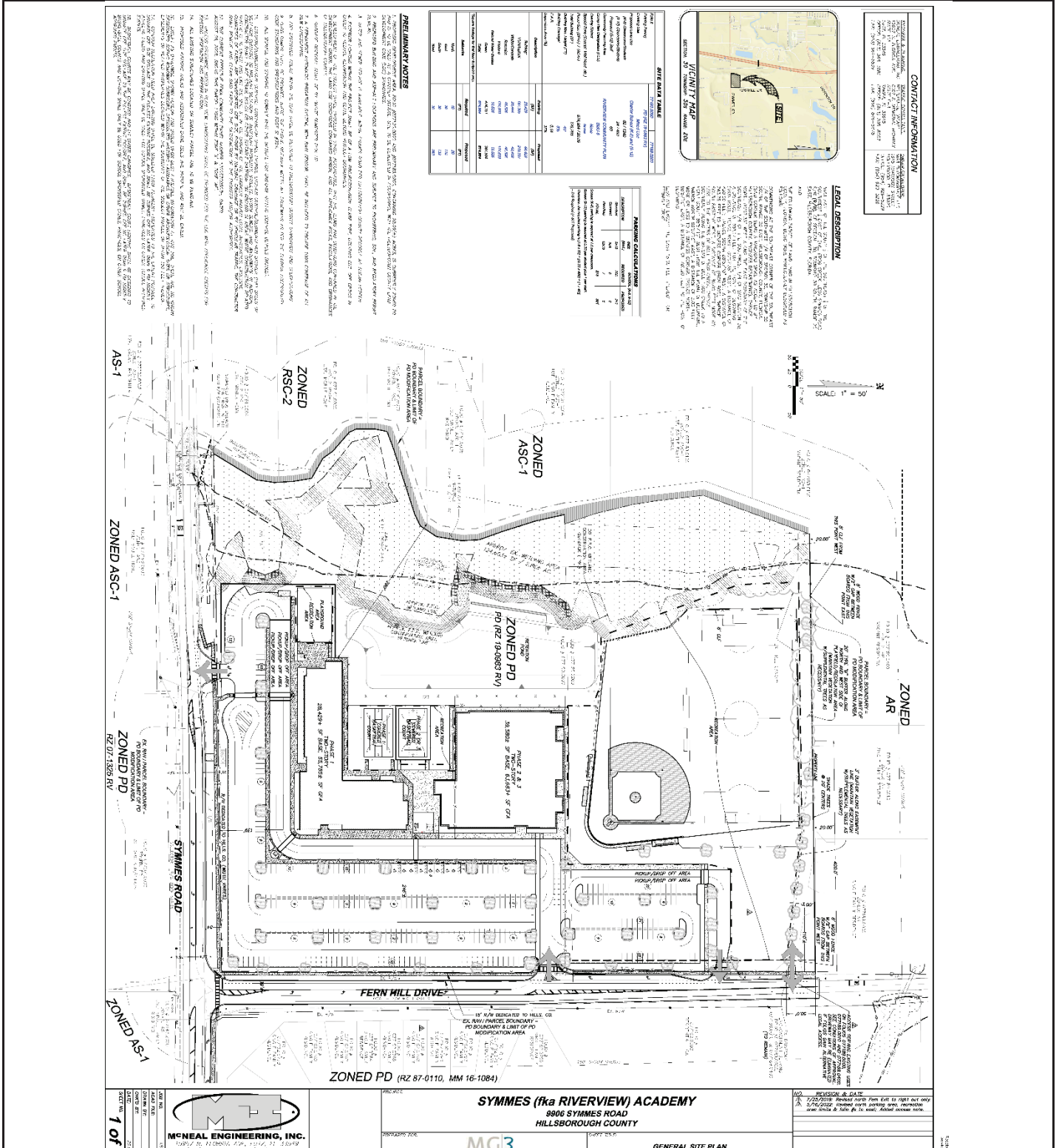
8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 05/23/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING SECTOR/AREA: South/ RV

PETITION NO: PD 22-0822

- 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 grounds.

NEW AND MODIFIED CONDITIONS OF APPROVAL

4. The Charter School development (Option #1) permits grades K-12 to be developed in accordance with the following standards unless otherwise provided herein:
- 4.1 A maximum of 1,840-640 students and 89-86 classrooms. ~~The number of students and classrooms shall comply with the Certified Site Plan as shown.~~
- [Transportation Review Section staff is proposing to delete the last sentence of the above condition. Such restrictions were previously necessary in order to provide regulatory benchmarks that allow phased construction of the school campus. These restrictions on the maximum number of classrooms and student stations per building are no longer necessary, given that the project is currently in construction of its final phase.]*
- 4.2 The school development shall be limited to a maximum of 130,000 square feet and developed as shown on the Certified Site Plan.
- 4.3 If the Charter School is developed, the existing vegetation with the wetland conservation area setbacks as shown on the General Site Plan provide adequate alternative screening and buffering to the west project boundary.
- 4.4 There shall be no 2:1 setback to height ratio required for the Charter School.
- 4.5 Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to access the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,840-1,640 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include revised staggered arrival/departure times and/or a revised on-

site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.

[Transportation Review Section staff is proposing a modification to this condition to reflect the applicant's new proposed entitlement program for Option 1.]

- 4.6 The charter school shall operate under the following split arrival/dismissal phasing scenario:
- K-5 students will arrive at 8 AM with a 2:30 PM dismissal. 6th -8 grade students will arrive 8:15 am with a 3:15pm dismissal, while 9-12 students will arrive at 8:45 AM with dismissal at 3:45 PM. Schedule times may be modified subject to the review and approval of Hillsborough County.
- 4.7 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.
- [\[THIS CONDITION HAS BEEN SATISFIED.\]](#)

[Transportation Review Section staff is proposing a modification to this condition to reflect that Fern Hill Dr. has been improved to County standards between the northernmost school access and Symmes Rd.]

- 4.8 The developer shall construct the following site related improvements at the Fern Hill Drive project entrance:
- A northbound left turn lane; and,
 - A southbound right turn lane;

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works. The queue (storage) length will be determined based on consideration of the required detailed transportation analysis.

[\[THIS CONDITION HAS BEEN SATISFIED.\]](#)

[Transportation Review Section staff is proposing a modification to this condition to reflect that the required turn lanes have been constructed.]

- ~~4.9 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.~~

[Transportation Review Section staff is proposing to delete this condition, as it is a duplication of condition 4.7.]

4.109 ~~The project~~ Project access shall be as follows:

4.9.1. The school shall be served by one (1) access connection to Symmes Rd. This access shall be restricted to permit right-out and left-out only turning movements (i.e. no inbound movements shall be permitted)~~shall have one access driveway on Symmes Road restricted to exit only right out and left out.~~ This exit shall be signed appropriately to restrict any inbound movements.

4.9.2. The school shall be served by two (2) access connections to Fern Hill Dr. The southernmost access connection shall permit left-in and right-in only turning movements (i.e. no outbound movements shall be permitted at this access). The northmost connection shall be restricted to right-out only turning movements (i.e. no inbound right, inbound left, or outbound left turning movements shall be permitted).

4.9.3. Notwithstanding anything shown on the PD site plan to the contrary, concurrent with the development of school site the developer shall remove the existing pavement at the northernmost school access which allows outbound left turning movements, and final design of this improvement shall include removal of excess pavement, curb and sidewalk extensions and sodding, as needed.

4.9.4 The project shall be permitted one (1) additional connection to Fern Hill Dr. (i.e. the northernmost connection), which represents an existing driveway serving uses on adjacent folios 077189.0000, 077189.0010 and 077189.0400. This connection shall be permitted to remain provided it serves only the existing uses on those folios, and such connection may be eliminated if those folios gain alternative legal access to Fern Hill Dr.

[Transportation Review Section staff is proposing to modify this condition to reflect the revised access proposed by the applicant, as well as to clarify existing access restrictions.]

4.11 ~~The applicant shall submit a detailed vehicle circulation plan as a part of the site/construction plan review process. Access management, vehicle queuing, and staff placement shall occur consistent with those future submittals as well as the Special Use Vehicular Circulation Plan (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5, above, or as otherwise approved by Hillsborough County Public Works.~~ Access management, vehicle queuing, and staff placement shall occur consistent with the Traffic Circulation Plan, as shown (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5.

4.12 The developer shall construct operational improvements at the intersection of Fern Hill Drive and Symmes Road. Given the high volumes of traffic making eastbound lefts and westbound rights, the applicant shall be required to construct the following improvements:

- A westbound right turn lane at the intersection of Fern Hill Drive and Symmes Road and;
- An eastbound left turn lane at the intersection of Fern Hill Drive and Symmes Road.

[THIS CONDITION HAS BEEN SATISFIED.]

[Transportation Review Section staff is proposing a modification to this condition to reflect that the required turn lanes have been constructed.]

- 4.13 Symmes Road in the vicinity of the project is identified as a 2 lane enhanced road on Hillsborough County Corridor Preservation Plan. Right of Way requirements for a 2 lane enhanced road is 76 feet. The developer shall preserve approximately 14 feet of right of way along Symmes Road for future roadway improvements.
- 4.14 Event Parking shall be provided in accordance with the Event Parking Plan (Sheet 3 of 3). Modifications to Event Parking Plans shall be permitted, subject to review and approval of Hillsborough County Public Works.
- 4.15 If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.03.I. requirements regarding project access. Approval of this variance will permit up to four (4) access points to serve the project, as further described herein these conditions.
- 4.16 If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.07 access spacing standards for the northernmost project access. Approval of this variance will permit the access to remain in a location +/- 90 feet from the northernmost school access driveway, subject to the terms of condition 4.9.4 hereinabove.

THE FOLLOWING SHALL APPLY TO OPTION #2

5. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided for herein:

~~THE FOLLOWING SHALL APPLY TO OPTION #2~~

- 5.1 A 15-foot buffer with a Type B screen shall be provided between the residential and commercial components. This buffer shall be shown on the site plan prior to certification.
- 5.2 A 10-foot buffer shall be provided along the northern, southern, and eastern boundaries of the residential component of the project.
- 5.3 Landscaping consistent with a Type A screen shall be provided along the southern and eastern boundary of the residential component of the project. A solid wall/fence shall not be permitted. In lieu of a solid wall/fence, a split rail fence shall be permitted but shall not be provided in lieu of the required landscaping.
- 5.4 The northern project boundary shall be screened and buffered in accordance with conditions of approval contained herein and the applicable General Development Plan as shown.

6. A park/recreation area containing a minimum of 11,000 square feet shall be provided within the residential portion of the project (Option #2). The park shall be provided as shown on the site plan. In the event that the environmental approvals necessary to locate/access the park as proposed cannot be obtained, the developer shall provide a park of equivalent size east of the wetland area within the residential portion of the project.

7. Pedestrian and vehicular cross access shall be provided among all components of the project. ~~(Applies to Development Option #2).~~

[Transportation Review Section staff is proposing a modification to this condition, as the language being deleted is redundant. Staff notes that this condition is within the section of conditions pertaining only to Development Option #2.]

8. ~~The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department. Final design, if approved by Hillsborough County Development Services Department may include, but is not limited to: — left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. (Applies to both Development Options).~~ The project shall have two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.

[Transportation Review Section staff is proposing to delete and repurpose this condition number. The existing language is in conflict with other zoning conditions which do restrict project access. Staff is proposing to utilize this condition instead to address access restrictions within option #2 that were previously described in condition 27, which staff is proposing to delete given changes to condition 4.9 which deal with access restrictions for Option #1 development.]

9. Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s). The turn lane(s) shall be constructed to FDOT and/or Hillsborough County standards using FDOT standard Index 301 & 526 and an asphalt overlay shall be applied over the entire portion of roadway where a left turn lane is provided. If required based on the analysis, or County and/or FDOT regulations, the Developer shall construct the following turn lanes at his expense:

9.1 EB left turn lane on Symmes Road at the intersection of Symmes Road and Fern Hill Drive.

9.2 Construct left turn lane at full-access project entrance(s).

10. If it is determined by the results of the analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

11. Based on the projected trip generation to the site, access onto the public road would be via “Type III” Major Roadway Connection (more than 1,500 trip ends per day), LDC 6.04.01.F. The Land Development Code requires that all internal access (the “throat”) to the driveways must be a minimum of 100 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces that might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 100 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 100 feet in length to accommodate stacking vehicles.
12. Prior to Construction Plan approval, the Developer may be required to dedicate one-half of the right-of-way on Fern Hill Drive and Symmes Road to meet Hillsborough County standards. The right-of-way shall be dedicated to bring the substandard right-of-way up to Transportation Technical Manual. Right-of-way shall be measured from the centerline of the roadway.
13. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.
14. The Developer may be required to improve Fern Hill Drive and Symmes Road adjacent to the site. The roadway may be required to widen to Hillsborough County Transportation Technical Manual standards. The Developer shall provide documentation at Preliminary Site Plan submittal regarding the existing pavement width and right-of-way along Fern Hill Drive and Symmes Road. If the Developer can provide signed and sealed documentation that the current pavement width on Fern Hill Drive and Symmes Road meets the minimum standards, and then the Developer may not be required to widen the roadway.
15. The developer shall dedicate a drainage easement over Bullfrog Creek. The easement shall extend the length of the channel and shall have a width equal to the width of the channel from top-of-bank plus 20 feet. The specific location and size of the easement shall be subject to review and approval by Hillsborough County Public Works Department.

The following conditions apply to both development options:

16. The Developer shall construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and, if applicable, along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.
17. The project shall be subject to all tree preservation requirements of the Land Development Code. Minor adjustments to the locations of buildings shall be permitted provided the minimum building setbacks and buffers are maintained (Applies to both Development Options).
18. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.

19. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):
 - 19.1 Ground Signs shall be limited to Monument Signs.
 - 19.2 Billboards, pennants and banners shall be prohibited.
20. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
21. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
22. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
23. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
24. The construction and location of any proposed wetland impacts are not approved this correspondence, but shall be reviewed by EPC staff under separate cover pursuant to Chapter 1-11, Wetlands, Rules of the EPC, to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
25. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/OSW line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as “EPC Wetland Line”, and the wetland must be labeled as “Wetland conservation Area” pursuant to the Hillsborough County Land Development Code (LDC).
26. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- ~~27. The project shall have a two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.~~

[Transportation Review Section staff is proposing to move and modify this condition. Please see explanation below the proposed modifications to condition 8, hereinabove.]

PROJECT OVERVIEW AND TRIP GENERATION

The applicant is requesting a Minor Modification, also called a Personal Appearance (PRS) of a Planned Development (PD) #18-1058, consisting of two parcels totaling +/- 20.13 ac. The PD was most recently

modified via PRS 19-0983. The existing PD is approved for two development options. Option #1 consists of a K-12 charter school with a maximum of 1,840 students. Option #2 consists of a maximum 61 townhome units and a maximum of 22,500 s.f. of Business Professional Office (BPO) uses.

The applicant is proposing to modify Option #1 as follows:

- Reduce the number of student stations by 200;
- Removal of restriction in maximum number of students per building;
- Modify the queuing and circulation plan and internal parking lots/configuration;
- Modify the event parking plan; and,
- Allow the existing driveway encroachment into the property to remain under certain conditions.

No changes are being proposed to arrival and dismissal periods which were previously proposed and approved. As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the subject site. Staff notes that this analysis was the same report filed by the application for a previous zoning action, and as such overestimates the trip generation potential of the site (since this proposed zoning action proposes a decrease in maximum student enrollment). For the purposes of satisfy the DRPM requirements, staff accepted this analysis.

In order to provide a more accurate representation of project impacts which can be anticipated as a result of this zoning action, staff has provided the below comparison of the maximum trip generation potential for the most trip intensive option within the existing approved zoning (i.e. Development Option #1), under the existing approved and proposed zoning designations. Data provided below is based on information from the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, and is based on a generalized worst-case scenario.

Trips Potentially Generated Under Existing Zoning Option #1:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,840 Student K-12 Charter School (ITE Code 536)	4,563	1,472	313

Trips Potentially Generated Under Proposed Zoning Option #1:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,640 Student K-12 Charter School (ITE Code 536)	4,067	1,312	279

Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM

Totals	(-) 496	(-) 160	(-) 34
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TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Fern Hill Dr. is a 2-lane, collector roadway. While not shown on the Hillsborough County Functional Classification Map (i.e. Map 2B within the Transportation Element of the Hillsborough County Comprehensive Plan), the roadway was “up classified” as a collector roadway due to the level of traffic on the facility exceeding the capacity of a local roadway and the need for enhanced bicycle facilities. The roadway is characterized by +/- 11-foot wide travel lanes in above average condition. Along the project’s frontage, the roadway lines within a variable width right-of-way (between +/- 90 and +/- 105 feet). There are +/- 5-foot wide sidewalks along both sides of the roadway along the project’s frontage. There are +/- 4-foot wide bicycle facilities along both sides of the roadway along the project’s frontage.

Symmes Rd. is a 2-lane, substandard, collector roadway. The roadway is characterized by +/- 11-foot wide travel lanes in average to below average condition. Along the project’s frontage, the roadway lines within a variable width right-of-way (between +/- 72 and +/- 90 feet). There is a +/- 5-foot wide sidewalk along the north side of the roadway along the project’s frontage. There is a +/- 4-foot wide bicycle lane along the north side the roadway along the project’s frontage.

SITE ACCESS

Access serving the school site is proposed to be unchanged. The applicant is request one (1) additional access along Fern Hill Dr. (i.e. the northernmost access) which represents an existing driveway serving three (3) adjacent properties (folios 077189.0000, 077189.0010 and 077189.0400) which is encroaching into the subject property. According to the applicant these properties do not have an easement authorizing this access. As a part of the previous PD zoning, the applicant was required to relocate this driveway outside of the subject PD. The applicant is now requesting to allow this driveway to remain in place, subject to certain restrictions (i.e. that the project only serves the existing uses, which are two parcels with one single-family dwelling unit per parcel, and one vacant parcel which may be able to accommodate one single-family dwelling on that parcel). The subject PD is being structured such that the access may remain, given compliance with those conditions, or until such time as the three parcels are able to obtain alternate legal access to Fern Hill Dr. This change also requires two administrative variance approvals (for number of access connections as well as access spacing), which are detailed hereinbelow.

CIRCULATION AND QUEUING

Staff has reviewed the applicant’s proposed plans and find the circulation and queuing and event parking plans comply with Hillsborough County LDC Section 6.03.13 requirements governing private and charter schools. The reduced queuing provided (as compared to the existing approved plan), is offset by the reduction maximum capacity by 200 student stations.

ADMINISTRATIVE VARIANCE #1

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated May 19, 2022) from the Section 6.04.03.I. requirements regarding number of access connections. The LDC permits a maximum of three (3) connections to the subject property, while the applicant is requesting four (4) connections given the request to permit the access serving the three adjacent parcels to remain (as further discussed in the “Site Access” section of this report herein above). Based on the factors specified in the AV request, the County Engineer found the request approvable (on May 19, 2022). If PRS 20-0822 is approved,

the County Engineer will approve the above described AV.

ADMINISTRATIVE VARIANCE #2

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated May 19, 2022) from the Section 6.04.7 requirements regarding minimum required spacing of access connections as it pertains to the northernmost access connection on Fern Hill Dr. (as further discussed in the “Site Access” section of this report herein above). Given that Fern Hill Dr. is a Class 6 roadway, the LDC requires a minimum access spacing of 245 feet. The existing driveway, which is now proposed to remain, is located +/- 90 feet from the middle project access (i.e. the northmost access serving the proposed school). As such, the applicant is requested a variance of +/- 155 feet. Based on the factors specified in the AV request, the County Engineer found the request approvable (on May 19, 2022). If PRS 20-0822 is approved, the County Engineer will approve the above described AV.

OTHER CHANGES

Staff proposed several condition changes to the existing approved conditions in order to effectuate the applicant’s proposed requests. Given that existing transportation related conditions contradicted each other, additional changes were proposed by staff for clarity. Staff also proposed changes to reflect that certain improvements described in the existing conditions have been completed. Explanations for each change were included below each proposed modification to the existing conditions.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Fern Hill Rd. is not a regulated roadway and was not included in the 2020 Level of Service (LOS) Report. As such, staff is unable to provide LOS information for this facility. Information for Symmes Rd. is provided below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Symmes Rd.	US 41	US 301	D	C

Source: Hillsborough County 2020 Level of Service Report

Ratliff, James

From: Williams, Michael
Sent: Thursday, May 19, 2022 10:58 PM
To: McNeal, Christopher
Cc: Tirado, Sheida; Kimberly Koenck; Ball, Fred (Sam); Ratliff, James; PW-CEIntake
Subject: FW: PRS 22-0822 AVs Review
Attachments: 22-0822 REV AVReq 05-18-22.pdf; 22-0822 REV AVReq 05-19-22.pdf

Importance: High

Chris,
I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 22-0822 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Ingrid Padron (padroni@hillsboroughcounty.org or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: Williamsm@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 3:46 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Subject: PRS 22-0822 AVs Review
Importance: High

Hello Mike,

The attached Administrative Variances are approvable to me, this is an existing charter school that has been in operation for several years. Please include the following people in your email:

cmcneal@mcnealengineering.com
kkoenck@mcnealengineering.com
BallF@hillsboroughcounty.org
RatliffJa@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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From: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 2:12 PM
To: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Good Afternoon,

The AV requests have been uploaded to Optix.

Respectfully,

Clare Odell
Planning & Zoning Technician
Development Services Department (DSD)

P: (813) 276-8680 | VoIP: 39680
M: (813) 272-5600
E: odellcl@hillsboroughcounty.org
W: HillsboroughCounty.Org

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 1:54 PM
To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Yes, everything under Transportation.

Best Regards,

Sheida L. Tirado, PE (*she/her/hers*)
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 1:42 PM
To: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Good Afternoon,

Usually Ashley handles uploading these documents but she is out today. I can upload them. They just go in the Transportation folder?

Respectfully,

Clare Odell

Planning & Zoning Technician

Development Services Department (DSD)

P: (813) 276-8680 | VoIP: 39680

M: (813) 272-5600

E: odellcl@hillsboroughcounty.org

W: HillsboroughCounty.Org

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Thursday, May 19, 2022 1:40 PM

To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>

Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com

Subject: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Importance: High

Hello Zoning Intake,

The attached email was submitted this morning for PRS 22-0822, the subject line didn't have the zoning case (I don't want this to be misplaced) and I will like this to be loaded into Optix in order to do the Transportation Review. Hope somebody can help me with this?

Best Regards,

Sheida L. Tirado, PE (*she/her/hers*)

Transportation Review Manager

Development Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Chris McNeal <cmcneal@mcnealengineering.com>

Sent: Thursday, May 19, 2022 5:08 AM

To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>

Cc: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Kimberly Koenck <kkoenck@mcnealengineering.com>; Carla Sansone <csansone@mcnealengineering.com>; Ratliff, James <RatliffJa@hillsboroughcounty.org>; Dan Rhodes <drhodes@mcnealengineering.com>

Subject: RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis

External email: Use caution when clicking on links, opening attachments or replying to this email.

To whom it may concern,

Please find attached a copy of the revised Administrative Variance Requests to be added to the record. Let us know if you have any questions.

Thank you,

Christopher S. McNeal, M.Eng, PE

President/CEO

P: 813.968.1081

D: 813.563.4256

C: 813.205.2564

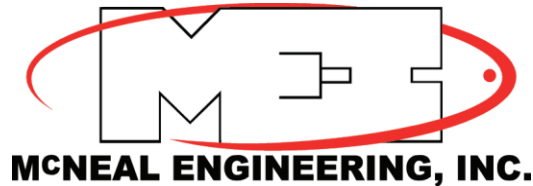
F: 813.961.5839

W: www.mcnealengineering.com

McNEAL ENGINEERING, INC.

15957 N. Florida Avenue, Lutz, FL 33549

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Hillsborough County
Development Services
601 E. Kennedy Blvd, 19th Fl
Tampa, FL 33602

Re: **SYMMES (fka RIVERVIEW) ACADEMY**
9906 Symmes Road & 11215 Fern Hill Drive
Hillsborough County
Folio #s 077190.0000 & 077189.0200
PRS 22-0822

To: Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 18-006
May 19, 2022

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below.

6.04.07 Minimum Spacing

We are requesting a variance for a reduction to the required access spacing from 245 feet (per LDC) to approximately 105 feet. The northern access for this project has already been constructed and will ultimately function approximately 105 feet from an existing private driveway easement (see attached for reference). Our comments on conditions a, b, and c are as follows:

Fern Hill Drive adjacent to this project, is a 2-lane Suburban Collector Road with Turn Lanes, Sidewalks, and Bike Lanes, the posted speed is 30 MPH. To the north of this existing access are subdivisions and single family parcels.

- (a) The northern access for this project has already been constructed. The private driveway easement located approximately 105 feet away cannot be relocated further north, without denying access to the private residential parcel. To remove the existing constructed access would be an unnecessary financial burden to the client.
- (b) The private residential easement adjacent to the existing site access, is used for a single family home. Therefore, the number of trips generated by such residential use is minimal, and its proximity to an already constructed access, should not increase unsafe conflicts.
- (c) Reasonable access has been provided for this school site. To remove an already constructed existing access point would make the site circulation for this project exceedingly difficult, and not possible as currently safely designed.

SYMMES (fka RIVERVIEW) ACADEMY

MEI File #18-006

May 19, 2022

Page 2 of 2

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.

MCNEAL ENGINEERING, INC.

c: MG3 Riverview LLC *via* email

Based on the information provided by the applicant, this request is:

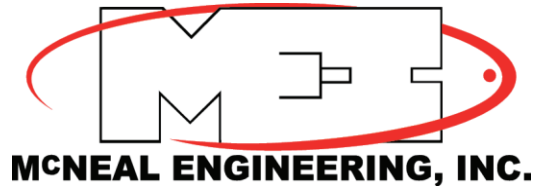
_____ Approved

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E. at (813) 276-8364.

Sincerely,

Michael J. Williams, P.E.
Hillsborough County Engineer



Hillsborough County
Development Services
601 E. Kennedy Blvd, 19th Fl
Tampa, FL 33602

Re: **SYMMES (fka RIVERVIEW) ACADEMY**
9906 Symmes Road & 11215 Fern Hill Drive
Hillsborough County
Folio #s 077190.0000 & 077189.0200
PRS 22-0822

To: Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 18-006
May 19, 2022

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03, Number of Access Points.

Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below.

6.04.03 Number of Access Points

We are requesting a variance for the number of access points. The northern access for the project has already been constructed (see attached current General Site Plan for reference). Our comments on conditions a, b, and c are as follows:

Fern Hill Drive adjacent to this project, is a 2-lane Suburban Collector Road with Turn Lanes, Sidewalks, and Bike Lanes, the posted speed is 30 MPH. To the north of this existing access are subdivisions and single family parcels.

- (a) The northern access for this project has already been constructed. To remove the existing constructed access would be an unnecessary financial burden to the client.
- (b) The northern access for this project has already been constructed. Pavement markings and pavement widening on Fern Hill Drive, are in place and have been used safely by the public since completion. To remove the existing access, additional and unnecessary work zone delay, driver confusion, and safety concerns would be increased with reconstruction.
- (c) Reasonable access has been provided for this school site. To remove an already constructed existing access point would make the site circulation for this project exceedingly difficult, and not possible as currently safely designed.

SYMMES (fka RIVERVIEW) ACADEMY

MEI File #18-006

May 19, 2022

Page 2 of 2

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.

MCNEAL ENGINEERING, INC.

c: MG3 Riverview LLC *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E. at (813) 276-8364.

Sincerely,

Michael J. Williams, P.E.
Hillsborough County Engineer

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
Fern Hill Dr.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" 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
Symmes Rd.	County Collector – Urban and Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" 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	4,563	1,472	313
Proposed	4,067	1,312	279
Difference (+/-)	(-) 496	(-) 160	(-) 34

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West		None	None	Meets LDC

Notes: Although there is an access which crosses the northern project boundary, "None" was selected since this access serves three single-family home parcels and does not provide access to school related traffic.

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Fern Hill Dr. – Spacing Variance	Administrative Variance Requested	Approvable
Fern Hill Dr. – Number of Access Connections	Administrative Variance Requested	Approvable

Notes:

Transportation Comment Sheet

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

**CURRENTLY
APPROVED**



Hillsborough County Florida

DEVELOPMENT SERVICES

PO Box 1110 Tampa, FL 33601-1110

August 20, 2019

**Reference: PRS 19-0983 RV
MG3 Riverview, LLC
Fern Hill Dr. & Symmes Rd.
77189.0200, 77190.0000**

Christopher S. McNeal, PE
McNeal Engineering
15957 N. Florida Ave.
Lutz, FL 33549

Dear Applicant:

At the regularly scheduled public meeting on August 13, 2019, the Board of County Commissioners approved your request for a minor modification to PD 18-1058, with the attached amended final conditions.

A condition of approval is that the applicant submit a revised General Site Plan reflecting all changes, within 90 days of approval. Failure to submit the site plans within the time period will place your property in violation.

To comply with this condition, please complete and submit to the Development Services Department, 20th floor of the County Center, 601 E. Kennedy Boulevard, the enclosed application for General Site Plan Review/Certification. For information concerning the certification process, please contact our office at 272-5600. Please keep this letter for your records.

If you have any questions regarding this, please feel free to contact Brian Grady at 813-276-8343 or by email at GradyB@HCFLGov.net.

Sincerely,

Joseph Moreda, AICP
Zoning Administrator

JM/mn
Attachments

HCFLGOV.NET

BOARD OF COUNTY COMMISSIONERS

Ken Hagan

Pat Kemp

Lesley "Les" Miller, Jr.

Sandra L. Murman

Kimberly Overman

Mariella Smith

Stacy R. White

COUNTY ADMINISTRATOR

Michael S. Merrill

COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

CHIEF DEVELOPMENT & INFRASTRUCTURE SERVICES

ADMINISTRATOR

Lucia E. Garsys

Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted July 26, 2019.

1. The project may be permitted the following development options:

Option #1: Charter School (K-12);

Option #2: Maximum of 61 townhouse units, a maximum of 22,500 square feet of floor space for BPO and CN uses.

The above entitlements shall be subject to formal delineation of on-site conservation areas, preservation areas and water bodies and final calculation of maximum density/intensity (FAR) permitted by the Comprehensive Plan in accordance with the Environmentally Sensitive Lands Credits requirement of the Comprehensive Plan. If the maximum number of units and/or maximum square footage for the project as permitted herein exceeds the maximum density/intensity (FAR) permitted by the Comprehensive Plan, per the Environmentally Sensitive Lands Credits requirement, the number of dwelling units and/or square footage allowed in the project shall decrease as necessary to conform to the Comprehensive Plan.

1.1 As an interim use, a maximum of 3 single-family dwelling units may be permitted on the parcel of property described as having folio# 77190.000 and shall remain in accordance with ASC-1 zoning district standards and consistent with all site development and subdivision requirements of the Land Development Code. Additional interim uses include those consistent with the AR zoning district. Also permitted as an interim use is a maximum of 1 single-family residential dwelling unit on a parcel of property described as folio# 77189.0200 and shall remain in accordance with AS-1 zoning district standards and consistent with all site development and subdivision requirements of the Land Development Code.

1.2 The following commercial uses shall be prohibited: uses with drive through facilities, convenience stores, and fast food restaurants.

2. The residential component of the project (Option #2) shall be developed in accordance with RMC-6 zoning district standards unless otherwise specified herein:

2.1 Structures with a height over 20 feet shall not be subject to the additional setback requirements (2:1).

2.2 Two-story units shall be located as shown on the certified site plan.

2.3 Buildings along the northern project boundary shall be limited to a maximum of 4 units per building.

2.4 Townhome units shall be setback a minimum of 20 feet from project boundaries.

3. The non-residential (BPO and CN uses) portion of the project (Option # 2) shall be developed in accordance with CN zoning district standards unless otherwise specified herein:

3.1 CN uses shall be limited to the first floor of the two non-residential buildings as shown on the site plan and shall not exceed a combined total of 11,250 square feet of space. BPO uses shall be

permitted on the first floor of the buildings in place of CN uses at the discretion of the developer. Free standing neighborhood commercial development shall not be permitted.

- 3.2 Buildings shall be located as shown on the site plan. Minimum building setback from Fern Hill Drive shall be 15 feet and minimum building setback from Symmes Road shall be 30 feet.
- 3.3 At least 60% of the length of each façade that faces a public right-of-way shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, porticos, or pilasters. Prior to Construction Plan approval, the developer shall submit a building elevation indicating consistency with this condition.
4. The Charter School development (Option #1) permits grades K-12 to be developed in accordance with the following standards unless otherwise provided herein:
 - 4.1 A maximum of 1,840 students and 89 classrooms. The number of students and classrooms shall comply with the Certified Site Plan as shown.
 - 4.2 The school development shall be limited to a maximum of 130,000 square feet and developed as shown on the Certified Site Plan.
 - 4.3 If the Charter School is developed, the existing vegetation with the wetland conservation area setbacks as shown on the General Site Plan provide adequate alternative screening and buffering to the west project boundary.
 - 4.4 There shall be no 2:1 setback to height ratio required for the Charter School.
 - 4.5 Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to assess the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,840 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include revised staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.
 - 4.6 The charter school shall operate under the following split arrival/dismissal phasing scenario:

K-5 students will arrive at 8 AM with a 2:30 PM dismissal. 6th -8 grade students will arrive 8:15 am with a 3:15pm dismissal, while 9-12 students will arrive at 8:45 AM with dismissal at 3:45 PM. **Schedule times may be modified subject to the review and approval of Hillsborough County.**
 - 4.7 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the

Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.

4.8 The developer shall construct the following site related improvements at the Fern Hill Drive project entrance:

- A northbound left turn lane; and,
- A southbound right turn lane;

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works. The queue (storage) length will be determined based on consideration of the required detailed transportation analysis.

4.9 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.

4.10 The project shall have one access driveway on Symmes Road restricted to exit only right out and left out. This exit shall be signed appropriately to restrict any inbound movements.

4.11 The applicant shall submit a detailed vehicle circulation plan as a part of the site/construction plan review process. Access management, vehicle queuing, and staff placement shall occur consistent with those future submittals as well as the Special Use Vehicular Circulation Plan (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5, above, or as otherwise approved by Hillsborough County Public Works.

4.12 The developer shall construct operational improvements at the intersection of Fern Hill Drive and Symmes Road. Given the high volumes of traffic making eastbound lefts and westbound rights, the applicant shall be required to construct the following improvements:

- A westbound right turn lane at the intersection of Fern Hill Drive and Symmes Road and;
- An eastbound left turn lane at the intersection of Fern Hill Drive and Symmes Road.

4.13 Symmes Road in the vicinity of the project is identified as a 2 lane enhanced road on Hillsborough County Corridor Preservation Plan. Right of Way requirements for a 2 lane enhanced road is 76 feet. The developer shall preserve approximately 14 feet of right of way along Symmes Road for future roadway improvements.

5. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided for herein:

THE FOLLOWING SHALL APPLY TO OPTION #2

-
- 5.1 A 15-foot buffer with a Type B screen shall be provided between the residential and commercial components. This buffer shall be shown on the site plan prior to certification.
 - 5.2 A 10-foot buffer shall be provided along the northern, southern, and eastern boundaries of the residential component of the project.
 - 5.3 Landscaping consistent with a Type A screen shall be provided along the southern and eastern boundary of the residential component of the project. A solid wall/fence shall not be permitted. In lieu of a solid wall/fence, a split rail fence shall be permitted but shall not be provided in lieu of the required landscaping.
 - 5.4 The northern project boundary shall be screened and buffered in accordance with conditions of approval contained herein and the applicable General Development Plan as shown.
 6. A park/recreation area containing a minimum of 11,000 square feet shall be provided within the residential portion of the project (Option #2). The park shall be provided as shown on the site plan. In the event that the environmental approvals necessary to locate/access the park as proposed cannot be obtained, the developer shall provide a park of equivalent size east of the wetland area within the residential portion of the project.
 7. Pedestrian and vehicular cross access shall be provided among all components of the project. (Applies to Development Option #2).
 8. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department. Final design, if approved by Hillsborough County Development Services Department may include, but is not limited to: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. (Applies to both Development Options).
 9. Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s). The turn lane(s) shall be constructed to FDOT and/or Hillsborough County standards using FDOT standard Index 301 & 526 and an asphalt overlay shall be applied over the entire portion of roadway where a left turn lane is provided. If required based on the analysis, or County and/or FDOT regulations, the Developer shall construct the following turn lanes at his expense:
 - 9.1 EB left turn lane on Symmes Road at the intersection of Symmes Road and Fern Hill Drive.
 - 9.2 Construct left turn lane at full-access project entrance(s).
 10. If it is determined by the results of the analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

11. Based on the projected trip generation to the site, access onto the public road would be via "Type III" Major Roadway Connection (more than 1,500 trip ends per day), LDC 6.04.01.F. The Land Development Code requires that all internal access (the "throat") to the driveways must be a minimum of 100 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces that might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 100 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 100 feet in length to accommodate stacking vehicles.
12. Prior to Construction Plan approval, the Developer may be required to dedicate one-half of the right-of-way on Fern Hill Drive and Symmes Road to meet Hillsborough County standards. The right-of-way shall be dedicated to bring the substandard right-of-way up to Transportation Technical Manual. Right-of-way shall be measured from the centerline of the roadway.
13. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.
14. The Developer may be required to improve Fern Hill Drive and Symmes Road adjacent to the site. The roadway may be required to widen to Hillsborough County Transportation Technical Manual standards. The Developer shall provide documentation at Preliminary Site Plan submittal regarding the existing pavement width and right-of-way along Fern Hill Drive and Symmes Road. If the Developer can provide signed and sealed documentation that the current pavement width on Fern Hill Drive and Symmes Road meets the minimum standards, and then the Developer may not be required to widen the roadway.
15. The developer shall dedicate a drainage easement over Bullfrog Creek. The easement shall extend the length of the channel and shall have a width equal to the width of the channel from top-of-bank plus 20 feet. The specific location and size of the easement shall be subject to review and approval by Hillsborough County Public Works Department.

The following conditions apply to both development options:

16. The Developer shall construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and, if applicable, along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.
17. The project shall be subject to all tree preservation requirements of the Land Development Code. Minor adjustments to the locations of buildings shall be permitted provided the minimum building setbacks and buffers are maintained (Applies to both Development Options).
18. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.
19. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

- 19.1 Ground Signs shall be limited to Monument Signs.
- 19.2 Billboards, pennants and banners shall be prohibited.
20. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
21. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
22. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
23. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
24. The construction and location of any proposed wetland impacts are not approved this correspondence, but shall be reviewed by EPC staff under separate cover pursuant to Chapter 1-11, Wetlands, Rules of the EPC, to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
25. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/OSW line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
26. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
27. The project shall have a two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT
GENERAL SITE PLAN
REVIEW/CERTIFICATION APPLICATION INFORMATION PACKET**

The attached application form must be completed and submitted with the set of site plans to the Community Development Section, ATTENTION: SITE PLAN CERTIFICATION, 20th Floor of the County Center, 601 E. Kennedy Blvd., Tampa, FL 33602

INSTRUCTIONS

FOLDED copies of the general site plan must be provided.
DO NOT COPY FINAL CONDITIONS OF APPROVAL ON THE GENERAL SITE PLAN.

Certification Submittal Check List:

- 1. Rezoning (RZ) and Major Modification (MM) applications: **Three (3) folded copies** of the General Site Plan.
- 2. Personal Appearance (PRS) application: **Three (3) folded copies** of the General Site Plan.

NOTE: If you wish to receive a paper copy of the Certified Site Plan, you must submit your request in writing to Cindy-Jean Le Blanc, Hillsborough County Development Services Department, Community Development Section, 601 E. Kennedy Blvd. 20th Floor, Tampa, FL 33602 or email to leblancc@hillsboroughcounty.org.

REVIEW AND PROCESSING SCHEDULES

1. **Rezoning applications for Planned Development (PD) or Major Modification (MM):**

Within 21 calendar days of the submittal date of the general site plan, the Applicant/Applicant's Representative shall be notified by the Development Services Department of the plan approval/disapproval.

- 1-A If the general site plan is approved, then formal processing shall require ten (10) additional calendar days. Total processing time for an approved general site plan shall require a maximum of 30 calendar days.
- 1-B If the general site plan is disapproved, the Applicant/Applicant's Representative shall be required to submit a revised set of general site plans utilizing the same submittal requirements and time frames as outlined above.

2. **Rezoning applications for Planned Development (PD), Planned Development-Specific (PD-S), Planned Development-Specific with concurrent Site Development Review, or Major Modification (MM):**

Within ten (10) calendar days after the date of the filing of the Zoning Hearing Master's (ZHM) recommendation the Applicant/Applicant's Representative shall submit a set of general site plans for certification and approval by the BOCC at the BOCC Land Use Meeting.

- 2-A The general site plan will be reviewed by staff to determine if it is eligible for certification and approval by the BOCC at the BOCC Land Use Meeting.
 - 2-A-1 If the general site plan is determined to be eligible for certification, it will go before the BOCC for approval at the BOCC Land Use Meeting.
 - 2-A-2 If the general site plan is determined to **not** be eligible for certification, then the application will be automatically continued to the next scheduled BOCC Land Use Meeting, and a resubmittal of a set of revised general site plans for certification will be required.
- 2-B If the general site plan is approved for certification by the BOCC, then formal processing shall require ten (10) additional calendar days from the date of the BOCC Land Use Meeting.
- 2-C If the general site plan is **not** approved for certification by the BOCC, then the application will be automatically continued to the next scheduled BOCC Land Use Meeting and a resubmittal of a set of revised general site plans for certification will be required if applicable.

3. **Minor Modification (PRS) submitted any time:**

Within 21 calendar days of the submittal date of the general site plan, the Applicant's Representative shall be notified by the Development Services Department of the plan approval/disapproval.

- 3-A If the plan is approved for certification, then formal processing shall require ten (10) additional calendar days. Total processing time for an approved site plan shall require a maximum of 30 calendar days.
- 3-B If the plan is disapproved, the Applicant shall be required to submit a revised set of plans utilizing the same submittal requirements and time frames as outlined in 3-A above.

**HILLSBOROUGH COUNTY
PLANNING AND GROWTH MANAGEMENT DEPARTMENT
GENERAL SITE PLAN
REVIEW/CERTIFICATION APPLICATION**

To Be Completed by Applicant or Representative

Rezoning File No. RZ _____

Related File Number (if applicable): MM _____ PRS _____

BOCC Land Use Date: _____

Project Name: _____

Check the appropriate box(es):

The attached site plan meets all conditions of approval and requirements of certification as required by Planning and Growth Management Staff and by the Zoning Hearing Master.

The attached site plan does not meeting the following conditions of approval and/or requirements of certification:

As required by PGM Staff: _____

As required by the Zoning Hearing Master: _____

Applying for Oral Argument? Yes No

Applicant: _____ Phone Number: _____

Mailing _____ Address: _____

E-mail Address: _____

Representative: _____ Phone Number: _____

Mailing _____ Address: _____

E-mail Address: _____

I HEREBY CERTIFY that this application and all plans submitted herewith are true representations of all facts concerning the proposed General Site Plan Certification.

Signature of Applicant or Authorized Representative

Date

AIRPORT HAZARD EVALUATION

(Effective October 13, 2015)

Properties located within the map areas depicted below may be subject to a separate Airport Height Zoning Permit approval process of the Hillsborough County Aviation Authority (HCAA), pursuant to the HCAA's Airport Zoning Regulations. Additionally, pursuant to an Interlocal Agreement between the HCAA and Hillsborough County, any Land Development Proposal within proximity to Tampa International Airport and Tampa Executive Airport and Educational facilities and landfills located with certain mapped areas will be transmitted to HCAA for review.

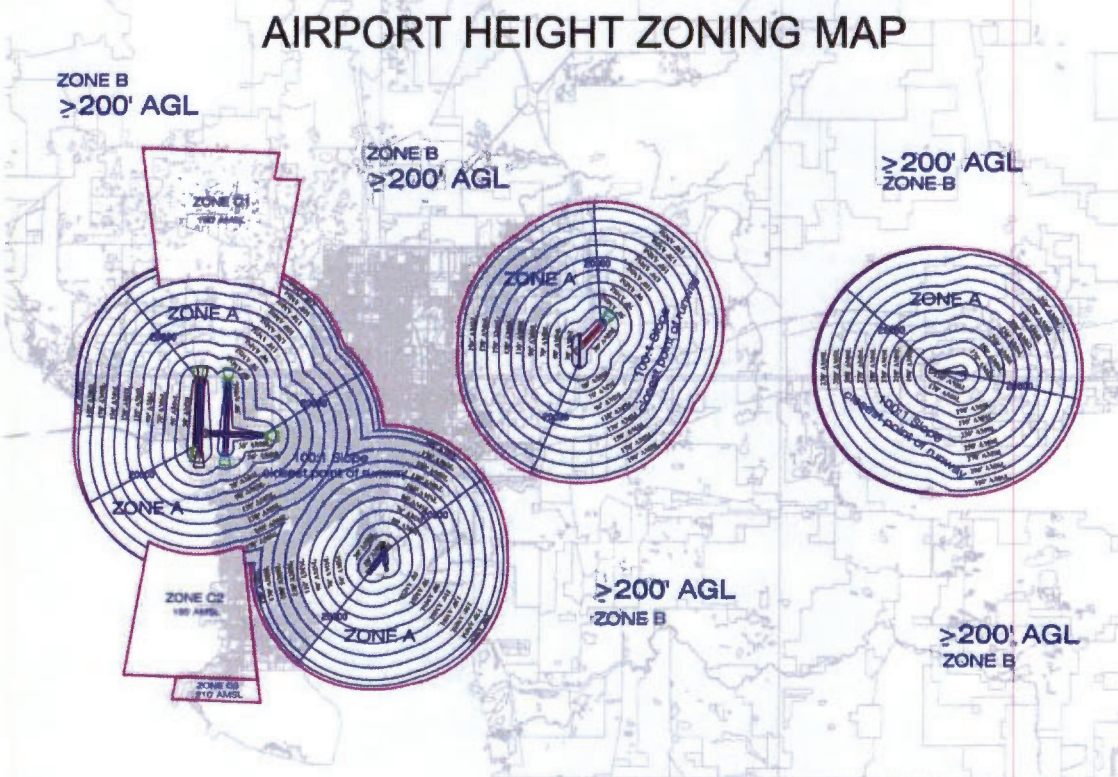
For additional information and questions:

Tampa International Airport Information Link: <http://www.tampaairport.com/airport-height-zoning>

Contact: Tony Mantegna / Tampa International Airport

Phone: (813) 870-7863

tmantegna@tampaairport.com





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 05/23/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING SECTOR/AREA: South/ RV

PETITION NO: PD 22-0822

- 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 grounds.

NEW AND MODIFIED CONDITIONS OF APPROVAL

4. The Charter School development (Option #1) permits grades K-12 to be developed in accordance with the following standards unless otherwise provided herein:
- 4.1 A maximum of 1,840-640 students and 89-86 classrooms. ~~The number of students and classrooms shall comply with the Certified Site Plan as shown.~~
- [Transportation Review Section staff is proposing to delete the last sentence of the above condition. Such restrictions were previously necessary in order to provide regulatory benchmarks that allow phased construction of the school campus. These restrictions on the maximum number of classrooms and student stations per building are no longer necessary, given that the project is currently in construction of its final phase.]*
- 4.2 The school development shall be limited to a maximum of 130,000 square feet and developed as shown on the Certified Site Plan.
- 4.3 If the Charter School is developed, the existing vegetation with the wetland conservation area setbacks as shown on the General Site Plan provide adequate alternative screening and buffering to the west project boundary.
- 4.4 There shall be no 2:1 setback to height ratio required for the Charter School.
- 4.5 Annually, at the beginning of each school year during the fourth week of class, the developer (at its sole expense) shall conduct traffic monitoring to access the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,840-1,640 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include revised staggered arrival/departure times and/or a revised on-

site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.

[Transportation Review Section staff is proposing a modification to this condition to reflect the applicant's new proposed entitlement program for Option 1.]

- 4.6 The charter school shall operate under the following split arrival/dismissal phasing scenario:
- K-5 students will arrive at 8 AM with a 2:30 PM dismissal. 6th -8 grade students will arrive 8:15 am with a 3:15pm dismissal, while 9-12 students will arrive at 8:45 AM with dismissal at 3:45 PM. Schedule times may be modified subject to the review and approval of Hillsborough County.
- 4.7 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.
- [\[THIS CONDITION HAS BEEN SATISFIED.\]](#)

[Transportation Review Section staff is proposing a modification to this condition to reflect that Fern Hill Dr. has been improved to County standards between the northernmost school access and Symmes Rd.]

- 4.8 The developer shall construct the following site related improvements at the Fern Hill Drive project entrance:
- A northbound left turn lane; and,
 - A southbound right turn lane;

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works. The queue (storage) length will be determined based on consideration of the required detailed transportation analysis.

[\[THIS CONDITION HAS BEEN SATISFIED.\]](#)

[Transportation Review Section staff is proposing a modification to this condition to reflect that the required turn lanes have been constructed.]

- ~~4.9 As Fern Hill Drive may be a substandard roadway, the developer will be required to work with Public Works to determine the extent to which the roadway is substandard and, if confirmed to be substandard, the developer shall be required to improve Fern Hill Drive to current County standards, within existing ROW and any portion of the subject property required to be conveyed or dedicated for additional ROW for Fern Hill Drive, unless otherwise approved through the Section 6.04.02.B. variance process. Deviations from Transportation Technical Manual standards may be considered through the Public Works Design Exception process.~~

[Transportation Review Section staff is proposing to delete this condition, as it is a duplication of condition 4.7.]

4.109 ~~The project~~ Project access shall be as follows:

4.9.1. The school shall be served by one (1) access connection to Symmes Rd. This access shall be restricted to permit right-out and left-out only turning movements (i.e. no inbound movements shall be permitted)~~shall have one access driveway on Symmes Road restricted to exit only right out and left out.~~ This exit shall be signed appropriately to restrict any inbound movements.

4.9.2. The school shall be served by two (2) access connections to Fern Hill Dr. The southernmost access connection shall permit left-in and right-in only turning movements (i.e. no outbound movements shall be permitted at this access). The northmost connection shall be restricted to right-out only turning movements (i.e. no inbound right, inbound left, or outbound left turning movements shall be permitted).

4.9.3. Notwithstanding anything shown on the PD site plan to the contrary, concurrent with the development of school site the developer shall remove the existing pavement at the northernmost school access which allows outbound left turning movements, and final design of this improvement shall include removal of excess pavement, curb and sidewalk extensions and sodding, as needed.

4.9.4 The project shall be permitted one (1) additional connection to Fern Hill Dr. (i.e. the northernmost connection), which represents an existing driveway serving uses on adjacent folios 077189.0000, 077189.0010 and 077189.0400. This connection shall be permitted to remain provided it serves only the existing uses on those folios, and such connection may be eliminated if those folios gain alternative legal access to Fern Hill Dr.

[Transportation Review Section staff is proposing to modify this condition to reflect the revised access proposed by the applicant, as well as to clarify existing access restrictions.]

4.11 ~~The applicant shall submit a detailed vehicle circulation plan as a part of the site/construction plan review process. Access management, vehicle queuing, and staff placement shall occur consistent with those future submittals as well as the Special Use Vehicular Circulation Plan (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5, above, or as otherwise approved by Hillsborough County Public Works.~~ Access management, vehicle queuing, and staff placement shall occur consistent with the Traffic Circulation Plan, as shown (Sheet 2 of 3). Modifications to these plans may be submitted in accordance with Condition 4.5.

4.12 The developer shall construct operational improvements at the intersection of Fern Hill Drive and Symmes Road. Given the high volumes of traffic making eastbound lefts and westbound rights, the applicant shall be required to construct the following improvements:

- A westbound right turn lane at the intersection of Fern Hill Drive and Symmes Road and;
- An eastbound left turn lane at the intersection of Fern Hill Drive and Symmes Road.

[THIS CONDITION HAS BEEN SATISFIED.]

[Transportation Review Section staff is proposing a modification to this condition to reflect that the required turn lanes have been constructed.]

- 4.13 Symmes Road in the vicinity of the project is identified as a 2 lane enhanced road on Hillsborough County Corridor Preservation Plan. Right of Way requirements for a 2 lane enhanced road is 76 feet. The developer shall preserve approximately 14 feet of right of way along Symmes Road for future roadway improvements.
- 4.14 Event Parking shall be provided in accordance with the Event Parking Plan (Sheet 3 of 3). Modifications to Event Parking Plans shall be permitted, subject to review and approval of Hillsborough County Public Works.
- 4.15 If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.03.I. requirements regarding project access. Approval of this variance will permit up to four (4) access points to serve the project, as further described herein these conditions.
- 4.16 If PRS 22-0822 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 19, 2022) which was found approvable by the County Engineer (on May 19, 2022) from the Section 6.04.07 access spacing standards for the northernmost project access. Approval of this variance will permit the access to remain in a location +/- 90 feet from the northernmost school access driveway, subject to the terms of condition 4.9.4 hereinabove.

THE FOLLOWING SHALL APPLY TO OPTION #2

5. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided for herein:

~~THE FOLLOWING SHALL APPLY TO OPTION #2~~

- 5.1 A 15-foot buffer with a Type B screen shall be provided between the residential and commercial components. This buffer shall be shown on the site plan prior to certification.
- 5.2 A 10-foot buffer shall be provided along the northern, southern, and eastern boundaries of the residential component of the project.
- 5.3 Landscaping consistent with a Type A screen shall be provided along the southern and eastern boundary of the residential component of the project. A solid wall/fence shall not be permitted. In lieu of a solid wall/fence, a split rail fence shall be permitted but shall not be provided in lieu of the required landscaping.
- 5.4 The northern project boundary shall be screened and buffered in accordance with conditions of approval contained herein and the applicable General Development Plan as shown.

6. A park/recreation area containing a minimum of 11,000 square feet shall be provided within the residential portion of the project (Option #2). The park shall be provided as shown on the site plan. In the event that the environmental approvals necessary to locate/access the park as proposed cannot be obtained, the developer shall provide a park of equivalent size east of the wetland area within the residential portion of the project.

7. Pedestrian and vehicular cross access shall be provided among all components of the project. ~~(Applies to Development Option #2).~~

[Transportation Review Section staff is proposing a modification to this condition, as the language being deleted is redundant. Staff notes that this condition is within the section of conditions pertaining only to Development Option #2.]

8. ~~The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Development Services Department. Final design, if approved by Hillsborough County Development Services Department may include, but is not limited to: — left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. (Applies to both Development Options).~~ The project shall have two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.

[Transportation Review Section staff is proposing to delete and repurpose this condition number. The existing language is in conflict with other zoning conditions which do restrict project access. Staff is proposing to utilize this condition instead to address access restrictions within option #2 that were previously described in condition 27, which staff is proposing to delete given changes to condition 4.9 which deal with access restrictions for Option #1 development.]

9. Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s). The turn lane(s) shall be constructed to FDOT and/or Hillsborough County standards using FDOT standard Index 301 & 526 and an asphalt overlay shall be applied over the entire portion of roadway where a left turn lane is provided. If required based on the analysis, or County and/or FDOT regulations, the Developer shall construct the following turn lanes at his expense:

9.1 EB left turn lane on Symmes Road at the intersection of Symmes Road and Fern Hill Drive.

9.2 Construct left turn lane at full-access project entrance(s).

10. If it is determined by the results of the analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

11. Based on the projected trip generation to the site, access onto the public road would be via “Type III” Major Roadway Connection (more than 1,500 trip ends per day), LDC 6.04.01.F. The Land Development Code requires that all internal access (the “throat”) to the driveways must be a minimum of 100 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces that might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 100 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 100 feet in length to accommodate stacking vehicles.
12. Prior to Construction Plan approval, the Developer may be required to dedicate one-half of the right-of-way on Fern Hill Drive and Symmes Road to meet Hillsborough County standards. The right-of-way shall be dedicated to bring the substandard right-of-way up to Transportation Technical Manual. Right-of-way shall be measured from the centerline of the roadway.
13. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.
14. The Developer may be required to improve Fern Hill Drive and Symmes Road adjacent to the site. The roadway may be required to widen to Hillsborough County Transportation Technical Manual standards. The Developer shall provide documentation at Preliminary Site Plan submittal regarding the existing pavement width and right-of-way along Fern Hill Drive and Symmes Road. If the Developer can provide signed and sealed documentation that the current pavement width on Fern Hill Drive and Symmes Road meets the minimum standards, and then the Developer may not be required to widen the roadway.
15. The developer shall dedicate a drainage easement over Bullfrog Creek. The easement shall extend the length of the channel and shall have a width equal to the width of the channel from top-of-bank plus 20 feet. The specific location and size of the easement shall be subject to review and approval by Hillsborough County Public Works Department.

The following conditions apply to both development options:

16. The Developer shall construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and, if applicable, along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.
17. The project shall be subject to all tree preservation requirements of the Land Development Code. Minor adjustments to the locations of buildings shall be permitted provided the minimum building setbacks and buffers are maintained (Applies to both Development Options).
18. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.

19. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):
 - 19.1 Ground Signs shall be limited to Monument Signs.
 - 19.2 Billboards, pennants and banners shall be prohibited.
20. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
21. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
22. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
23. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
24. The construction and location of any proposed wetland impacts are not approved this correspondence, but shall be reviewed by EPC staff under separate cover pursuant to Chapter 1-11, Wetlands, Rules of the EPC, to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
25. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/OSW line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as “EPC Wetland Line”, and the wetland must be labeled as “Wetland conservation Area” pursuant to the Hillsborough County Land Development Code (LDC).
26. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- ~~27. The project shall have a two access driveways on Fern Hill Drive. The northern driveway is limited to right out only and the southern access driveway is limited to right in and left in only. The two entrance and exit driveway shall be signed appropriately to restrict movements not allowed as specified in this zoning condition.~~

[Transportation Review Section staff is proposing to move and modify this condition. Please see explanation below the proposed modifications to condition 8, hereinabove.]

PROJECT OVERVIEW AND TRIP GENERATION

The applicant is requesting a Minor Modification, also called a Personal Appearance (PRS) of a Planned Development (PD) #18-1058, consisting of two parcels totaling +/- 20.13 ac. The PD was most recently

modified via PRS 19-0983. The existing PD is approved for two development options. Option #1 consists of a K-12 charter school with a maximum of 1,840 students. Option #2 consists of a maximum 61 townhome units and a maximum of 22,500 s.f. of Business Professional Office (BPO) uses.

The applicant is proposing to modify Option #1 as follows:

- Reduce the number of student stations by 200;
- Removal of restriction in maximum number of students per building;
- Modify the queuing and circulation plan and internal parking lots/configuration;
- Modify the event parking plan; and,
- Allow the existing driveway encroachment into the property to remain under certain conditions.

No changes are being proposed to arrival and dismissal periods which were previously proposed and approved. As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the subject site. Staff notes that this analysis was the same report filed by the application for a previous zoning action, and as such overestimates the trip generation potential of the site (since this proposed zoning action proposes a decrease in maximum student enrollment). For the purposes of satisfy the DRPM requirements, staff accepted this analysis.

In order to provide a more accurate representation of project impacts which can be anticipated as a result of this zoning action, staff has provided the below comparison of the maximum trip generation potential for the most trip intensive option within the existing approved zoning (i.e. Development Option #1), under the existing approved and proposed zoning designations. Data provided below is based on information from the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, and is based on a generalized worst-case scenario.

Trips Potentially Generated Under Existing Zoning Option #1:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,840 Student K-12 Charter School (ITE Code 536)	4,563	1,472	313

Trips Potentially Generated Under Proposed Zoning Option #1:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 1,640 Student K-12 Charter School (ITE Code 536)	4,067	1,312	279

Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM

Totals	(-) 496	(-) 160	(-) 34
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TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Fern Hill Dr. is a 2-lane, collector roadway. While not shown on the Hillsborough County Functional Classification Map (i.e. Map 2B within the Transportation Element of the Hillsborough County Comprehensive Plan), the roadway was “up classified” as a collector roadway due to the level of traffic on the facility exceeding the capacity of a local roadway and the need for enhanced bicycle facilities. The roadway is characterized by +/- 11-foot wide travel lanes in above average condition. Along the project’s frontage, the roadway lines within a variable width right-of-way (between +/- 90 and +/- 105 feet). There are +/- 5-foot wide sidewalks along both sides of the roadway along the project’s frontage. There are +/- 4-foot wide bicycle facilities along both sides of the roadway along the project’s frontage.

Symmes Rd. is a 2-lane, substandard, collector roadway. The roadway is characterized by +/- 11-foot wide travel lanes in average to below average condition. Along the project’s frontage, the roadway lines within a variable width right-of-way (between +/- 72 and +/- 90 feet). There is a +/- 5-foot wide sidewalk along the north side of the roadway along the project’s frontage. There is a +/- 4-foot wide bicycle lane along the north side the roadway along the project’s frontage.

SITE ACCESS

Access serving the school site is proposed to be unchanged. The applicant is request one (1) additional access along Fern Hill Dr. (i.e. the northernmost access) which represents an existing driveway serving three (3) adjacent properties (folios 077189.0000, 077189.0010 and 077189.0400) which is encroaching into the subject property. According to the applicant these properties do not have an easement authorizing this access. As a part of the previous PD zoning, the applicant was required to relocate this driveway outside of the subject PD. The applicant is now requesting to allow this driveway to remain in place, subject to certain restrictions (i.e. that the project only serves the existing uses, which are two parcels with one single-family dwelling unit per parcel, and one vacant parcel which may be able to accommodate one single-family dwelling on that parcel). The subject PD is being structured such that the access may remain, given compliance with those conditions, or until such time as the three parcels are able to obtain alternate legal access to Fern Hill Dr. This change also requires two administrative variance approvals (for number of access connections as well as access spacing), which are detailed hereinbelow.

CIRCULATION AND QUEUING

Staff has reviewed the applicant’s proposed plans and find the circulation and queuing and event parking plans comply with Hillsborough County LDC Section 6.03.13 requirements governing private and charter schools. The reduced queuing provided (as compared to the existing approved plan), is offset by the reduction maximum capacity by 200 student stations.

ADMINISTRATIVE VARIANCE #1

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated May 19, 2022) from the Section 6.04.03.I. requirements regarding number of access connections. The LDC permits a maximum of three (3) connections to the subject property, while the applicant is requesting four (4) connections given the request to permit the access serving the three adjacent parcels to remain (as further discussed in the “Site Access” section of this report herein above). Based on the factors specified in the AV request, the County Engineer found the request approvable (on May 19, 2022). If PRS 20-0822 is approved,

the County Engineer will approve the above described AV.

ADMINISTRATIVE VARIANCE #2

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance (AV) request (dated May 19, 2022) from the Section 6.04.7 requirements regarding minimum required spacing of access connections as it pertains to the northernmost access connection on Fern Hill Dr. (as further discussed in the “Site Access” section of this report herein above). Given that Fern Hill Dr. is a Class 6 roadway, the LDC requires a minimum access spacing of 245 feet. The existing driveway, which is now proposed to remain, is located +/- 90 feet from the middle project access (i.e. the northmost access serving the proposed school). As such, the applicant is requested a variance of +/- 155 feet. Based on the factors specified in the AV request, the County Engineer found the request approvable (on May 19, 2022). If PRS 20-0822 is approved, the County Engineer will approve the above described AV.

OTHER CHANGES

Staff proposed several condition changes to the existing approved conditions in order to effectuate the applicant’s proposed requests. Given that existing transportation related conditions contradicted each other, additional changes were proposed by staff for clarity. Staff also proposed changes to reflect that certain improvements described in the existing conditions have been completed. Explanations for each change were included below each proposed modification to the existing conditions.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Fern Hill Rd. is not a regulated roadway and was not included in the 2020 Level of Service (LOS) Report. As such, staff is unable to provide LOS information for this facility. Information for Symmes Rd. is provided below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Symmes Rd.	US 41	US 301	D	C

Source: Hillsborough County 2020 Level of Service Report

Ratliff, James

From: Williams, Michael
Sent: Thursday, May 19, 2022 10:58 PM
To: McNeal, Christopher
Cc: Tirado, Sheida; Kimberly Koenck; Ball, Fred (Sam); Ratliff, James; PW-CEIntake
Subject: FW: PRS 22-0822 AVs Review
Attachments: 22-0822 REV AVReq 05-18-22.pdf; 22-0822 REV AVReq 05-19-22.pdf

Importance: High

Chris,
I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 22-0822 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Ingrid Padron (padroni@hillsboroughcounty.org or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: Williamsm@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 3:46 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Subject: PRS 22-0822 AVs Review
Importance: High

Hello Mike,

The attached Administrative Variances are approvable to me, this is an existing charter school that has been in operation for several years. Please include the following people in your email:

cmcneal@mcnealengineering.com
kkoenck@mcnealengineering.com
BallF@hillsboroughcounty.org
RatliffJa@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 2:12 PM
To: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Good Afternoon,

The AV requests have been uploaded to Optix.

Respectfully,

Clare Odell
Planning & Zoning Technician
Development Services Department (DSD)

P: (813) 276-8680 | VoIP: 39680
M: (813) 272-5600
E: odellcl@hillsboroughcounty.org
W: HillsboroughCounty.Org

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 1:54 PM
To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Yes, everything under Transportation.

Best Regards,

Sheida L. Tirado, PE (*she/her/hers*)
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>
Sent: Thursday, May 19, 2022 1:42 PM
To: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>
Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com
Subject: RE: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Good Afternoon,

Usually Ashley handles uploading these documents but she is out today. I can upload them. They just go in the Transportation folder?

Respectfully,

Clare Odell

Planning & Zoning Technician

Development Services Department (DSD)

P: (813) 276-8680 | VoIP: 39680

M: (813) 272-5600

E: odellcl@hillsboroughcounty.org

W: HillsboroughCounty.Org

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

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

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Thursday, May 19, 2022 1:40 PM

To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Ball, Fred (Sam) <BallF@hillsboroughcounty.org>

Cc: Chris McNeal <cmcneal@mcnealengineering.com>; kkoenck@mcnealengineering.com

Subject: PRS 22-0822 (RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis)

Importance: High

Hello Zoning Intake,

The attached email was submitted this morning for PRS 22-0822, the subject line didn't have the zoning case (I don't want this to be misplaced) and I will like this to be loaded into Optix in order to do the Transportation Review. Hope somebody can help me with this?

Best Regards,

Sheida L. Tirado, PE (*she/her/hers*)

Transportation Review Manager

Development Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Chris McNeal <cmcneal@mcnealengineering.com>

Sent: Thursday, May 19, 2022 5:08 AM

To: Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org>

Cc: Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Kimberly Koenck <kkoenck@mcnealengineering.com>; Carla Sansone <csansone@mcnealengineering.com>; Ratliff, James <RatliffJa@hillsboroughcounty.org>; Dan Rhodes <drhodes@mcnealengineering.com>

Subject: RE: 18-006: Symmes (fka Riverview) Academy - AV Request & Previously Approved Transportation Analysis

External email: Use caution when clicking on links, opening attachments or replying to this email.

To whom it may concern,

Please find attached a copy of the revised Administrative Variance Requests to be added to the record. Let us know if you have any questions.

Thank you,

Christopher S. McNeal, M.Eng, PE

President/CEO

P: 813.968.1081

D: 813.563.4256

C: 813.205.2564

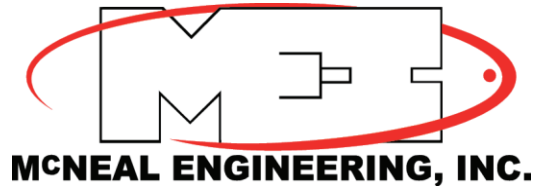
F: 813.961.5839

W: www.mcnealengineering.com

McNEAL ENGINEERING, INC.

15957 N. Florida Avenue, Lutz, FL 33549

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Hillsborough County
Development Services
601 E. Kennedy Blvd, 19th Fl
Tampa, FL 33602

Re: **SYMMES (fka RIVERVIEW) ACADEMY**
9906 Symmes Road & 11215 Fern Hill Drive
Hillsborough County
Folio #s 077190.0000 & 077189.0200
PRS 22-0822

To: Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 18-006
May 19, 2022

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below.

6.04.07 Minimum Spacing

We are requesting a variance for a reduction to the required access spacing from 245 feet (per LDC) to approximately 105 feet. The northern access for this project has already been constructed and will ultimately function approximately 105 feet from an existing private driveway easement (see attached for reference). Our comments on conditions a, b, and c are as follows:

Fern Hill Drive adjacent to this project, is a 2-lane Suburban Collector Road with Turn Lanes, Sidewalks, and Bike Lanes, the posted speed is 30 MPH. To the north of this existing access are subdivisions and single family parcels.

- (a) The northern access for this project has already been constructed. The private driveway easement located approximately 105 feet away cannot be relocated further north, without denying access to the private residential parcel. To remove the existing constructed access would be an unnecessary financial burden to the client.
- (b) The private residential easement adjacent to the existing site access, is used for a single family home. Therefore, the number of trips generated by such residential use is minimal, and its proximity to an already constructed access, should not increase unsafe conflicts.
- (c) Reasonable access has been provided for this school site. To remove an already constructed existing access point would make the site circulation for this project exceedingly difficult, and not possible as currently safely designed.

SYMMES (fka RIVERVIEW) ACADEMY

MEI File #18-006

May 19, 2022

Page 2 of 2

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.

MCNEAL ENGINEERING, INC.

c: MG3 Riverview LLC *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E. at (813) 276-8364.

Sincerely,

Michael J. Williams, P.E.
Hillsborough County Engineer

CONTACT INFORMATION

MCG3 ENGINEERING INC.
 10000 W. UNIVERSITY BLVD.
 SUITE 100
 TAMPA, FL 33615
 PHONE: (813) 968-1081
 FAX: (813) 968-5839

MCG3 ENGINEERING INC.
 10000 W. UNIVERSITY BLVD.
 SUITE 100
 TAMPA, FL 33615
 PHONE: (813) 968-1081
 FAX: (813) 968-5839



LEGAL DESCRIPTION

THAT PART OF THE SOUTH 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 20S, RANGE 20E, EAST, HILLSBOROUGH COUNTY, FLORIDA,

AND

THE FOLLOWING PARCEL OF LAND LYING IN HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 20S, RANGE 20E, EAST, HILLSBOROUGH COUNTY, FLORIDA, AND GOING SOUTH 89°57'10" WEST ALONG THE EAST BOUNDARY OF SAID CORNER BEING A PARALLEL STRAIGHT LINE AS DESCRIBED BY THE DEED RECORDING IN THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, TO A POINT SOUTH 89°57'10" WEST FROM THE POINT OF BEGINNING, A DISTANCE OF 661.17 FEET FOR THE POINT OF BEGINNING, 400.00 FEET, THENCE SOUTH 89°57'10" WEST, A DISTANCE OF 543.29 FEET TO A WITNESS CORNER (IRON ROD), THENCE OR LESS TO THE WATERS OF BULL CREEK, THENCE NORTH TO A POINT SOUTH 89°57'10" WEST FROM THE POINT OF BEGINNING, MORE OR LESS TO A WITNESS CORNER, THENCE NORTH BEGGING AND EAST, A DISTANCE OF 781.30 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE EAST 15.00 FEET THEREOF FOR FERN HILL DRIVE.

PARKING CALCULATIONS

DESCRIPTION	AREA	REQUIRED	PROVIDED
RETAIL	9918	208	273
OFFICE	12018	24	6
TOTAL		232	279

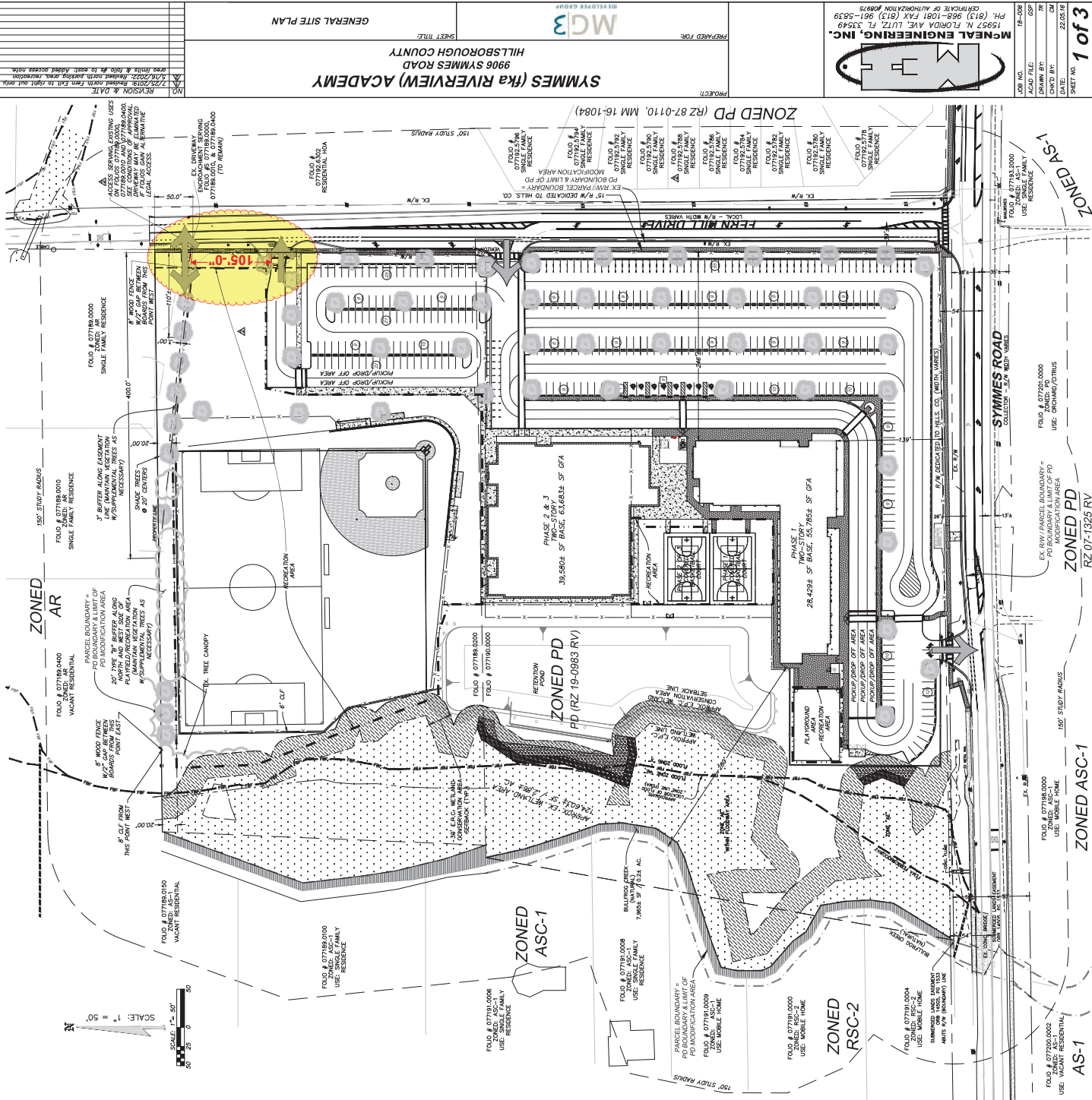
Provision for 152 parking in accordance with 6.12.2 for existing area 1 per code.
 (6.12.2.1.1) (6.12.2.1.2) (6.12.2.1.3) (6.12.2.1.4) (6.12.2.1.5) (6.12.2.1.6) (6.12.2.1.7) (6.12.2.1.8) (6.12.2.1.9) (6.12.2.1.10) (6.12.2.1.11) (6.12.2.1.12) (6.12.2.1.13) (6.12.2.1.14) (6.12.2.1.15) (6.12.2.1.16) (6.12.2.1.17) (6.12.2.1.18) (6.12.2.1.19) (6.12.2.1.20) (6.12.2.1.21) (6.12.2.1.22) (6.12.2.1.23) (6.12.2.1.24) (6.12.2.1.25) (6.12.2.1.26) (6.12.2.1.27) (6.12.2.1.28) (6.12.2.1.29) (6.12.2.1.30) (6.12.2.1.31) (6.12.2.1.32) (6.12.2.1.33) (6.12.2.1.34) (6.12.2.1.35) (6.12.2.1.36) (6.12.2.1.37) (6.12.2.1.38) (6.12.2.1.39) (6.12.2.1.40) (6.12.2.1.41) (6.12.2.1.42) (6.12.2.1.43) (6.12.2.1.44) (6.12.2.1.45) (6.12.2.1.46) (6.12.2.1.47) (6.12.2.1.48) (6.12.2.1.49) (6.12.2.1.50) (6.12.2.1.51) (6.12.2.1.52) (6.12.2.1.53) (6.12.2.1.54) (6.12.2.1.55) (6.12.2.1.56) (6.12.2.1.57) (6.12.2.1.58) (6.12.2.1.59) (6.12.2.1.60) (6.12.2.1.61) (6.12.2.1.62) (6.12.2.1.63) (6.12.2.1.64) (6.12.2.1.65) (6.12.2.1.66) (6.12.2.1.67) (6.12.2.1.68) (6.12.2.1.69) (6.12.2.1.70) (6.12.2.1.71) (6.12.2.1.72) (6.12.2.1.73) (6.12.2.1.74) (6.12.2.1.75) (6.12.2.1.76) (6.12.2.1.77) (6.12.2.1.78) (6.12.2.1.79) (6.12.2.1.80) (6.12.2.1.81) (6.12.2.1.82) (6.12.2.1.83) (6.12.2.1.84) (6.12.2.1.85) (6.12.2.1.86) (6.12.2.1.87) (6.12.2.1.88) (6.12.2.1.89) (6.12.2.1.90) (6.12.2.1.91) (6.12.2.1.92) (6.12.2.1.93) (6.12.2.1.94) (6.12.2.1.95) (6.12.2.1.96) (6.12.2.1.97) (6.12.2.1.98) (6.12.2.1.99) (6.12.2.1.100)

SITE DATA TABLE

Item	Description	Area (sq ft)	Volume (cu yd)
1	Excavation	61,027	61,027
2	Backfill	20,448	20,448
3	Gravel	42,409	42,409
4	Asphalt	20,448	20,448
5	Concrete	4,638	4,638
6	Rebar	1,125	1,125
7	Other	1,125	1,125
8	Total	132,800	132,800
9	Excavation	474,151	307,524
10	Backfill	87,684	87,684
11	Gravel	175,368	175,368
12	Asphalt	87,684	87,684
13	Concrete	19,421	19,421
14	Rebar	4,638	4,638
15	Other	4,638	4,638
16	Total	1,000,000	1,000,000

PRELIMINARY NOTES

- PROPOSED DEVELOPMENT AREA, FOLIO 077189.0000, CONTAINING 20.982 ACRES, IS CURRENTLY ZONED PD (RZ 19-0983 RV) AND IS TO BE RECLASSIFIED TO ZONED PD (RZ 19-0983 RV) IN ACCORDANCE WITH THE HILLSBOROUGH COUNTY LAND DEVELOPMENT CODE (LDC) STANDARDS.
- PROPOSED BUILDING AND ASPHALT LOCATIONS ARE PRELIMINARY AND SUBJECT TO ENGINEERING, SOIL, AND REGULATORY PERMIT REVIEW.
- WATER AND SEWER SERVICE IS AVAILABLE WITHIN SYMMES ROAD PER HILLSBOROUGH COUNTY RECORDS AS SHOWN HEREON.
- EXTERIOR LIGHTING WITHIN THE PROJECT SHALL BE OF A LOW-PROJECTION/NON-GLARE TYPE, UTILIZING OUT-OF-FOOT OPTICS IN ACCORDANCE WITH THE LDC STANDARDS.
- EXTERIOR LIGHTING OF THE PROJECT SHALL BE RESTORED TO HILLSBOROUGH COUNTY STANDARDS AND SPECIFICATIONS.
- ANY DISTURBED AREAS WITHIN THE D/W SHALL BE RESTORED TO HILLSBOROUGH COUNTY STANDARDS AND SPECIFICATIONS.
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LDC STANDARDS AND SPECIFICATIONS AND FDOT'S #204.
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LDC STANDARDS AND SPECIFICATIONS AND FDOT'S #204.
- ALL STORAGE AND STAGING TO COMPLY WITH THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- EROSION/SEDIMENTATION CONTROL: CONTRACTOR SHALL PROVIDE EROSION CONTROL/SEDIMENTATION BARRIERS (WY BALES OR MATS) TO PREVENT SOIL EROSION AND SEDIMENTATION FROM THE CONSTRUCTION AREA. CONTRACTOR SHALL PLACE STRAW MATS OR OTHER SUITABLE MATERIAL ON GROUND WHERE CONSTRUCTION RELATED ACTIVITIES WILL OCCUR. CONTRACTOR SHALL MAINTAIN A MINIMUM BUFFER OF 10 FEET BETWEEN CONSTRUCTION ACTIVITIES AND ADJACENT PROPERTIES. CONTRACTOR SHALL REMOVE AND CLEAN SAID BARRIERS TO THE SATISFACTION OF THE ENGINEER AND/OR AUTHORITIES.
- THE CURRENT EFFECTIVE FEMA COMMUNITY PANEL NUMBER 120020202020N, DATED 08/01/2010, SHALL BE USED FOR ALL FLOOD ZONING AND FLOOD DAMAGE PREVENTION PURPOSES.
- ALL EXISTING UTILITIES LOCATED ON SUBJECT PARCEL ARE TO BE REMOVED.
- PROPOSED PARKING AREAS AND ASSOCIATED DRIVE ISLES ARE PRIVATE AND MAY BE GATED.
- EXCEPT AS OTHERWISE SHOWN HEREON AND BASED UPON BEST AVAILABLE INFORMATION AT THIS TIME, THERE ARE NO KNOWN UNRECORDED INTERESTS IN THE SUBJECT PARCEL OR ADJACENT PARCELS.
- ADJACENT PROPERTIES LOCATED WITHIN THE BOUNDARY OF THE SUBJECT PARCEL OR WITHIN 150 FEET THEREOF, INCLUDING BUT NOT LIMITED TO, ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES AND ADJACENT PROPERTIES PRIOR TO CONSTRUCTION.
- OUTDOOR RECREATION FIELD AREA LIGHTING SHALL BE SHIELDED FROM ADJACENT PROPERTIES TO THE EXTENT POSSIBLE TO MINIMIZE OFF-SITE SPILLAGE TO THE FULLY EXTENT POSSIBLE, AND SHALL BE TURNED OFF NO LATER THAN 9 PM MONTHLY. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES AND ADJACENT PROPERTIES PRIOR TO CONSTRUCTION.
- BACKSPLASH CURBS MAY BE COVERED AND JET UNDER CAVITIES. BACKSPLASH CURBS LIGHTING SHALL BE DESIGNED TO ILLUMINATE THE CURBS AND LIGHTING SHALL ONLY BE USED FOR SCHOOL SPONSORED GAMES, PRACTICES, OR OTHER SCHOOL APPROVED EVENTS.



MCG3 ENGINEERING INC.
 10000 W. UNIVERSITY BLVD.
 SUITE 100
 TAMPA, FL 33615
 PHONE: (813) 968-1081
 FAX: (813) 968-5839

PROJECT INFORMATION

PROJECT	SYMMES (KA RIVERVIEW) ACADEMY
ADDRESS	9906 SYMMES ROAD, HILLSBOROUGH COUNTY, FLORIDA
DATE	22.05.18
DRAWN BY	CH
CHECKED BY	CH
SCALE	AS SHOWN
PROJECT NO.	18-008
CLIENT	MCNEAL ENGINEERING INC.

GENERAL SITE PLAN

SYMMES (KA RIVERVIEW) ACADEMY
 9906 SYMMES ROAD
 HILLSBOROUGH COUNTY, FLORIDA

PREPARED FOR: MCG3 ENGINEERING GROUP

DATE: 22.05.18

PROJECT NO.: 18-008

CLIENT: MCNEAL ENGINEERING INC.

PROJECT: SYMMES (KA RIVERVIEW) ACADEMY

ADDRESS: 9906 SYMMES ROAD, HILLSBOROUGH COUNTY, FLORIDA

DATE: 22.05.18

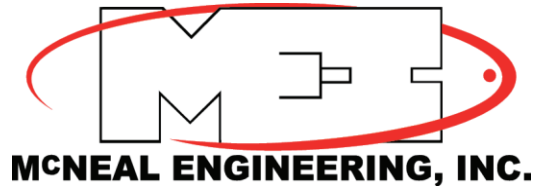
DRAWN BY: CH

CHECKED BY: CH

SCALE: AS SHOWN

PROJECT NO.: 18-008

CLIENT: MCNEAL ENGINEERING INC.



Hillsborough County
Development Services
601 E. Kennedy Blvd, 19th Fl
Tampa, FL 33602

Re: **SYMMES (fka RIVERVIEW) ACADEMY**
9906 Symmes Road & 11215 Fern Hill Drive
Hillsborough County
Folio #s 077190.0000 & 077189.0200
PRS 22-0822

To: Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 18-006
May 19, 2022

REQUEST FOR ADMINISTRATIVE VARIANCE

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03, Number of Access Points.

Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below.

6.04.03 Number of Access Points

We are requesting a variance for the number of access points. The northern access for the project has already been constructed (see attached current General Site Plan for reference). Our comments on conditions a, b, and c are as follows:

Fern Hill Drive adjacent to this project, is a 2-lane Suburban Collector Road with Turn Lanes, Sidewalks, and Bike Lanes, the posted speed is 30 MPH. To the north of this existing access are subdivisions and single family parcels.

- (a) The northern access for this project has already been constructed. To remove the existing constructed access would be an unnecessary financial burden to the client.
- (b) The northern access for this project has already been constructed. Pavement markings and pavement widening on Fern Hill Drive, are in place and have been used safely by the public since completion. To remove the existing access, additional and unnecessary work zone delay, driver confusion, and safety concerns would be increased with reconstruction.
- (c) Reasonable access has been provided for this school site. To remove an already constructed existing access point would make the site circulation for this project exceedingly difficult, and not possible as currently safely designed.

SYMMES (fka RIVERVIEW) ACADEMY

MEI File #18-006

May 19, 2022

Page 2 of 2

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, P.E.

MCNEAL ENGINEERING, INC.

c: MG3 Riverview LLC *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, P.E. at (813) 276-8364.

Sincerely,

Michael J. Williams, P.E.
Hillsborough County Engineer

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
Fern Hill Dr.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" 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
Symmes Rd.	County Collector – Urban and Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" 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	4,563	1,472	313
Proposed	4,067	1,312	279
Difference (+/-)	(-) 496	(-) 160	(-) 34

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West		None	None	Meets LDC

Notes: Although there is an access which crosses the northern project boundary, "None" was selected since this access serves three single-family home parcels and does not provide access to school related traffic.

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Fern Hill Dr. – Spacing Variance	Administrative Variance Requested	Approvable
Fern Hill Dr. – Number of Access Connections	Administrative Variance Requested	Approvable

Notes:

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input checked="" type="checkbox"/> Off-Site Improvements Previously 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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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: June 7, 2022</p> <p>PETITION NO.: 22-0822</p> <p>EPC REVIEWER: Abbie Weeks</p> <p>CONTACT INFORMATION: (813) 627-2600 X1101</p> <p>EMAIL: weeksa@epchc.org</p>	<p>COMMENT DATE: May 16, 2022</p> <p>PROPERTY ADDRESS: 11215 Fern Hill Drive & 9906 Symmes Rd, Riverview</p> <p>FOLIO #: 077189.0200 & 077190.0000</p> <p>STR: 30-30S-20E</p>
<p>REQUESTED ZONING: PRS to PD</p>	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	n/a
WETLAND LINE VALIDITY	077189.0200 Valid through 4/12/2023 077190.0000 Expired 1/31/2022
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Wetland lines as depicted on site plan
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ 	

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OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

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

- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Aow/

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