



PD Modification Application: PRS 22-0850

Zoning Hearing Master Date: N/A

BOCC Land Use Meeting Date: July 26, 2022

1.0 APPLICATION SUMMARY

Applicant: Ty Witherington

FLU Category: RES-1

Service Area: Rural

Site Acreage: 0.38 +/-

**Community
Plan Area:** Lutz

Overlay: North Dale Mabry Overlay



Introduction Summary:

The subject site is an outparcel of an existing shopping center (Outparcel B) located at the southeast corner of North Dale Mabry Highway and Lutz Lake Fern Road. The property is zoned PD 99-1397, as most recently modified by PRS 10-0488. The PD permits a maximum of 68,000 sf of restricted CN (Commercial Neighborhood) zoning district uses. A small area in the southeast portion of the PD permits ASC-1 uses. The subject application relates only to Outparcel B, which is currently developed as a bank with drive-thru lanes. The applicant proposes to redevelop and enlarge the existing bank building for a medical and dental office use, under an allocated square footage of 5,000 sf.

Existing Approval(s):	Proposed Modification(s):
Maximum of 68,000 sf of restricted CN zoning district uses	Increase to a maximum of 70,000 sf of restricted CN zoning district uses
68,000 sf permitted for the entire PD with 8,000 sf assigned to Outparcel A.	70,000 sf permitted for the entire PD with 8,000 sf assigned to Outparcel A and 5,000 assigned to Outparcel B
Outparcel B permitted uses include CN uses, excluding entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores with gasoline sales.	Outparcel B permitted for health practitioner's office uses only.

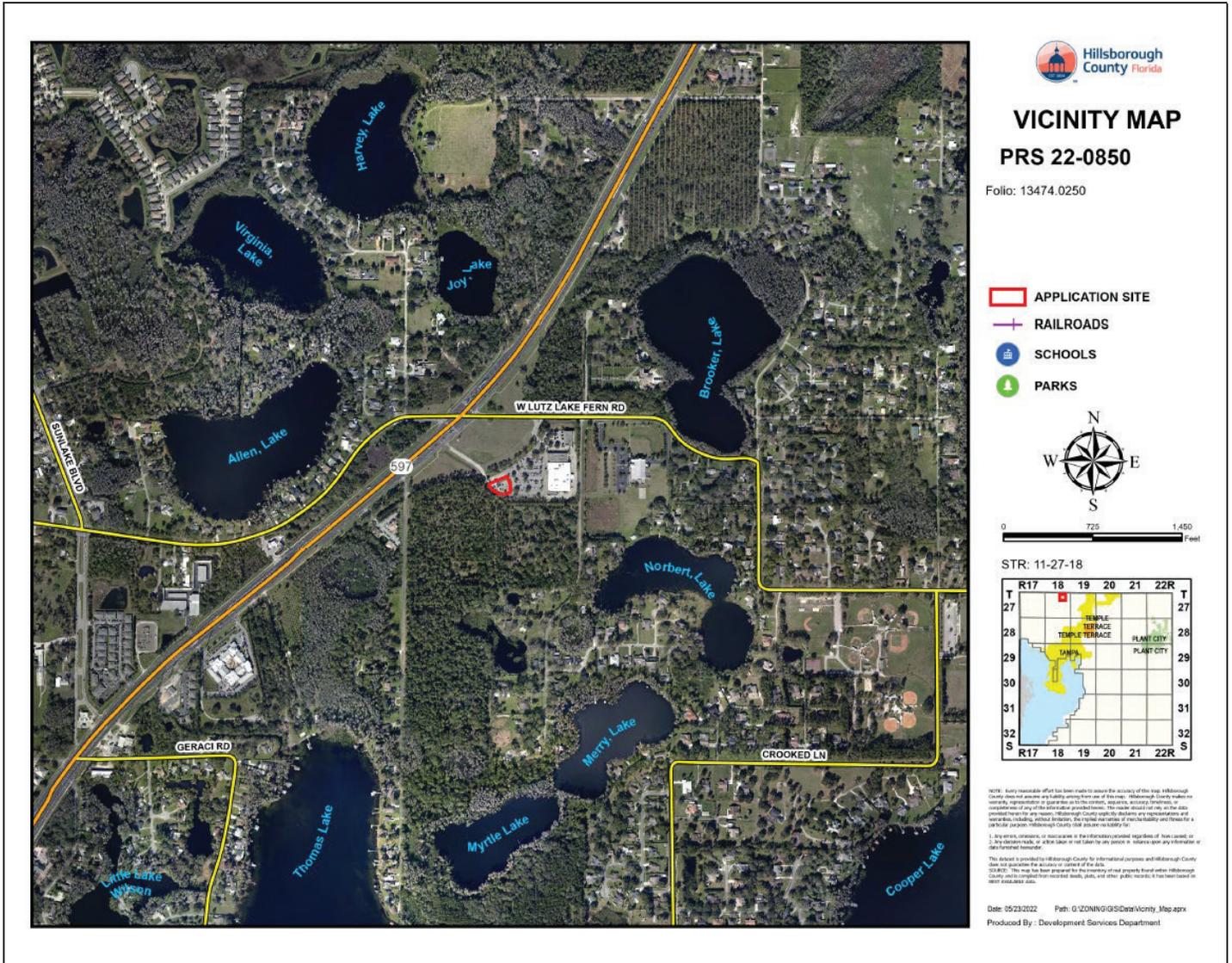
Additional Information:

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: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

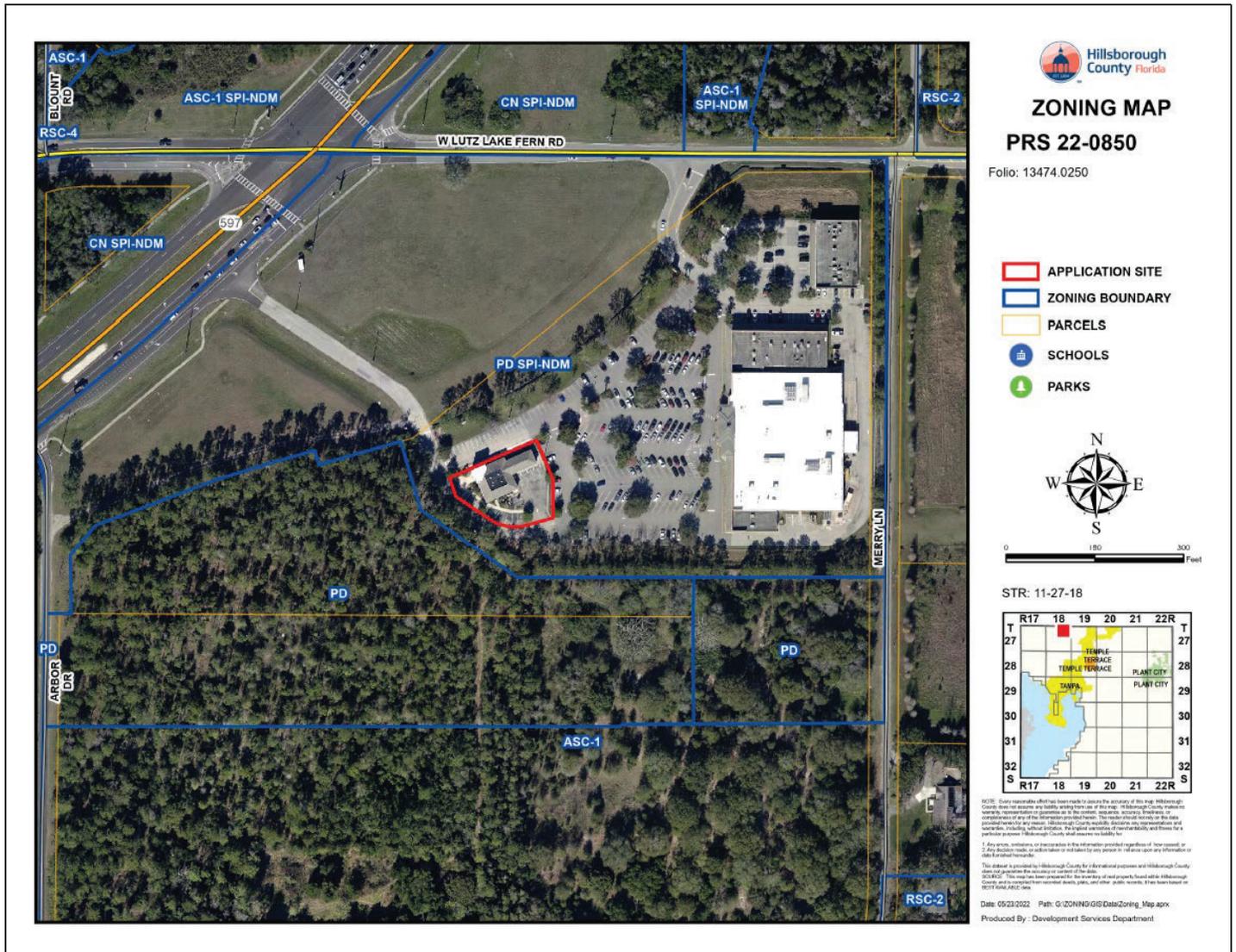


Context of Surrounding Area:

The site is located on the North Dale Mabry Highway corridor within the Lutz community. Surrounding properties are undeveloped or developed at low densities/intensities in reflecting the the suburban-rural character. This site is located within the Lutz Community Plan and with the identified Neighborhood Activity Center of the North Dale Mabry Overlay. The site pre-dates the adoption of the Lutz Rural Development Standards.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Immediate Area Map

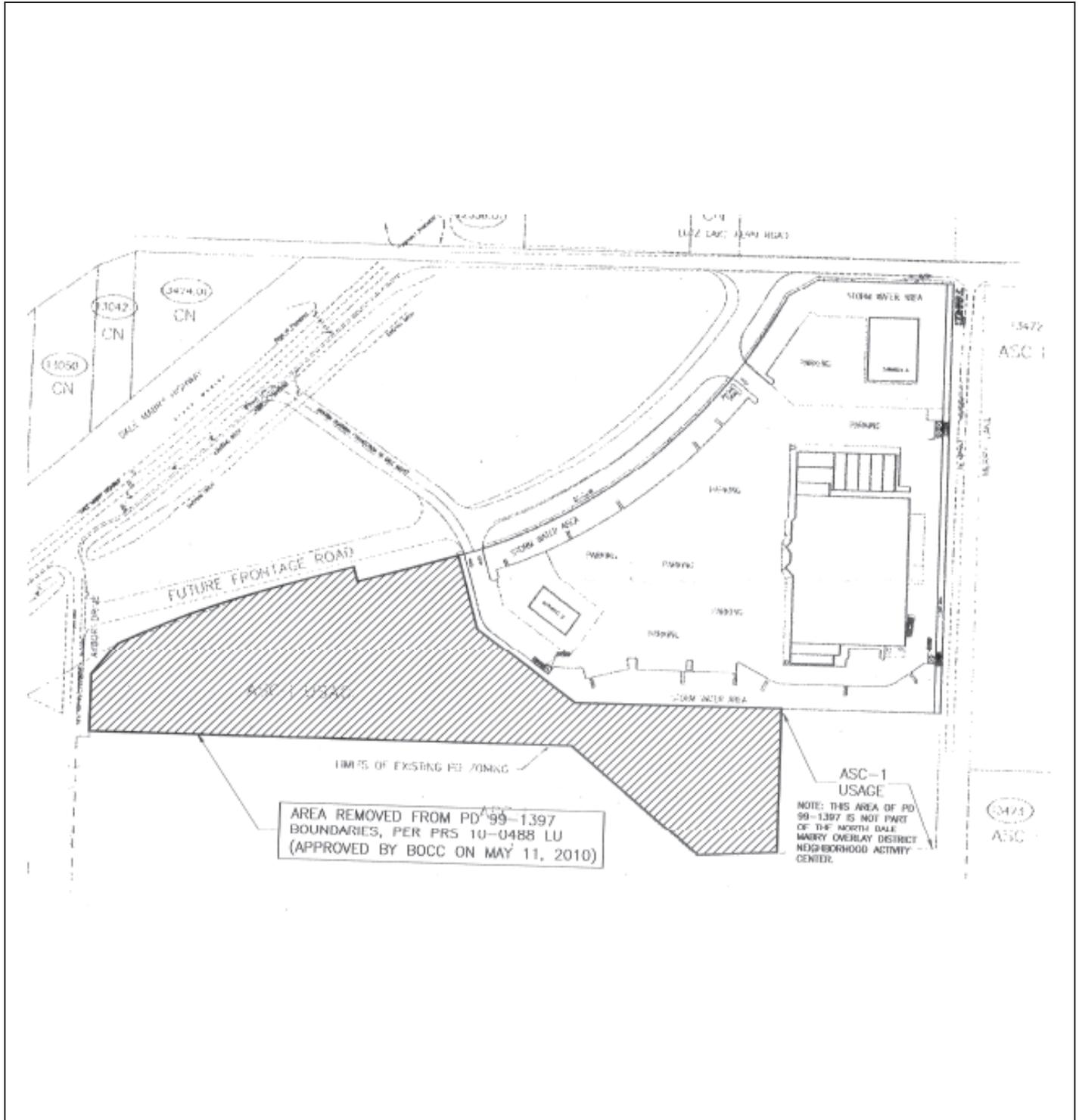


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 99-1397	0.184	Restricted CN uses	Open space
South	PD 10-0230	0.11	Restricted CN uses	Undeveloped
East	PD 99-1397	0.184	Restricted CN uses	Shopping Center
West	PD 10-0230	0.11	Restricted CN uses	Undeveloped

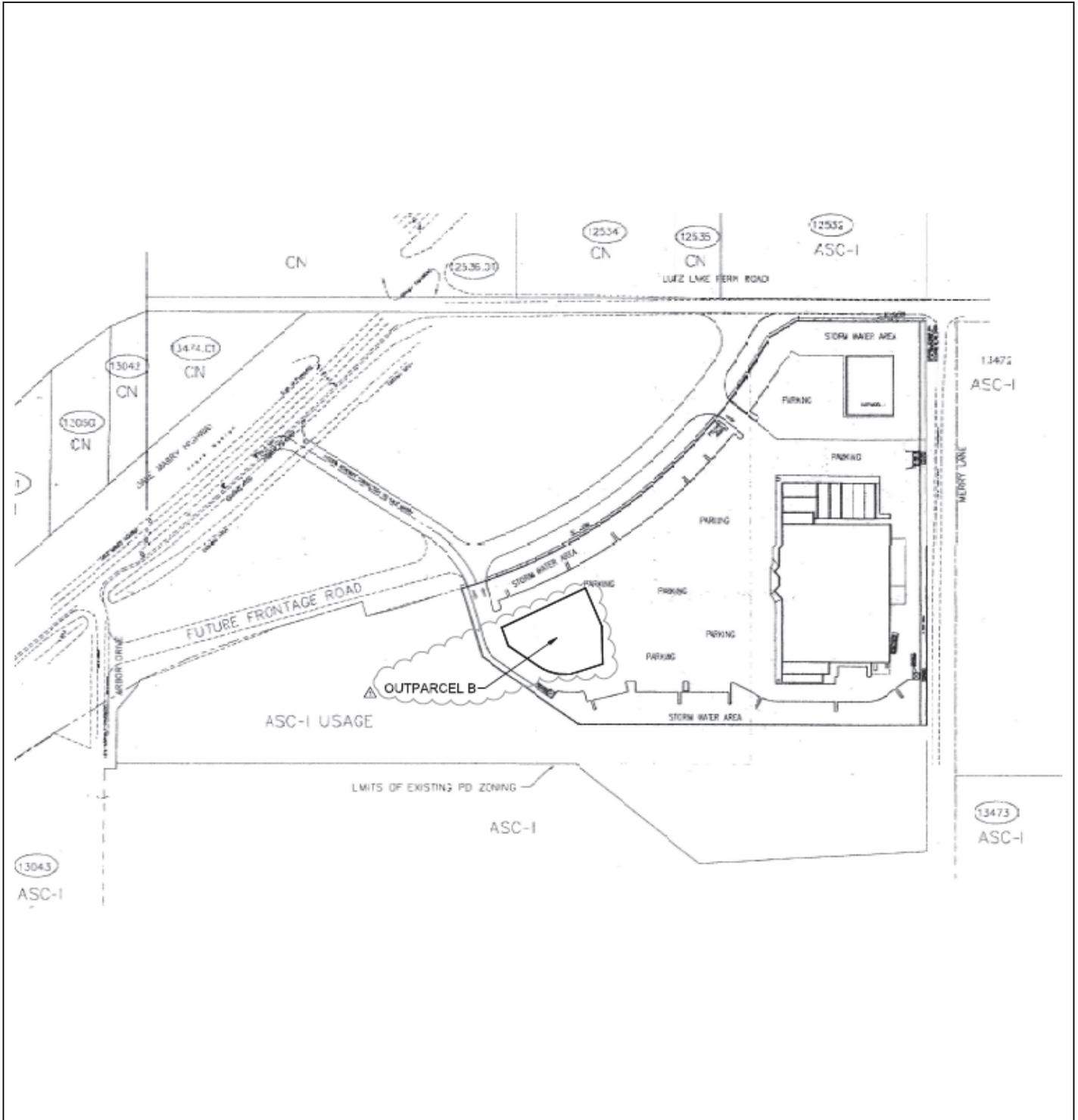
2.0 LAND USE MAP SET AND SUMMARY DATA

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



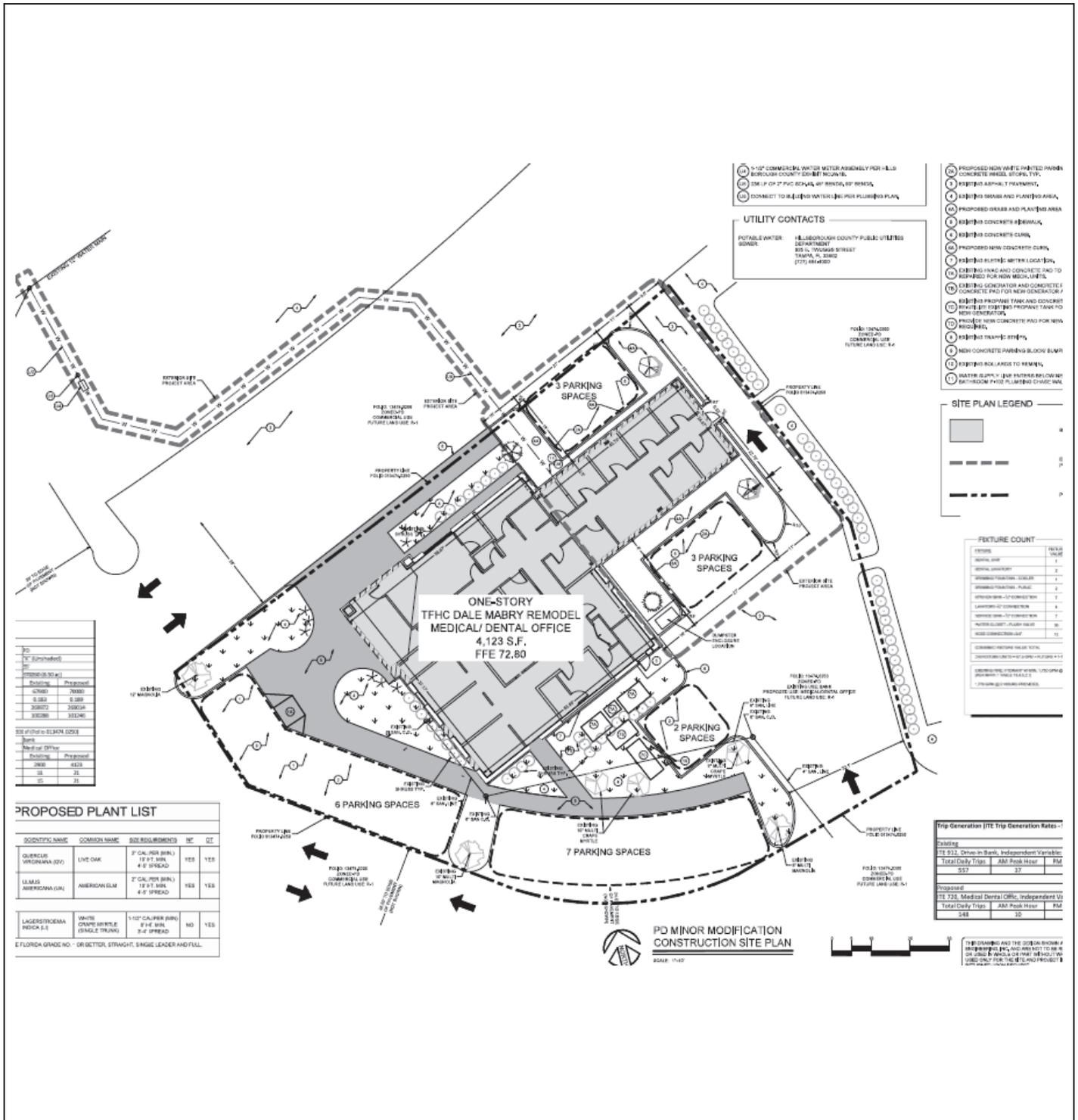
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input 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"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input 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 type="checkbox"/> Urban <input type="checkbox"/> City of Tampa (to the west) <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" 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 checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject parcel is internal to a PD developed with restricted commercial uses. The additional square footage will enlarge the existing structure from approximately 3,000 sf to approximately 5,000 sf, primarily due to the enclosure of the four existing drive-thru lanes. The building height will remain at 1-story. No modifications or removal of conditions 2.2 (requiring all building sides to be architecturally finished), 3 (use of low projection, low-glare lighting), 6 (hours of operation prohibited 12 midnight and 7:00 am), 7.1 (10-foot wide buffer with Type B screening), or 12 (signage in common design with the shopping center). Staff's review of the existing parking has found that no additional parking will be needed to accommodate the proposed medical/dental office.

The proposed use is not prohibited per the PD or North Dale Mabry Overlay. Prohibited uses include gasoline sales, sexually oriented businesses, convenience stores with or without gas, fast food restaurants with drive-throughs, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, and gyms and health clubs.

The proposed square footage (70,000 sf / 0.189 F.A.R.) is within the limits of the RES-1 Future Land Use Category (0.25) and the North Dale Mabry Overlay requirements (110,000 sf maximum).

5.2 Recommendation

Staff recommends approval, subject to proposed conditions.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

1. "ASC-1 Usage" area to be delineated and noted as depicted on the certified site plan for PRS 10-0488.
2. Show the entire PD boundary and layout in the vicinity of the northwest project access and within those portions where the sidewalk required pursuant to the above proposed conditions as necessary;
3. Show and label the existing sidewalk within the FDOT frontage road right-of-way (generally depicted by that portion of the yellow line east of the drive aisle, as shown in the graphic below);
4. Show and label the proposed sidewalks and crosswalks required pursuant to the above proposed conditions, (as generally depicted by the red lines below, although staff notes a portion of the required crosswalk is also shown in yellow where it overlaps the drive aisle); and,
5. Show and label the future pedestrian and vehicular access/cross access to the west, and label as "Future Pedestrian and Vehicular Access/ Cross Access – By Others". The pedestrian connection is generally represented by the green line shown below (and the required vehicular connection to the adjacent PD is anticipated to align with the drive aisle within the subject PD).

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted June 15, 2022.

1. Development shall be restricted to ~~68,000~~ 70,000 square feet of uses permitted in the Commercial ~~General~~ Neighborhood (CN) zoning district, unless otherwise restricted herein. Gasoline sales are prohibited on the entire site. ASC-1 uses are permitted on the portion of the site designated for such uses.
 - 1.1 Outparcel A shall be permitted 8,000 square feet of floor area for neighborhood commercial uses, excluding entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores, gasoline sales and fast food restaurants with drive thru. Building design on Outparcel A will be architecturally similar with the main plaza.
 - 1.2 Notwithstanding the square footage provided on Sheet 2 of PRS 22-0850, Outparcel B shall be permitted 5,000 square feet of floor area for health practitioner's office uses. ~~neighborhood commercial uses, excluding entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores and gasoline sales.~~
 - 1.3 Banners, pennants, streamers, flags and/or other similar devices shall only be permissible for opening days in accordance with Section 7.04.03.E.
 - 1.4. Outdoor vending machines shall be prohibited.
2. The commercial portion of the project shall be developed in accordance with CN zoning district standards, except the maximum impervious surface area coverage shall be 75 percent. Additionally, the project shall conform to North Dale Mabry Overlay District standards as defined in Section 3.01.06 of the Hillsborough County Land Development Code. The portion of the site designated for ASC-1 uses shall be developed in accordance with ASC-1 zoning district standards and is not part of the North Dale Mabry Overlay District Neighborhood Activity Center.
 - 2.1 No commercial building will be closer than 50 feet to the existing edge of pavement on Merry Lane.

- 2.2 All project buildings shall be architecturally finished on all sides. At minimum, masonry exteriors shall include painted textured surfaces (e.g., painted block, stucco or precast concrete). The design of the facades for the main plaza shall include such features as recesses for landscaping, projections, windows and separate entrances for individual uses as generally depicted on the "architectural elevation rendering" received June 21, 2001. The architectural elevation rendering shall be placed on the revised general site plan for certification.
- 2.3 Loading docks for the main plaza shall be located along the rear façade.
3. Lighting and on-site signage within the project shall be of a low-projection non-glare type, designed to produce a minimum of illumination beyond project boundaries. On-site lighting shall be reduced an hour after close of operations. Security/parking light poles within forty feet of agricultural zoning shall be restricted to 18 feet in height.
4. Dumpsters on the entire site shall be completely enclosed and the dumpster shelter shall be finished in like materials to the principal structures they serve. Dumpsters will not be emptied between the hours of 8:00 p.m. and 7:00 a.m.
5. Deliveries to and from the entire site shall be limited to between the hours of 6:30 a.m. and 10:00 p.m.
6. Uses in Outparcel A shall be closed between the hours of 11:00 p.m. and 7:00 a.m. Uses in Outparcel B shall be closed between the hours of 12:00 midnight and 7:00 a.m.
7. In addition to required buffering and screening, buffering along Merry Lane adjacent to the commercial portion of the project shall be comprised of an eight (8) foot solid PVC fence and a staggered double row of evergreen shade trees, 2 to 2.5 inch caliper (D.B.H.), 10-12 feet minimum height at time of planting. The trees shall be installed on Merry Lane side of the wall and shall be spaced in each row not more than 30 feet apart, and the rows shall be offset in a manner to provide one tree every fifteen feet. The remainder of the buffer shall be ground cover. The developer may provide a continuous evergreen hedge in addition to the required screening along Merry Lane. 100 percent irrigation coverage shall be installed along the exterior side of the required fence along the eastern property boundary.
- 7.1 Along the southern boundary of the retail portion adjacent to the drive aisle south of Outparcel B, the developer shall provide a ten foot buffer and Type "B" screen. Existing vegetation shall count towards the Type "B" screening.
- 7.2 Along the remaining southern boundary of the retail portion, the developer shall provide the required Type "B" buffer/screen. Retention is permissible up to 15 feet into the required buffer. Existing vegetation shall count towards the Type "B" screening.
- 7.3 Required shade trees to meet parking lot interior landscaping standards shall be a minimum 2 inch to 2.5 inch caliper measuring 10'-12' in height at time of planting.
8. Access to the site shall be from the Dale Mabry frontage road only. No driveways shall be allowed along Lutz Lake Fern Road. One access shall be allowed to Merry Lane to provide access only to the ASC-1 portion of the project and shall be shown on the general site plan for certification. A pedestrian access gate shall be required along Merry Lane.
9. Access across the FDOT right-of-way from the Frontage Road to Dale Mabry shall be subject to approval by FDOT.

10. No construction equipment shall enter the project from Merry Lane for the retail portion of the site except for the installation of the required buffer/screen and irrigation installation along Merry Lane.
11. The general design, location and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department and/or the Florida Department of Transportation. Final design, if approved by Hillsborough County Planning and Growth Management Department and the Florida Department of Transportation, may include, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.
12. Prior to or concurrent with redevelopment of Outparcel B:
 - a. The developer shall construct a minimum 5-foot wide sidewalk connection between the primary entrance(s) of the medical office use and the existing sidewalk located within the FDOT frontage road right-of-way (along the project's boundary); and,
 - b. The developer shall construct a minimum 5-foot wide sidewalk connection (including crosswalk) between the existing terminus of the sidewalk within the FDOT frontage road right-of-way (in vicinity of the western most project access), and a point approximately 350 feet to its south. The sidewalk shall be constructed along the west and south side of the internal access driveway within folio 13474.0200, and is intended to provide the initial pedestrian system necessary to accommodate future LDC required connectivity between proposed Outparcel B use and the remaining uses within the PD. Additional sidewalk necessary to complete the connection to the shopping center shall not be the responsibility of the developer of Outparcel B.
- ~~1213.~~ Project signage shall be mounted on or supported by materials that are consistent with the common design elements and finishes of the main shopping center as depicted in the architectural elevation rendering received on June 12, 2001. No project signage shall be permitted along Merry Lane and Lutz Lake Fern Road. Illuminated building sign/cabinet signs along Outparcel A eastern building façade are prohibited.
- ~~1314.~~ 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.
- ~~1415.~~ Within ninety days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the ~~Planning and Growth Management~~ Development Services Department, a revised General Development Plan for certification reflecting all the conditions outlined above. ~~Provide a note adjacent to the ASC-1 area that states, "This area of PD 99-1397 is not part of the North Dale Mabry Overlay District Neighborhood Activity Center".~~
- ~~1516.~~ Effective as of February 1, 1990, this development order/permit shall meet concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities in place at the time of application for subsequent development orders or permits to allow issuance of such.

<p>Zoning Administrator Sign Off:</p>	 <p>J. Brian Grady Thu Jul 14 2022 09:08:35</p>
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

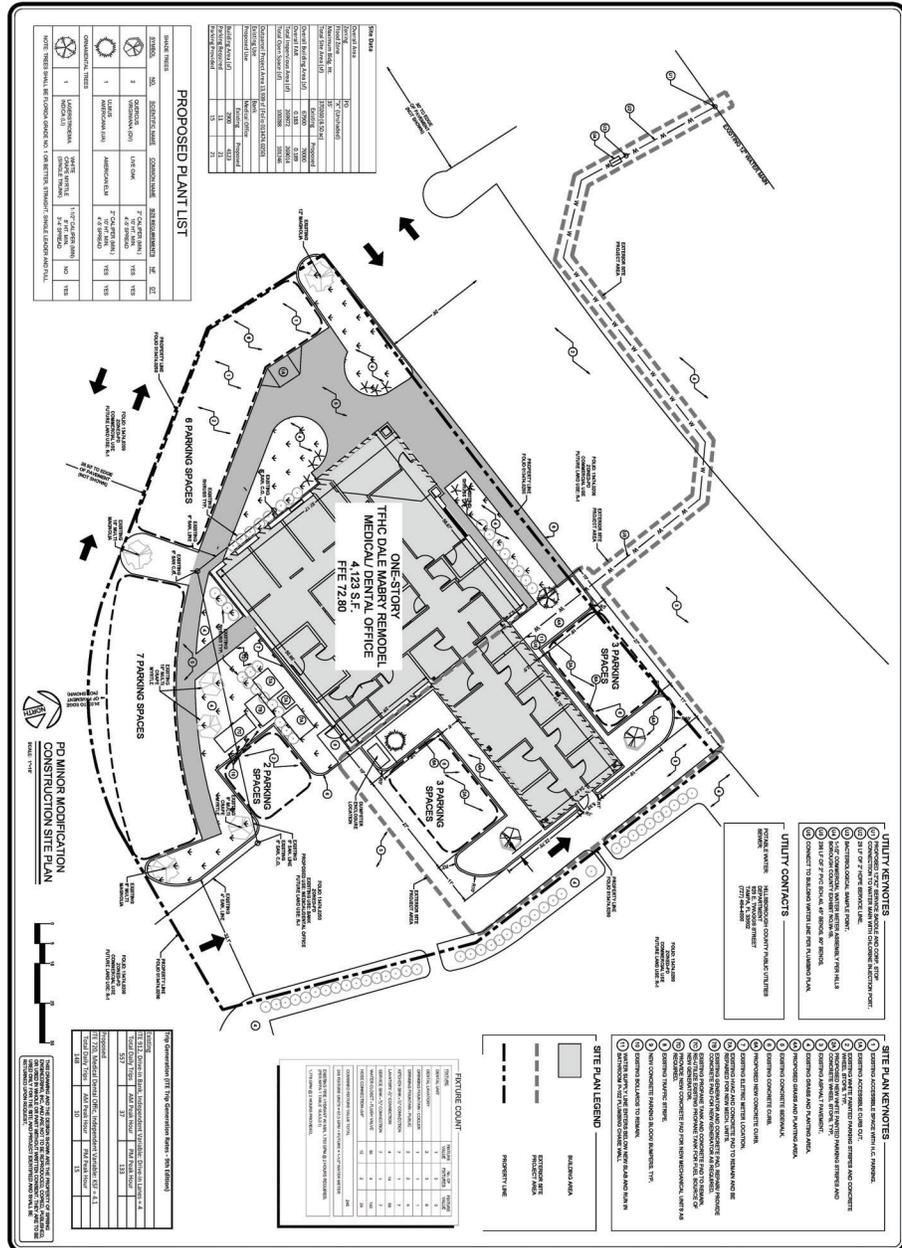
Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

None.

8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



Received June 15, 2022
Development Services

22-0850

100% Final Plan
 PREPARED BY: [Name]
 CHECKED BY: [Name]
 DATE: 06/15/2022

Spring Engineering
 Architecture • Engineering • Land Planning

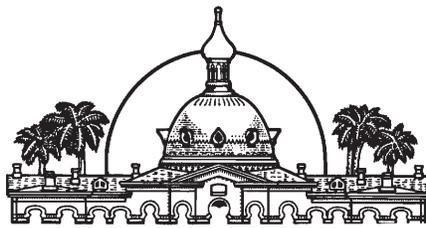
34 YEARS OF SERVICE
 18200 N Dale Mabry Highway, Suite 100, Tampa, FL 33618

Professional Seal: [Seal]

9.0 FULL TRANSPORTATION REPORT (see following pages)



**CURRENTLY
APPROVED**



Hillsborough County
Florida

Office of the County Administrator
Patricia G. Bean

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White

ADMINISTRATORS

Lucia E. Garsys
Carl S. Harness
Eric R. Johnson
Michael S. Merrill
Manus J. O' Donnell
Edith M. Stewart

May 13, 2010

Reference: PRS 10-0488 LU

Ty Maxey
Engelhardt, Hammer & Associates, Inc.
4343 Anchor Plaza Parkway # 220
Tampa, FL 33634

Dear Applicant:

At the regularly scheduled public meeting on May 11, 2010, the Board of County Commissioners approved your request for a minor modification to PD (99-1397), 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 Planning and Zoning Division, 20th floor of the County Center, 601 E. Kennedy Boulevard, the enclosed application for General Site Plan Review / Certification. (See instructions sheet). For information concerning the certification process, please contact our office at 272-5920.

Please keep this letter for your records. If we may be of service to you in the future, feel free to contact me at 272-5920.

Sincerely,

Paula M. Harvey, AICP, Director
Planning and Zoning Services Division

ps

enc

Approval – Approval, subject to the conditions listed below, is based on the site plan received March 2, 2010.

1. Development shall be restricted to 68,000 square feet of uses permitted in the Commercial General (CN) zoning district, unless otherwise restricted herein. Gasoline sales are prohibited on the entire site. ASC-1 uses are permitted on the portion of the site designated for such uses.
 - 1.1 Outparcel A shall be permitted 8,000 square feet of floor area for neighborhood commercial uses, excluding entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores, gasoline sales and fast food restaurants with drive thru. Building design on Outparcel A will be architecturally similar with the main plaza.
 - 1.2 Outparcel B shall be permitted neighborhood commercial uses, excluding entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores and gasoline sales.
 - 1.3 Banners, pennants, streamers, flags and/or other similar devices shall only be permissible for opening days in accordance with Section 7.04.03.E.
 - 1.4 Outdoor vending machines shall be prohibited.
2. The commercial portion of the project shall be developed in accordance with CN zoning district standards, except the maximum impervious surface area coverage shall be 75 percent. Additionally, the project shall conform to North Dale Mabry Overlay District standards as defined in Section 3.01.06 of the Hillsborough County Land Development Code. The portion of the site designated for ASC-1 uses shall be developed in accordance with ASC-1 zoning district standards and is not part of the North Dale Mabry Overlay District Neighborhood Activity Center.
 - 2.1 No commercial building will be closer than 50 feet to the existing edge of pavement on Merry Lane.
 - 2.2 All project buildings shall be architecturally finished on all sides. At minimum, masonry exteriors shall include painted textured surfaces (e.g., painted block, stucco or precast concrete). The design of the facades for the main plaza shall include such features as recesses for landscaping, projections, windows and separate entrances for individual uses as generally depicted on the “architectural elevation rendering” received June 21, 2001. The architectural elevation rendering shall be placed on the revised general site plan for certification.
 - 2.3 Loading docks for the main plaza shall be located along the rear façade.

AMENDED
FINAL CONDITIONS
OF APPROVAL

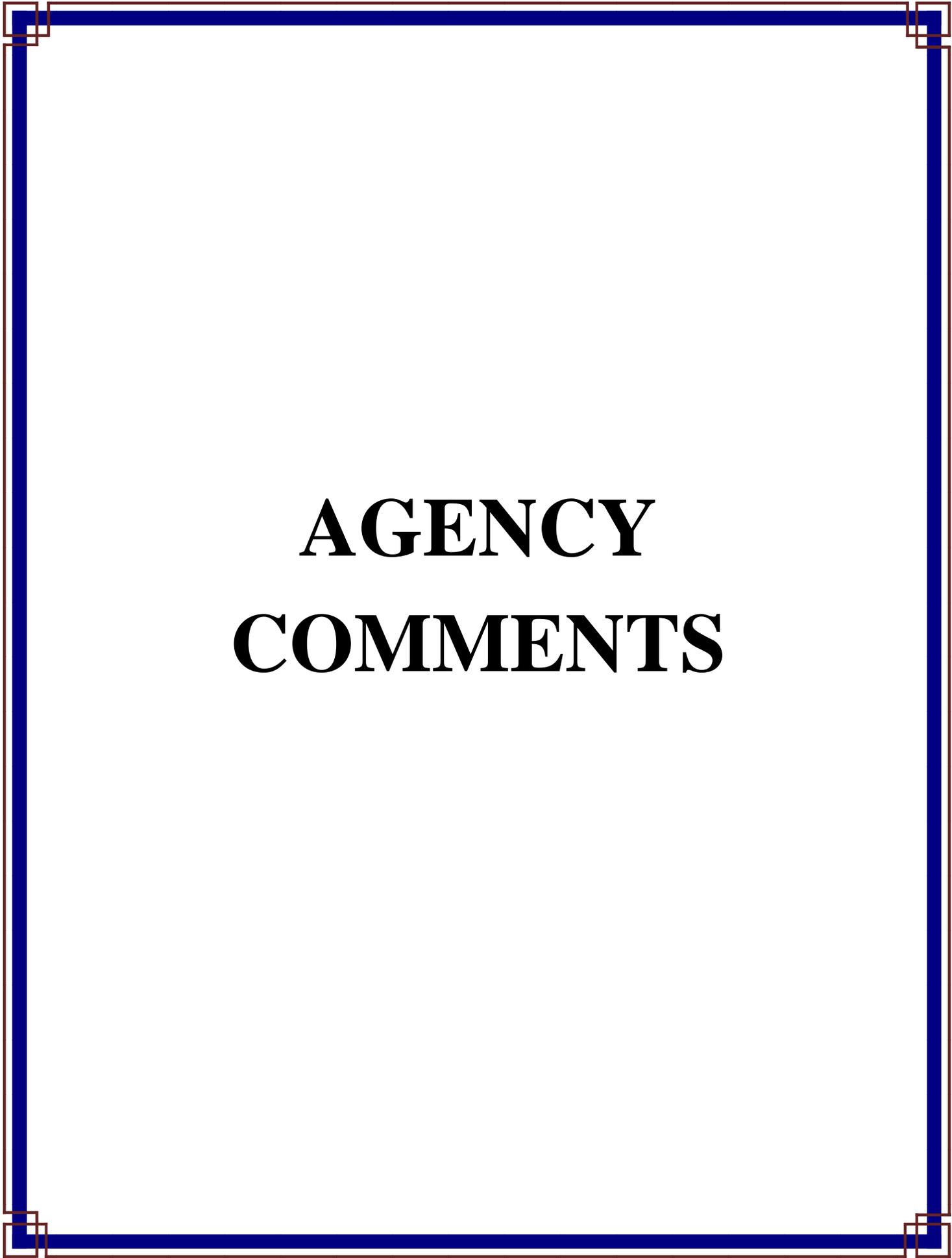
PETITION NUMBER: PRS 10-0488 LU (99-1397)
BOCC MEETING DATE: May 11, 2010
DATE TYPED: May 19, 2010

3. Lighting and on-site signage within the project shall be of a low-projection non-glare type, designed to produce a minimum of illumination beyond project boundaries. On-site lighting shall be reduced an hour after close of operations. Security/parking light poles within forty feet of agricultural zoning shall be restricted to 18 feet in height.
4. Dumpsters on the entire site shall be completely enclosed and the dumpster shelter shall be finished in like materials to the principal structures they serve. Dumpsters will not be emptied between the hours of 8:00 p.m. and 7:00 a.m.
5. Deliveries to and from the entire site shall be limited to between the hours of 6:30 a.m. and 10:00 p.m.
6. Uses in Outparcel A shall be closed between the hours of 11:00 p.m. and 7:00 a.m. Uses in Outparcel B shall be closed between the hours of 12:00 midnight and 7:00 a.m.
7. In addition to required buffering and screening, buffering along Merry Lane adjacent to the commercial portion of the project shall be comprised of an eight (8) foot solid PVC fence and a staggered double row of evergreen shade trees, 2 to 2.5 inch caliper (D.B.H.), 10-12 feet minimum height at time of planting. The trees shall be installed on Merry Lane side of the wall and shall be spaced in each row not more than 30 feet apart, and the rows shall be offset in a manner to provide one tree every fifteen feet. The remainder of the buffer shall be ground cover. The developer may provide a continuous evergreen hedge in addition to the required screening along Merry Lane. 100 percent irrigation coverage shall be installed along the exterior side of the required fence along the eastern property boundary.
 - 7.1 Along the southern boundary of the retail portion adjacent to the drive aisle south of Outparcel B, the developer shall provide a ten foot buffer and Type "B" screen. Existing vegetation shall count towards the Type "B" screening.
 - 7.2 Along the remaining southern boundary of the retail portion, the developer shall provide the required Type "B" buffer/screen. Retention is permissible up to 15 feet into the required buffer. Existing vegetation shall count towards the Type "B" screening.
 - 7.3 Required shade trees to meet parking lot interior landscaping standards shall be a minimum 2 inch to 2.5 inch caliper measuring 10'-12' in height at time of planting.
8. Access to the site shall be from the Dale Mabry frontage road only. No driveways shall be allowed along Lutz Lake Fern Road. One access shall be allowed to Merry Lane to provide access only to the ASC-1 portion of the project and shall be shown on the general site plan for certification. A pedestrian access gate shall be required along Merry Lane.
9. Access across the FDOT right-of-way from the Frontage Road to Dale Mabry shall be subject to approval by FDOT.

AMENDED
FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: PRS 10-0488 LU (99-1397)
BOCC MEETING DATE: May 11, 2010
DATE TYPED: May 19, 2010

10. No construction equipment shall enter the project from Merry Lane for the retail portion of the site except for the installation of the required buffer/screen and irrigation installation along Merry Lane.
11. The general design, location and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department and/or the Florida Department of Transportation. Final design, if approved by Hillsborough County Planning and Growth Management Department and the Florida Department of Transportation, may include, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.
12. Project signage shall be mounted on or supported by materials that are consistent with the common design elements and finishes of the main shopping center as depicted in the architectural elevation rendering received on June 12, 2001. No project signage shall be permitted along Merry Lane and Lutz Lake Fern Road. Illuminated building sign/cabinet signs along Outparcel A eastern building façade are prohibited.
13. 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.
14. Within ninety days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Planning and Growth Management Department, a revised General Development Plan for certification reflecting all the conditions outlined above. Provide a note adjacent to the ASC-1 area that states, "This area of PD 99-1397 is not part of the North Dale Mabry Overlay District Neighborhood Activity Center".
15. Effective as of February 1, 1990, this development order/permit shall meet concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities in place at the time of application for subsequent development orders or permits to allow issuance of such.



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 7/13/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: LU/NW

PETITION NO: PRS 22-0850

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

CONDITIONS OF APPROVAL

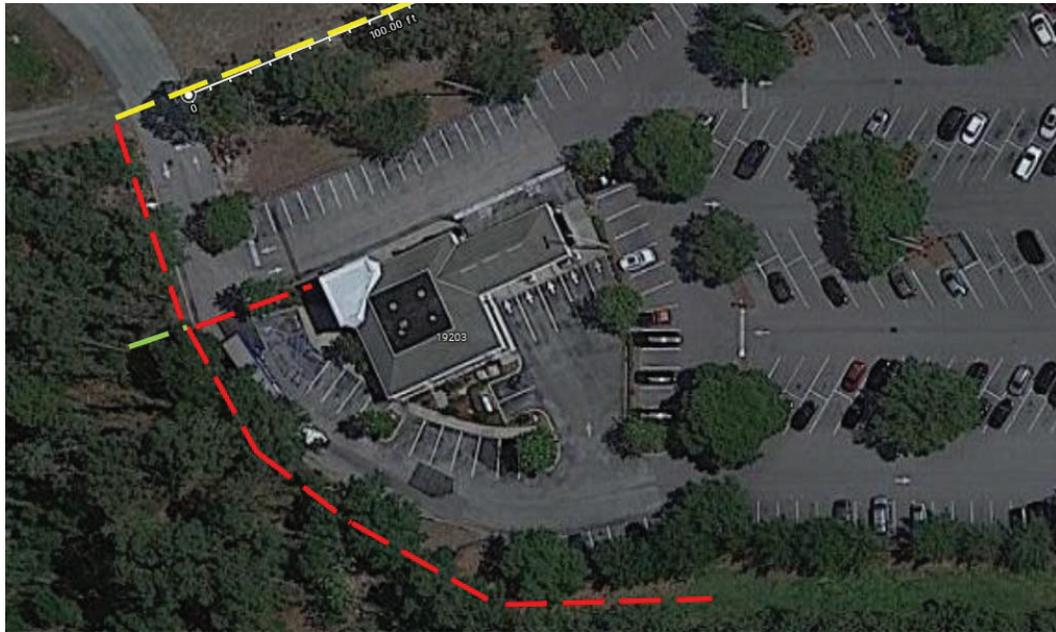
New Conditions

- Prior to or concurrent with redevelopment of Outparcel B:
 - The developer shall construct a minimum 5-foot wide sidewalk connection between the primary entrance(s) of the medical office use and the existing sidewalk located within the FDOT frontage road right-of-way (along the project's boundary); and,
 - The developer shall construct a minimum 5-foot wide sidewalk connection (including crosswalk) between the existing terminus of the sidewalk within the FDOT frontage road right-of-way (in vicinity of the western most project access), and a point approximately 350 feet to its south. The sidewalk shall be constructed along the west and south side of the internal access driveway within folio 13474.0200, and is intended to provide the initial pedestrian system necessary to accommodate future LDC required connectivity between proposed Outparcel B use and the remaining uses within the PD. Additional sidewalk necessary to complete the connection to the shopping center shall not be the responsibility of the developer of Outparcel B.

Other Conditions

- Prior to PD site plan certification, the developer shall revise the PD site plan to:
 - Show the entire PD boundary and layout in the vicinity of the northwest project access and within those portions where the sidewalk required pursuant to the above proposed conditions as necessary;
 - Show and label the existing sidewalk within the FDOT frontage road right-of-way (generally depicted by that portion of the yellow line east of the drive aisle, as shown in the graphic below);
 - Show and label the proposed sidewalks and crosswalks required pursuant to the above proposed conditions, (as generally depicted by the red lines below, although staff notes a portion of the required crosswalk is also shown in yellow where it overlaps the drive aisle); and,

- Show and label the future pedestrian and vehicular access/cross access to the west, and label as “Future Pedestrian and Vehicular Access/ Cross Access – By Others”. The pedestrian connection is generally represented by the green line shown below (and the required vehicular connection to the adjacent PD is anticipated to align with the drive aisle within the subject PD).



DESCRIPTION OF REQUEST, STAFF ANALYSIS, AND CONCLUSION

The applicant is requesting a personal appearance (PRS) to approved Planned Development (PD) #99-1397, for an +/- 0.39 ac. parcel within the larger +/- 8.5 ac. PD. The PD was most recently amended via PRS 10-0488. The existing PD is approved for up to 68,000 s.f. of Commercial Neighborhood (CN) zoning district uses excluding gasoline sales. Outparcel B, which is the subject of this zoning modification, shall be permitted neighborhood commercial uses excluding “entertainment, adult uses, funeral homes and mortuaries, bowling alleys, billiards and pool parlors, spas, gyms and health clubs, convenience stores and gasoline sales”.

According to the Hillsborough County Property Appraiser’s Office, the gross s.f. of the existing structure (previously used as a drive-in bank) is 4,439 s.f. The applicant is proposing to modify Parcel B to eliminate all commercial uses from the Outparcel, and instead is seeking entitlements for 5,000 s.f. of Health Practitioner’s Office uses. The overall project entitlements are being changed from 68,000 s.f. of certain CN uses to 65,000 s.f. of certain CN uses. As shown in the table below, the proposed changes results in a decrease in the overall daily and p.m. peak hour trip generation potential of the project and an increase in the a.m. peak hour trip generation potential of the project. Based upon those facts and that the existing shopping center was largely built out, staff was directed to review certain aspects of the project for compliance with the current code requirements, consistent with current practice for existing approved projects which are proposing limited modifications which generally reduce the overall intensity. The conditions proposed hereinabove were a result of that review. Staff notes that applicability of, and a determination of compliance with, other LDC and/or Technical Manual standards will be determined at the time of plat/site/construction plan review, as applicable.

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

Existing Constructed Uses (Outparcel B):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
4,439 g.s.f. Drive-In Bank (ITE LUC 921)	446	45	94

Proposed Uses (Outparcel B):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
5,000 s.f. Medical-Dental Office Building – Stand Alone (ITE LUC 720)	180	16	20

Trip Generation Difference (Outparcel B):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(-) 266	(-) 29	(-) 74

Approved Uses (PD):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
68,000 g.s.f. Shopping Plaza 40-150k with Supermarket (ITE LUC 821)	6,426	241	615

Proposed Uses (PD):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
65,000 g.s.f. Shopping Plaza 40-150k with Supermarket, (ITE LUC 821)	6,142	230	587
5,000 s.f. Medical-Dental Office Building – Stand Alone (ITE LUC 720)	180	16	20
Subtotal:	6,322	246	607

Trip Generation Difference (PD):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(-) 104	(+) 5	(-) 8

LEVEL OF SERVICE

Level of Service (LOS) information for the adjacent roadway segments are provided below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Dale Mabry Hwy.	Van Dyke Rd.	Lutz Lake Fern Rd.	D	F
Lutz Lake Fern Rd.	Dale Mabry Hwy.	US 41	C	C

Source: Hillsborough County 2020 Level of Service Report.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

JARED W. PERDUE, P.E.
SECRETARY

MEMORANDUM

DATE: June 21, 2022

TO: Bianca Vazquez, Hillsborough County

FROM: Lindsey Mineer, FDOT

COPIES: Daniel Santos, FDOT
Todd Croft, FDOT
Joel Provenzano, FDOT
Mecale' Roth, FDOT
Roland Dove, Spring Engineering

SUBJECT: PRS 22-0850, 19203 N Dale Mabry, Lutz

This project is on a state road, Dale Mabry Hwy.

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

Contact info:
Mecale' Roth
Mecale.Roth@dot.state.fl.us
813-612-3237

Thank you for the opportunity to comment.

END OF MEMO

COMMISSION

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 Pat Kemp VICE-CHAIR
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 Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: July 26, 2022</p> <p>PETITION NO.: 22-0850</p> <p>EPC REVIEWER: Sarah Hartshorn</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1237</p> <p>EMAIL: hartshorns@epchc.org</p>	<p>COMMENT DATE: June 17, 2022</p> <p>PROPERTY ADDRESS: 19203 N Dale Mabry Hwy, Lutz, FL 33548</p> <p>FOLIO #: 013474-0250</p> <p>STR: 11-27S-18E</p>
<p>REQUESTED ZONING: Minor Mod to PD</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>NO</p>
<p>SITE INSPECTION DATE</p>	<p>06/17/2022</p>
<p>WETLAND LINE VALIDITY</p>	<p>NA</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>No wetlands onsite per site inspection</p>
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Sjh/mst

Environmental Excellence in a Changing World

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

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

PETITION NO.: PRS22-0850 REVIEWED BY: Randy Rochelle DATE: 7/12/2022

FOLIO NO.: 13474.0250

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 12 inch water main exists (adjacent to the site), (approximately 100 feet from the site) and is located within the southeast Right-of-Way of North Dale Mabry Highway. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 4 inch wastewater force main exists (adjacent to the site), (approximately 100 feet from the site) and is located within the southeast Right-of-Way of North Dale Mabry Highway. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject rezoning includes parcels that are outside of the Urban Service Area, therefore connection to the County water and/or wastewater service is not generally allowed. As there are water and wastewater mains located adjacent to the subject site a single metered connection and wastewater connection could be allowed. No water line extension would allowed unless it is required or allowed as a condition of the rezoning of the development meets the exception criteria for the connections outside the Urban Service Area.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 8 June 2022

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

APPLICANT: Ty Witherington

PETITION NO: PRS 22-0850

LOCATION: 19203 N. Dale Mabry Hwy, Lutz, FL 33548

FOLIO NO: 13474.0250

SEC: 11 TWN: 27 RNG: 18

- This agency has no comments.

- This agency has no objection.

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

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

COMMENTS: _____.