**Rezoning Application:** RZ STD 24-1082

Zoning Hearing Master Date: 10/28/2024

BOCC Land Use Meeting Date: 12/10/2024



**Development Services Department** 

Applicant: Franciso Henriquez

FLU Category: R-9

Service Area: Urban

Site Acreage: 0.43 acres +/-

Community Plan Area: None

Overlay: None

Special District: None

Request: Rezone from PD to RSC-9-R



#### **Introduction Summary:**

The applicant is requesting to rezone property from Planned Development PD 00-0242 to RSC-9-R (Residential, Single Family Conventional with Restrictions) to facilitate single-family residential development. PD 00-0242 solely permits a neighborhood grocery store and indoor takeout café on the site. The proposed restriction will prohibit access to N Manhattan Ave.

Zoning:	Existing	Proposed	
District(s)	PD 00-0242	RSC-9-R	
Typical General Use(s)	Neighborhood Grocery Store and Indoor Take-Out Café	Single-Family Residential (Conventional Onl	
Acreage 0.43 +/-		0.43 +/-	
Density/Intensity	0.203 FAR	9 dwelling units per acre	
Mathematical Maximum*	3,800 square feet	3 dwelling units	

<sup>\*</sup>number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	PD 00-0242	RSC-9-R
Lot Size / Lot Width	N/A	5,000 sf / 50'
Setbacks/Buffering and Screening	Per General Location in Site Plan (West and South) 10' / Type A (North) 20' / 6-foot concrete wall (East/North)	20' Front 5' Sides 20' Rear
Height	35'	35′

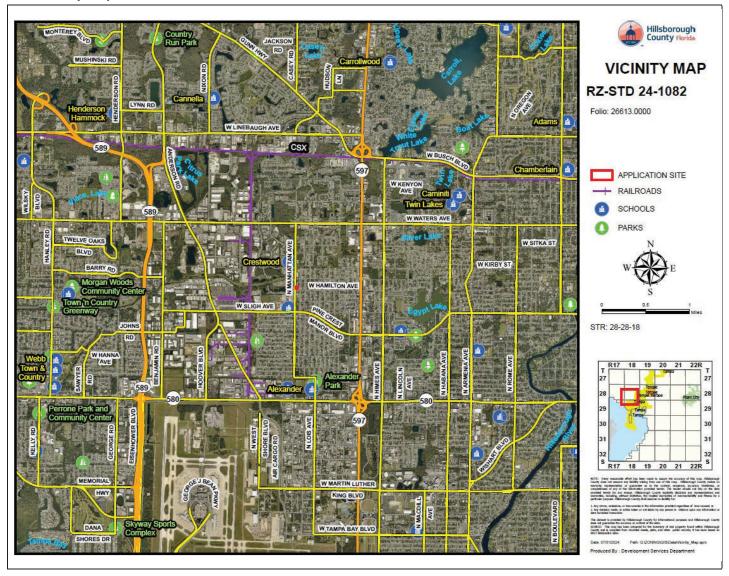
Additional Information:	
PD Variation(s)	None requested as part of this application.
Waiver(s) to the Land Development Code	None requested as part of this application.

Planning Commission Recommendation:	Development Services Recommendation:		
Consistent	Approvable		

ZHM HEARING DATE: October 28<sup>th</sup>, 2024 BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

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

#### 2.1 Vicinity Map



Case Reviewer: Michelle Montalbano

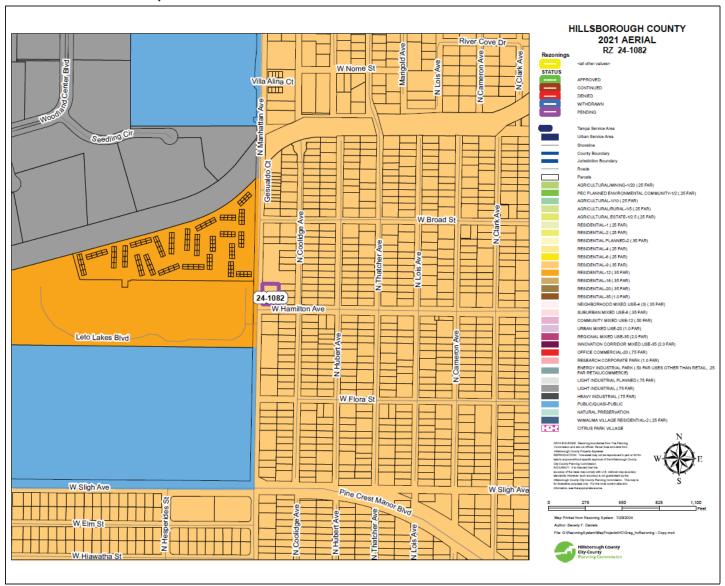
#### **Context of Surrounding Area:**

The property is located in the Egypt Lake area, about a mile west of N Dale Mabry Hwy. The surrounding area contains a mix of uses. Along N Manhattan Avenue are light commercial uses, offices, schools, and churches. N Dale Mabry around a mile to the east is a commercial corridor. Otherwise, the immediate area is occupied by single-family residences zoned RSC-9. Farther west closer to Tampa International Airport are office parks, manufacturing and light industrial uses.

ZHM HEARING DATE: October 28<sup>th</sup>, 2024 BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

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

#### 2.2 Future Land Use Map



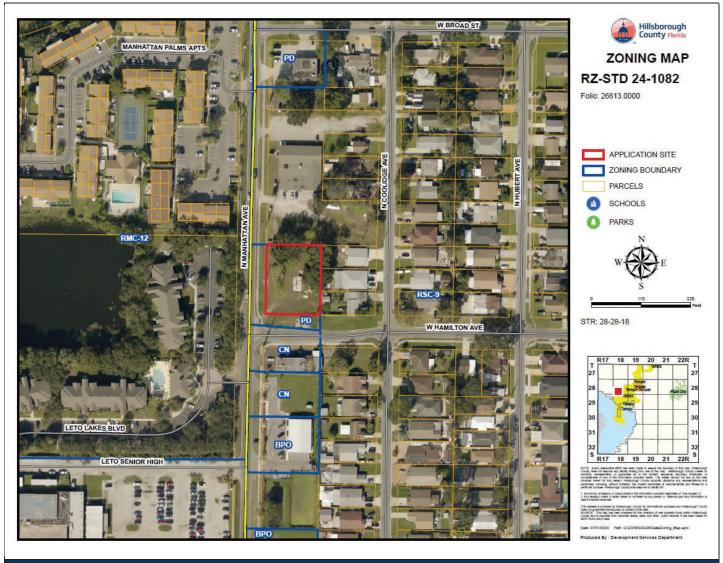
Case Reviewer: Michelle Montalbano

Future Land Use Category:	R-9 (Residential-9)
Maximum Density/F.A.R.:	9 DU / GA or 0.35 FAR
Typical Uses:	Residential, urban commercial, offices, multi-purpose projects, mixed-use development

ZHM HEARING DATE: October 28<sup>th</sup>, 2024
BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

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

#### 2.3 Immediate Area Map



Case Reviewer: Michelle Montalbano

Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	RSC-9	9 DU / GA or 0.35 FAR	Single-Family Residential	Church	
South	CN	0.20 FAR	Neighborhood Commercial	Supermarket	
East	RSC-9	9 DU / GA	Single-Family Residential	Single-Family Residential	
West	RMC-12	12 DU / GA	Multi-Family Residential	Multi-Family Residential	

APPLICATION NUMBER:	RZ-STD 24-1082	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	October 28 <sup>th</sup> , 2024 December 10 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano
2.0 LAND USE MAP SET	AND SUMMARY DATA	
2.4 Proposed Site Plan (	partial provided below for s	size and orientation purposes. See Section 8.0 for full site plan)
		N/A

APPLICATION NUMBER:RZ-STD 24-1082ZHM HEARING DATE:October 28th, 2024BOCC LUM MEETING DATE:December 10th, 2024Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	Current Conditions	Select Future Improvements	
N Manhattan Ave	County Collector - Rural	2 Lanes  ⊠Substandard Road  ⊠Sufficient ROW Width	☐ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☑ Other (TBD)	
W Hamilton Ave	County Local - Rural	2 Lanes  ⊠Substandard Road  ⊠Sufficient ROW Width	☐ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☑ Other (TBD)	

Project Trip Generation □Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	642	44	52		
Proposed	28	2	3		
Difference (+/-)	-614	-42	-49		

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

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

Design Exception/Administrative Variance    ■Not applicable for this request				
Road Name/Nature of Request Type Finding				
Choose an item. Choose an item.				
Choose an item. Choose an item.				
Notes:				

APPLICATION NUMBER: RZ-STD 24-1082
ZHM HEARING DATE: October 28<sup>th</sup>, 2024

BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024 Case Reviewer: Michelle Montalbano

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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments	Objections	Conditions	Additional
	Received		Requested	Information/Comments
Environmental Protection Commission	⊠ Yes	☐ Yes	□ Yes	
	☐ No ☐ Yes	⊠ No □ Yes	⊠ No □ Yes	
Natural Resources	⊠ No	□ No	□ Yes	
	⊠ Yes	☐ Yes	□ Yes	
Conservation & Environ. Lands Mgmt.	□ No	⊠ No	⊠ No	
Check if Applicable:	l .	/ater Wellfield Pro	tection Area	
☐ Wetlands/Other Surface Waters	☐ Significan	t Wildlife Habitat		
☐ Use of Environmentally Sensitive Land	_	igh Hazard Area		
Credit		burban/Rural Scen	ic Corridor	
☐ Wellhead Protection Area	-	to ELAPP property		
☐ Surface Water Resource Protection Area	☐ Other			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation	RECEIVED		Requesteu	miorination, comments
□ Design Exc./Adm. Variance Requested	⊠ Yes	☐ Yes	☐ Yes	
☐ Off-site Improvements Provided	□ No	⊠ No	□ No	
⊠ N/A			⊠ N/A	
Service Area/ Water & Wastewater				
	⊠ Yes	☐ Yes	☐ Yes	Connection to County
☐Rural ☐ City of Temple Terrace	□ No	⊠ No	⊠ No	wastewater required.
, ,				
Hillsborough County School Board	☐ Yes	☐ Yes	☐ Yes	
Adequate $\square$ K-5 $\square$ 6-8 $\square$ 9-12 $\boxtimes$ N/A	□No	□No	□No	
Inadequate ☐ K-5 ☐6-8 ☐9-12 ☒ N/A				
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission			•	
☐ Meets Locational Criteria     ⊠N/A	⊠ Yes	☐ Inconsistent	□ Yes	
☐ Locational Criteria Waiver Requested	□No		⊠ No	
☐ Minimum Density Met ☐ N/A				

APPLICATION NUMBER: RZ-STD 24-1082
ZHM HEARING DATE: October 28<sup>th</sup>, 2024

BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024 Case Reviewer: Michelle Montalbano

#### **5.0 IMPLEMENTATION RECOMMENDATIONS**

#### 5.1 Compatibility

The applicant is proposing to rezone property located at 7201 N Manhattan Ave from a PD to RSC-9 with Restrictions. PD 00-0242 permits a neighborhood grocery store and indoor takeout café. The property has remained vacant since the rezoning and did not develop to its PD entitlements. The applicant is proposing to subdivide and develop the property for three single-family homes. The proposed Euclidian rezoning does not guarantee the number of lots that can be created under the new RSC-9-R district, but will permit single-family residential development with accordance to the RSC-9-R lot development standards and Land Development Code subdivision standards.

The proposed RSC-9-R zoning district is consistent with the existing residential development pattern in the area. To the direct east and greater south of the property are over 650 acres of single-family homes zoned RSC-9. The RSC-9 standards are consistent with the lot dimensions of the original platted lots from 1956. Across N Manhattan Ave are multi-family dwellings zoned RMC-12. Abutting the property to the north is a church zoned RSC-9. To the direct south across Hamilton Avenue is a neighborhood supermarket zoned CN. Further out along N Manhattan Ave are more single-family homes, office uses, a pharmacy, and two public schools. The proposed rezoning will complement the land use pattern of the surrounding area.

The applicant is proposing to prohibit access on N Manhattan Ave due to access spacing concerns raised by Transportation Review staff. Due to the proposed restriction, Transportation Review staff has no objections to the rezoning request.

Due to the above considerations, staff finds the proposed RSC-9-R zoning district compatible with the surrounding uses, zoning districts, and development pattern.

#### 5.2 Recommendation

Staff finds the rezoning request **approvable**, subject to the proposed restrictions.

#### **6.0 PROPOSED CONDITIONS**

The applicant is proposing the following restriction:

1. Access to N Manhattan Ave. shall be prohibited.

**Zoning Administrator Sign Off:** 

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

J. Brian Grady

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

APPLICATION NUMBER:	RZ-STD 24-1082	
ZHM HEARING DATE:	October 28 <sup>th</sup> , 2024	
BOCC LUM MEETING DATE:	December 10 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano

#### 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

The proposed Euclidian rezoning does not guarantee the number of lots that can be created under the new RSC-9-R district, nor is the request governed by the proposed layout in the submitted survey.

#### 8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

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

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department		DATE: 08/29/2024
REVIEWER: Sarah Rose, Senior Planner		AGENCY/DEPT: Transportation
PLANNING AREA/SECTOR: EL/Northwest		PETITION NO: RZ 24-1082
	This agency has no comments.	
X	This agency has no objection.	
	This agency has no objection, subject to the listed or attached cor	ditions.
This agency objects for the reasons set forth below.		

#### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- .43 acres from an approved Planned Development (PD) #00-0242 to Residential Single Family Conventional 9 Restricted (R-9-R). The proposed restriction would prohibit access on Manhattan Ave. Under the currently approved Planned Development, the subject parcel is approved for a neighborhood grocery store and indoor takeout café at a maximum of 3,800sqft of which the indoor takeout café should take up no more than 20% of the total square footage of the project. The site is located on the northeastern corner of N Manhattan Ave and W Hamilton Ave. The Future Land Use designation of the site is Residential 9 (R-9).

#### Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume		PM
PD, Grocery Store (ITE Code 820) 3,040sqft	282	9	26
PD, Indoor Take-Out Café (ITE Code 933) 760sqft	360	35	26
Total	642	44	52

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-9, Single Family Detached Housing	28	2	2
(ITE Code 210) 3 Units	20	2	3

#### Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume		PM
Difference	-614	-42	-49

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on N Manhattan Ave and W Hamilton Ave. N Manhattan Ave is a 2-lane, undivided, county maintained, rural collector roadway. The roadway is characterized by +/-11 ft wide travel lanes, no bike lanes on either side of the roadway in the vicinity of the proposed project, and +/- 5 ft wide sidewalks on both sides of the roadway, within +/- 66 ft of the right of way.

W Hamilton Ave is a 2-lane, undivided, county maintained, rural local roadway. The roadway is characterized by a range of between +/- 24 to +/- 30 feet of pavement in average condition and lying within a 75-foot-wide right-of-way. There are no bike lanes on either side of the roadway in the vicinity of the proposed project. There are +/- 5 wide sidewalks on southern side the roadway in the vicinity of the proposed project.

#### **SITE ACCESS**

It is anticipated that the site will have access to W Hamilton Ave.

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough

County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

The applicant is proposing the previously referenced restriction that would prohibit access to Manhattan Ave in order to avoid inserting the singular access that would be permitted, in accordance with section 6.04.03.I of the Land Development Code, on a collector road within a school zone in favor of placing the access on a lower classified local road (i.e. Hamilton Ave.), in accordance with the intent of section 6.04.03.C of the Land Development Code, no less than +/-125FT from the nearest intersection in accordance with section 6.04.08 of the Land Development Code. As such, transportation staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

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

#### ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

W Hamilton Ave is not a regulated roadway and was not included in the 2020 Hillsborough County Level of Service (LOS) Report. As such, no LOS information for this roadway can be provided.

The roadway level of service provided for N. Manhattan Ave is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr. Directional LOS
N Manhattan Ave	Henry Ave	W Humprey St	D	D

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

## COUNTY OF HILLSBOROUGH ZONING HEARING MASTER'S RECOMMENDATION

Application number:	RZ-STD 24-1082
Hearing date:	October 28, 2024
Applicant:	Francisco Henriquez
Request:	Rezone to RSC-9 (R)
Location:	7201 N. Manhattan Avenue, Tampa
Parcel size:	0.43 acres +/-
Existing zoning:	PD 00-0242
Future land use designation:	Res-9 (9 du/ga; .50 FAR)
Service area:	Urban Services Area
Community planning area:	None

#### A. APPLICATION REVIEW

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

**Rezoning Application:** RZ STD 24-1082

Zoning Hearing Master Date: 10/15/2024

BOCC Land Use Meeting Date: 12/10/2024



**Development Services Department** 

Applicant: Franciso Henriquez

FLU Category: R-9

Service Area: Urban

Site Acreage: 0.43 acres +/-

Community Plan Area: None

Overlay: None

Special District: None

Request: Rezone from PD to RSC-9-R



#### **Introduction Summary:**

The applicant is requesting to rezone property from Planned Development PD 00-0242 to RSC-9-R (Residential, Single Family Conventional with Restrictions) to facilitate single-family residential development. PD 00-0242 solely permits a neighborhood grocery store and indoor takeout café on the site. The proposed restriction will prohibit access to N Manhattan Ave.

Zoning: Existing		Proposed
District(s)	PD 00-0242	RSC-9-R
Typical General Use(s)	Neighborhood Grocery Store and Indoor Take-Out Café	Single-Family Residential (Conventional Only)
Acreage	0.43 +/-	0.43 +/-
Density/Intensity	0.203 FAR	9 dwelling units per acre
Mathematical Maximum*	3,800 square feet	3 dwelling units

<sup>\*</sup>number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	PD 00-0242	RSC-9-R
Lot Size / Lot Width	N/A	5,000 sf / 50'
Setbacks/Buffering and Screening	Per General Location in Site Plan (West and South) 10' / Type A (North) 20' / 6-foot concrete wall (East/North)	20' Front 5' Sides 20' Rear
Height	35′	35'

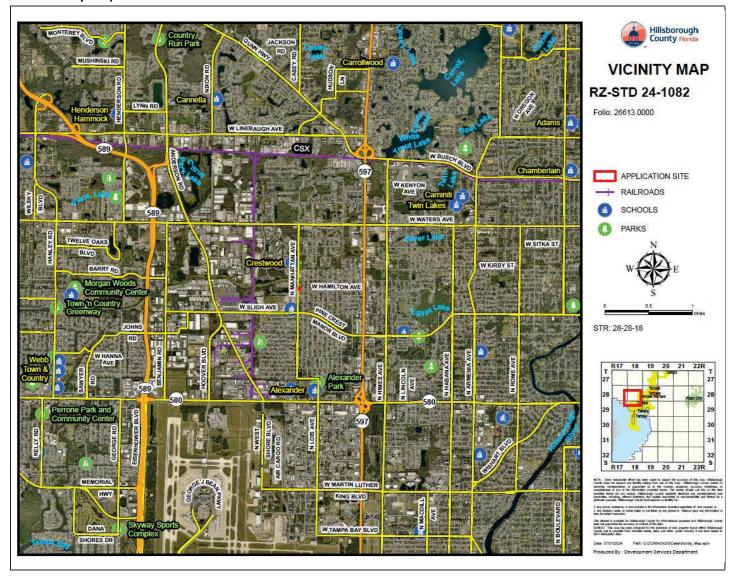
Additional Information:		
PD Variation(s)	None requested as part of this application.	
Waiver(s) to the Land Development Code	None requested as part of this application.	

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable

ZHM HEARING DATE: October 15<sup>th</sup>, 2024 BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.1 Vicinity Map



Case Reviewer: Michelle Montalbano

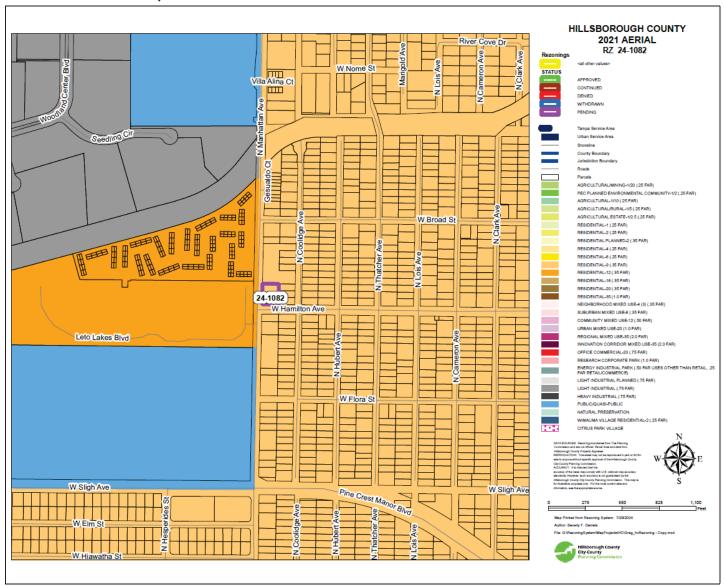
#### **Context of Surrounding Area:**

The property is located in the Egypt Lake area, about a mile west of N Dale Mabry Hwy. The surrounding area contains a mix of uses. Along N Manhattan Avenue are light commercial uses, offices, schools, and churches. N Dale Mabry around a mile to the east is a commercial corridor. Otherwise, the immediate area is occupied by single-family residences zoned RSC-9. Farther west closer to Tampa International Airport are office parks, manufacturing and light industrial uses.

ZHM HEARING DATE: October 15<sup>th</sup>, 2024 BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

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

#### 2.2 Future Land Use Map



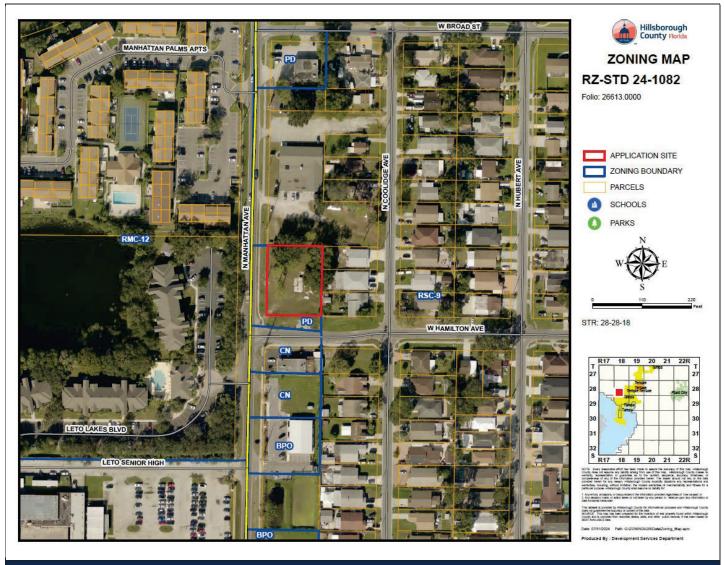
Case Reviewer: Michelle Montalbano

Future Land Use Category:	R-9 (Residential-9)
Maximum Density/F.A.R.:	9 DU / GA or 0.35 FAR
Typical Uses:	Residential, urban commercial, offices, multi-purpose projects, mixed-use development

ZHM HEARING DATE: October 15<sup>th</sup>, 2024 BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

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

#### 2.3 Immediate Area Map



Case Reviewer: Michelle Montalbano

Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	RSC-9	9 DU / GA or 0.35 FAR	Single-Family Residential	Church	
South	CN	0.20 FAR	Neighborhood Commercial	Supermarket	
East	RSC-9	9 DU / GA	Single-Family Residential	Single-Family Residential	
West	RMC-12	12 DU / GA	Multi-Family Residential	Multi-Family Residential	

APPLICATION NUMBER:	RZ-STD 24-1082	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	October 15 <sup>th</sup> , 2024 December 10 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano
2.0 LAND USE MAP SET	AND SUMMARY DATA	
2.4 Proposed Site Plan	(partial provided below for size and	d orientation purposes. See Section 8.0 for full site plan)
		N/A

APPLICATION NUMBER:	RZ-STD 24-1082	
ZHM HEARING DATE:	October 15 <sup>th</sup> , 2024	
BOCC LUM MEETING DATE:	December 10 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements	
		21	☐ Corridor Preservation Plan	
N Manhattan Ave	County Collector - Rural	2 Lanes  Substandard Road  Sufficient ROW Width	☐ Site Access Improvements	
N Maimanan Ave			☐ Substandard Road Improvements	
		Southcleffe NOW Width	Other (TBD)	
		31	☐ Corridor Preservation Plan	
W Hamilton Ave	County Local - Rural	2 Lanes  Substandard Road  Sufficient ROW Width	☐ Site Access Improvements	
			☐ Substandard Road Improvements	
		Estancient now white	Other (TBD)	

Project Trip Generation □Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	642	44	52	
Proposed	28	2	3	
Difference (+/-)	-614	-42	-49	

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

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

Design Exception/Administrative Variance   ☑Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

APPLICATION NUMBER: RZ-STD 24-1082

ZHM HEARING DATE: October 15<sup>th</sup>, 2024

BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024

Case Reviewer: Michelle Montalbano

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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions	Additional
	⊠ Yes	☐ Yes	Requested  □ Yes	Information/Comments
Environmental Protection Commission	□ No	⊠ No	⊠ No	
Natural Resources	☐ Yes	☐ Yes	☐ Yes	
	⊠ No	□ No	□ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ☑ No	☐ Yes ☑ No	
Check if Applicable:	L	/ater Wellfield Pro	tection Area	
☐ Wetlands/Other Surface Waters	☐ Significan	t Wildlife Habitat		
☐ Use of Environmentally Sensitive Land	☐ Coastal H	igh Hazard Area		
Credit	□ Urban/Su	burban/Rural Scer	nic Corridor	
☐ Wellhead Protection Area	☐ Adjacent	to ELAPP property		
☐ Surface Water Resource Protection Area	☐ Other			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation				
☐ Design Exc./Adm. Variance Requested	⊠ Yes	☐ Yes	☐ Yes	
☐ Off-site Improvements Provided	□No	⊠ No	□ No □ N/A	
⊠ N/A				
Service Area/ Water & Wastewater	⊠ Vaa		□ v	Connection to County
⊠Urban □ City of Tampa	⊠ Yes □ No	☐ Yes ☑ No	☐ Yes ☑ No	Connection to County wastewater required.
☐Rural ☐ City of Temple Terrace		⊠ NO	⊠ NO	wastewater required.
Hillsborough County School Board			_	
Adequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☒ N/A	☐ Yes	☐ Yes	☐ Yes	
Inadequate ☐ K-5 ☐6-8 ☐9-12 ☒ N/A	□No	□ No	□ No	
Impact/Mobility Fees		<u> </u>		<u> </u>
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission			•	-
☐ Meets Locational Criteria     ⊠N/A	⊠ Yes	☐ Inconsistent	☐ Yes	
☐ Locational Criteria Waiver Requested	□No	⊠ Consistent	⊠ No	
☐ Minimum Density Met ☐ N/A				

APPLICATION NUMBER: RZ-STD 24-1082
ZHM HEARING DATE: October 15<sup>th</sup>, 2024

BOCC LUM MEETING DATE: December 10<sup>th</sup>, 2024 Case Reviewer: Michelle Montalbano

#### **5.0 IMPLEMENTATION RECOMMENDATIONS**

#### 5.1 Compatibility

The applicant is proposing to rezone property located at 7201 N Manhattan Ave from a PD to RSC-9 with Restrictions. PD 00-0242 permits a neighborhood grocery store and indoor takeout café. The property has remained vacant since the rezoning and did not develop to its PD entitlements. The applicant is proposing to subdivide and develop the property for three single-family homes. The proposed Euclidian rezoning does not guarantee the number of lots that can be created under the new RSC-9-R district, but will permit single-family residential development with accordance to the RSC-9-R lot development standards and Land Development Code subdivision standards.

The proposed RSC-9-R zoning district is consistent with the existing residential development pattern in the area. To the direct east and greater south of the property are over 650 acres of single-family homes zoned RSC-9. The RSC-9 standards are consistent with the lot dimensions of the original platted lots from 1956. Across N Manhattan Ave are multi-family dwellings zoned RMC-12. Abutting the property to the north is a church zoned RSC-9. To the direct south across Hamilton Avenue is a neighborhood supermarket zoned CN. Further out along N Manhattan Ave are more single-family homes, office uses, a pharmacy, and two public schools. The proposed rezoning will complement the land use pattern of the surrounding area.

The applicant is proposing to prohibit access on N Manhattan Ave due to access spacing concerns raised by Transportation Review staff. Due to the proposed restriction, Transportation Review staff has no objections to the rezoning request.

Due to the above considerations, staff finds the proposed RSC-9-R zoning district compatible with the surrounding uses, zoning districts, and development pattern.

#### 5.2 Recommendation

Staff finds the rezoning request **approvable**, subject to the proposed restrictions.

#### **6.0 PROPOSED CONDITIONS**

The applicant is proposing the following restriction:

1. Access to N Manhattan Ave. shall be prohibited.

**Zoning Administrator Sign Off:** 

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

J. Brian Grady

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

#### **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Zoning Hearing Master on October 28, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

#### **Applicant**

Ms. Aileen Rosario spoke on behalf of the applicant. Ms. Rosario presented the rezoning request, responded to the zoning master's questions, and provided testimony as reflected in the hearing transcript.

#### **Development Services Department**

Ms. Michelle Montalbano, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted to the record.

Mr. Richard Perez, Hillsborough County Development Services Department Transportation Review, provided testimony related to the proposed restriction prohibiting access on Manhattan Avenue as further set forth in the Transportation Review staff report.

#### **Planning Commission**

Ms. Alexis Myers, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record. Ms. Myers responded to the zoning master's questions and provided testimony as reflected in the hearing transcript.

#### **Proponents**

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

#### **Opponents**

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

#### **Development Services Department**

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

#### **Applicant Rebuttal**

Ms. Rosario stated the applicant had nothing further.

The hearing officer closed the hearing on RZ-STD 24-1082.

#### C. EVIDENCE SUMBITTED

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

#### D. FINDINGS OF FACT

- 1. The Subject Property consists of approximately 0.43 acres of unimproved land at 7201 N. Manhattan Avenue, Tampa.
- 2. The Subject Property is designated Res-9 on the Future Land Use Map and is zoned PD 00-0242
- 3. The Subject Property is in the Urban Services Area and is not located within the boundaries of a community plan.
- 4. The Subject Property consists of a single folio parcel with three platted lots within the Pinecrest Villa Additional No. 1 Premier West Coast Subdivision, plat recorded June 4, 1925 in Plat Book 14, page 40, public records of Hillsborough County, Florida
- 5. The general area surrounding the Subject Property consists of residential, place of worship, neighborhood serving commercial, single-family residential, and multifamily residential uses. Adjacent properties include a place of worship to the north; single-family residential uses to the east, West Hamilton Avenue and a neighborhood grocery use to the south; and North Manhattan Avenue and multifamily residential uses to the west.
- 6. The Subject Property's PD 00-0242 zoning allows only a neighborhood grocery store and indoor take-out café.
- 7. The applicant is requesting to rezone the Subject Property to RSC-9(R), with the following restriction: Access to North Manhattan Avenue shall be prohibited.
- 8. The applicant's agent testified at the hearing that the applicant intends to subdivide and develop the Subject Property with three single-family conventional dwelling units that will share access on West Hamilton Avenue.
- 9. Development Services Department staff found the proposed RSC-9(R) zoning is compatible consistent with the existing residential development pattern in the surrounding area. Staff found the proposed zoning approvable subject to the proposed restriction.
- 10. Hillsborough County Transportation staff stated no objections with the proposed restriction prohibiting access on North Manhattan Avenue.
- 11. Planning Commission staff found the proposed use is an allowable use in the Res-9 Future Land Use category and would be compatible with the existing development pattern in the surrounding area. Staff concluded the rezoning to RSC-9(R) is consistent with the *Unincorporated Hillsborough County Comprehensive* Plan.

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

The record evidence demonstrates the proposed rezoning request is in compliance with and does further the intent of the Goals, Objectives, and Policies of Unincorporated Hillsborough County Comprehensive Plan.

#### F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." § 163.3194(3)(a), Fla. Stat. (2022). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the Unincorporated Hillsborough County Comprehensive Plan and does comply with the applicable requirements of the Hillsborough County Land Development Code.

#### G. SUMMARY

The applicant is requesting to rezone the Subject Property to RSC-9(R), with the following restriction: Access to North Manhattan Avenue shall be prohibited.

#### H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for APPROVAL of request to rezone the Subject Property to RSC-9(R), with the following restriction: Access to North Manhattan Avenue shall be prohibited.

> November 19, 2024 Date:

Land Use Hearing Officer

Pamela Jo Hatley



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

Unincorporated Hillsborough County Rezoning Consistency Review		
Hearing Date: October 15, 2024	Case Number: RZ 24-1082	
Report Prepared: October 3, 2024	Folio(s): 26613.0000	
	General Location: North of West Hamilton Avenue, east of North Manhattan Avenue and west of Coolidge Avenue North	
Comprehensive Plan Finding	CONSISTENT	
Adopted Future Land Use	Residential-9 (9 du/ga; 0.50 FAR)	
Service Area	Urban	
Community Plan(s)	None	
Rezoning Request	Rezoning from Planned Development (PD) 00- 0242 to Residential Single Family Conventional (RSC-9) to allow single-family conventional homes.	
Parcel Size	0.43 ± acres	
Street Functional Classification	West Hamilton Avenue – <b>Local</b> North Manhattan Avenue – <b>County Collector</b> Coolidge Avenue North – <b>Local</b>	
Commercial Locational Criteria	Not applicable	

Evacuation Area	Е

Table 1: COMPARISON OF SURROUNDING PROPERTIES				
Vicinity	Future Land Use Designation	Zoning	Existing Land Use	
Subject Property	Residential-9	PD	Vacant Land	
North	Residential-9	RSC-9 + PD + RSC-6	Single Family Residential + Public/Quasi- Public/Institutions + Light Commercial	
South	Residential-9 + Office Commercial-20	CN + BPO + RSC-9 + PD	Single Family Residential + Vacant Land + Light Commercial	
East	Residential-9	RSC-9	Single Family Residential	
West	Residential-12 + Public/Quasi-Public + Light Industrial	RMC-12 + RSC-9 + M	Multi-Family Residential + Educational + Light Commercial + Light Industrial	

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

The  $0.43 \pm acre}$  subject site is located north of West Hamilton Avenue, east of North Manhattan Avenue and west of Coolidge Avenue North. The site is in the Urban Service Area and not located within the limits of any Community Plan. The applicant is requesting a rezoning from Planned Development (PD) 00-0242 to Residential Single Family Conventional (RSC-9) to allow single family conventional homes.

The site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the County's growth is to be directed. Policy 1.4 requires all new development to be compatible with the surrounding area, noting that "compatibility does not mean "the same as" Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The subject site is currently vacant. There is vacant land to the south across West Hamilton Avenue as well. Single-family uses extend east, north and south. Light Commercial uses are also to the north and south across West Hamilton Avenue. The proposed rezoning meets the intent of FLUE Objective 1 and FLUE Policy 1.4.

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FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. The character of each land use category is defined by building type, residential density, functional use and the physical composition of the land. The integration of these factors set the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive but are intended to be illustrative of the character of uses within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is in the Residential-9 (RES-9) Future Land Use category. The RES-9 category allows for the consideration of residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. RES-9 surrounds the subject site to the north, south and east. The proposed rezoning from PD to RSC-9 meets FLUE Objective 7, FLUE Objective 8 and each of their respective policies.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). County Transportation staff had no objections to the proposal; therefore, it meets the intent to FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2.

The proposal meets the intent of FLUE Objective 16, which require new development to be compatible to the surrounding neighborhood. The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies. Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is mostly single-family and multi-family uses, and the proposed rezoning will complement the surrounding area.

Overall, staff finds that the proposed use is an allowable use in the RES-9 category, is compatible with the existing development pattern found within the surrounding area. The proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

#### Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

\_\_\_\_\_\_

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

#### **FUTURE LAND USE ELEMENT**

#### **Urban Service Area**

**Objective 1:** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of

RZ 24-1082

this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

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

#### Land Use Categories

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

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

#### Relationship to Land Development Regulations

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

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

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

#### *Neighborhood/Community Development*

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

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through: a) the creation of like uses; or

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

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

#### 5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

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

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

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#### RESIDENTIAL-1 (.25 FAR) WITHDRAWN PENDING 0 275 STATUS Sligh N Clark Ave Cove Dr N Clark Ave ≥ N Cameron Ave River **Broad St AVAISIOU N** ≥ 9vA sio J N Pine Crest Manor Blvd **A Lois Ave** evA bloginsM A Thatcher Ave š W Flora St W Nome N Hubert W Hamilton Ave N Coolidge Ave Villa Alina Ct evA egbiloo2 M 24-1082 Gesualdo Ct evA nettenneM V N Hesperides St Leto Lakes Blvd Seedling. W Hiawatha W.Sligh Ave S EIM ≷

# HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ 24-1082

<all other values>

CONTINUED DENIED Urban Service Area

Tampa Service Area

Jurisdiction Boundary County Boundary

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

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

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

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

RESIDENTIAL-4 (.25 FAR) RESIDENTIAL-6 (.25 FAR)

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

RESIDENTIAL-16 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

RESIDENTIAL-35 (1.0 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR)

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

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

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RETAIL, 25 FAR RETAIL/COMMERCE) LIGHT INDUSTRIAL PLANNED (.75 FAR)

HEAVY INDUSTRIAL (.75 FAR) LIGHT INDUSTRIAL (.75 FAR) PUBLIC/QUASI-PUBLIC

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



Map Printed from Rezoning System: 7/29/2024 Author: Beverly F. Daniels

File: G:\RezoningSystem\MapPI



## AGENCY COMMNENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department		DATE: 08/29/2024
REVIEWER: Sarah Rose, Senior Planner		AGENCY/DEPT: Transportation
PLAN	NNING AREA/SECTOR: EL/Northwest	PETITION NO: RZ 24-1082
	This agency has no comments.	
X	This agency has no objection.	
	This agency has no objection, subject to the listed or attached con	ditions.
	This agency objects for the reasons set forth below.	

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- .43 acres from an approved Planned Development (PD) #00-0242 to Residential Single Family Conventional 9 Restricted (R-9-R). The proposed restriction would prohibit access on Manhattan Ave. Under the currently approved Planned Development, the subject parcel is approved for a neighborhood grocery store and indoor takeout café at a maximum of 3,800sqft of which the indoor takeout café should take up no more than 20% of the total square footage of the project. The site is located on the northeastern corner of N Manhattan Ave and W Hamilton Ave. The Future Land Use designation of the site is Residential 9 (R-9).

#### Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
PD, Grocery Store (ITE Code 820) 3,040sqft	282	9	26
PD, Indoor Take-Out Café (ITE Code 933) 760sqft	360	35	26
Total	642	44	52

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
RSC-9, Single Family Detached Housing	28	2	3
(ITE Code 210) 3 Units			

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	-614	-42	-49

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on N Manhattan Ave and W Hamilton Ave. N Manhattan Ave is a 2-lane, undivided, county maintained, rural collector roadway. The roadway is characterized by +/-11 ft wide travel lanes, no bike lanes on either side of the roadway in the vicinity of the proposed project, and +/- 5 ft wide sidewalks on both sides of the roadway, within +/- 66 ft of the right of way.

W Hamilton Ave is a 2-lane, undivided, county maintained, rural local roadway. The roadway is characterized by a range of between +/- 24 to +/- 30 feet of pavement in average condition and lying within a 75-foot-wide right-of-way. There are no bike lanes on either side of the roadway in the vicinity of the proposed project. There are +/- 5 wide sidewalks on southern side the roadway in the vicinity of the proposed project.

#### **SITE ACCESS**

It is anticipated that the site will have access to W Hamilton Ave.

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough

County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

The applicant is proposing the previously referenced restriction that would prohibit access to Manhattan Ave in order to avoid inserting the singular access that would be permitted, in accordance with section 6.04.03.I of the Land Development Code, on a collector road within a school zone in favor of placing the access on a lower classified local road (i.e. Hamilton Ave.), in accordance with the intent of section 6.04.03.C of the Land Development Code, no less than +/-125FT from the nearest intersection in accordance with section 6.04.08 of the Land Development Code. As such, transportation staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

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

#### ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

W Hamilton Ave is not a regulated roadway and was not included in the 2020 Hillsborough County Level of Service (LOS) Report. As such, no LOS information for this roadway can be provided.

The roadway level of service provided for N. Manhattan Ave is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr. Directional LOS
N Manhattan Ave	Henry Ave	W Humprey St	D	D

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

#### Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements	
N Manhattan Ave	County Collector - Rural	2 Lanes  ⊠Substandard Road  ⊠Sufficient ROW Width	<ul> <li>□ Corridor Preservation Plan</li> <li>□ Site Access Improvements</li> <li>□ Substandard Road Improvements</li> <li>⋈ Other (TBD)</li> </ul>	
W Hamilton Ave	County Local - Rural	2 Lanes  ⊠Substandard Road  ⊠Sufficient ROW Width	<ul> <li>□ Corridor Preservation Plan</li> <li>□ Site Access Improvements</li> <li>□ Substandard Road Improvements</li> <li>⋈ Other (TBD)</li> </ul>	

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	642	44	52	
Proposed	28	2	3	
Difference (+/-)	-614	-42	-49	

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

<b>Connectivity and Cross Access</b> ⊠Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:	•			

<b>Design Exception/Administrative Variance</b> ⊠Not applicable for this request		
Road Name/Nature of Request Type Finding		Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions	Additional
Transportation	Objections	Requested	Information/Comments
☐ Design Exception/Adm. Variance Requested	☐ Yes ☐N/A	☐ Yes	
☐ Off-Site Improvements Provided	•	□ No	
⊠ N/A	⊠ No	⊠ N/A	

#### **COMMISSION**

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



#### **DIRECTORS**

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

#### **AGENCY COMMENT SHEET**

REZONING		
HEARING DATE: 9/16/2024	COMMENT DATE: 8/27/2024	
PETITION NO.: 24-1082	<b>PROPERTY ADDRESS:</b> 7201 N Manhattan Ave, Tampa, FL 33614	
EPC REVIEWER: Melissa Yanez	FOLIO #: 0266130000	
CONTACT INFORMATION: (813) 627-2600 X 1360	10210 110200100000	
EMAIL: yanezm@epchc.org	STR: 28-28-18	

**REQUESTED ZONING:** Rezone to RSC-9

FINDINGS		
WETLANDS PRESENT	NO	
SITE INSPECTION DATE	NA	
WETLAND LINE VALIDITY	NA	
WETLANDS VERIFICATION (AERIAL PHOTO,	Desktop Review - Aerial review, soil survey and	
SOILS SURVEY, EPC FILES)	EPC file search	

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 may need to review the zoning again.

#### INFORMATIONAL COMMENTS:

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

EPC staff reviewed the above referenced parcel in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite/ within the proposed construction boundaries.

 Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application".
 Once approved, the formal wetland delineation would be binding for five years.

my/cb

ec: investment.fbhc@gmail.com / mmscitycounty@gmail.com

#### **ENVIRONMENTAL SERVICES DIVISION**



PO Box 1110 Tampa, FL 33601-1110

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

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

TO: Zoning Review, Development Services REQUEST DATE: 7/26/2024

**REVIEWER:** Kim Cruz, Environmental Supervisor **REVIEW DATE:** 8/9/2024

PROPERTY OWNER: Manhattan Land Trust PID: 24-1082

**APPLICANT:** Francisco Hendriquez

**LOCATION:** 7201 N. Manhattan Ave Tampa, FL 33614

**FOLIO NO.:** 26613.0000

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

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

Hillsborough County EVSD has no recommended conditions and no request for additional information.

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

PETIT	TION NO.: RZ-STD 24-1082 REVIEWED BY: Clay Walker, E.I. DATE: 7/29/2024
FOLIC	O NO.: 26613.0000
	WATER
$\boxtimes$	The property lies within the <u>City of Tampa</u> Water Service Area. The applicant should contact the provider to determine the availability of water service.
	A inch water main exists \[ \] (adjacent to the site), \[ \] (approximately feet from the site) This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
	Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.
	WASTEWATER
	The property lies within the Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
	A 16_ inch wastewater forcemain exists [ ] (approximately feet from the project site), [ ] (adjacent to the site) _and is located west of the subject property within the east Right-of-Way of North Manhattan Avenue . This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
	Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.
COMN	MENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's wastewater system. The subject area is located within the Hillsborough County Wastewater Service Area and will be served by the Northwest Regional Water Reclamation Facility.

#### AGENCY REVIEW COMMENT SHEET

10: ZONING TECHNICIAN, Planning Growth Ma	nagement DATE: 26 Jul. 2024		
REVIEWER: Bernard W. Kaiser, Conservation and	l Environmental Lands Management		
APPLICANT: Maria Cury	<b>PETITION NO:</b> <u>RZ-STD 24-1082</u>		
LOCATION: 7201 N. Manhattan Ave., Tampa, FL 33	<u>3614</u>		
<b>FOLIO NO:</b> <u>26613.0000</u>	SEC: <u>28</u> TWN: <u>28</u> RNG: <u>18</u>		
☐ This agency has no comments.			
☐ This agency has no objection.			
This agency has no objection.			
☐ This agency has no objection, subject to listed	d or attached conditions.		
☐ This agency objects, based on the listed or at	tached conditions.		
COMMENTS:			

## VERBATIM TRANSCRIPT

	CODEL 20, 2024
	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS
IN RE:  ZONE HEARING MASTER HEARINGS	) ) ) ) ) )
	HEARING MASTER HEARING F TESTIMONY AND PROCEEDINGS
BEFORE:	Pamela Jo Hatley Land Use Hearing Master
DATE:	Monday, October 28, 2024
TIME:	Commencing at 6:00 p.m. Concluding at 8:44 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard, Second Floor Boardroom Tampa, Florida 33601
Reported by: Diane DeMarsh, AAERT No.	1654

1 MS. HEINRICH: Our next application is Item C.2, Standing Rezoning 24-1082. The applicant is requesting to 2 rezone property from PD 00-002422 to RSC-9-R restricted. 3 Michelle Montalbano with Development Services will provide staff findings after the applicant's presentation. MS. ROSARIO: Good evening. 6 HEARING MASTER: Hi. MS. ROSARIO: Aileen Rosario, 5827 East Columbus 8 Drive, Tampa, Florida. Good evening, Madam Hearing Master. 9 am here representing Mr. Francisco Henriquez for 7201 North 10 11 Manhattan Avenue. 12 He would like to rezone this property, change the 13 rezoning from PD to an RSC-9 to eventually be able to get a 14 certified site plan to split the lot into three residential 15 single-family homes. We have spoken with Development Services and we have 16 17 had our meeting with them. And to -- to avoid from having any 18 interactions with Manhattan, they have requested for us to do -the driveway will be coming off of -- off of Hamilton Avenue. 19 We did send out to 271 public notices. The majority 20 21 of the properties in the area are all zoned RSC-9. And I will 22 show you a site plan kind of showing where the driveway is going 23 to be, so as per the request of Development Services. Put these things on. Are you able to see that? 24 25 HEARING MASTER: And if -- if you want to talk from

there, just bring the microphone over to you. There you go. 1 MS. ROSARIO: Thank you. If we could zoom this in. 2 This is -- okay, this is a call -- it's called age. 3 This is Manhattan and this is Hamilton. The driveway will start here. HEARING MASTER: T see. MS. ROSARIO: And it'll be one long driveway for each individual home with the backyard being back here, which would 8 not interact at all with Manhattan. 9 10 HEARING MASTER: Okay. 11 MS. ROSARIO: In the lots, each will be -- two of the lots will be 50 by 122 and the corner lot will be 55 by 122. 12 13 HEARING MASTER: The corner lot, I'm sorry, on the far 14 north or the south? 15 MS. ROSARIO: South. South. HEARING MASTER: South, okay. Thank you. I see. 16 17 Okay. 18 MS. ROSARIO: And I want to thank you for hearing our 19 And if you have any questions, I'll be here. request. 20 HEARING MASTER: No, I don't think I have any more 21 questions for you. Thank you. 22 MS. ROSARIO: Thank you. 23 HEARING MASTER: Be sure and sign in with the clerk. MS. ROSARIO: Yes, ma'am. 2.4 MS. MONTALBANO: Good evening. 25 This is

Michelle Montalbano with Development Services. 1 The applicant is requesting to rezone property from 2 PD 00-02422 to RSC-9 with restrictions to facilitate 3 single-family residential development. The PD solely permits a neighborhood grocery store and indoor takeout cafe on the site. However, the property remained vacant since this rezoning and did not develop to its PD entitlement. The property is located in -- in the Egypt Lake Area 8 about a mile and west of North Dale Mabry Highway. The proposed 9 RSC-9 RS zoning district is consistent with the existing 10 11 development pattern in the area as to direct east and greater south of the property are over 650 acres of single-family homes 12 13 zoned RSC-9. Abutting the property to -- to the north is a church zoned RSC-9. To the direct south across Hamilton Avenue 14 15 is a neighborhood supermarket zoned CN. Across north Manhattan -- Manhattan Avenue are multiple -- are multifamily 16 17 dwellings zoned RMC-12. 18 The applicant is proposing to prohibit access on North Manhattan Avenue due to access spacing concerns raised by 19 20 transportation staff. I believe transportation staff is on the 21 line if you have any questions about that. Due to the above considerations, staff finds the 22 23 proposed rezoning approvable. Thank you. HEARING MASTER: All right. Thank you. 24 I don't 25 actually have any questions for transportation staff. But if

they needed to put something on the record and they're on, we'll 1 hear from transportation. I think it's --MR. PEREZ: Hi. Good evening, Madam Zoning Hearing 3 Master. HEARING MASTER: Yes. 6 MR. PEREZ: I -- I think our comments in the report pretty much explained that the purpose for limiting access on Hamilton Road is because of Manhattan being a collector, as well 8 as within a school zone. And so, the driveways on Manhattan, if 9 they were to be proposed, would not meet the minimum spacing 10 11 requirements and create additional conflict points in an area that we would want to maintain safety. 12 13 HEARING MASTER: Okay. Thank you very much. 14 understand. 15 MR. PEREZ: Okay. Thank you. 16 HEARING MASTER: All right. Planning Commission. 17 MS. MYERS: Yes. The subject site is located in the 18 residential nine Future Land Use category. The site is in the urban service area and it's not within the limits of any 19 20 community plan. 21 The proposal meets the intent of Future Land Use 22 Element Objective one and Objective 16 and both of their 23 respective policies as the surrounding land use pattern is mostly single-family and multifamily. And the proposed rezoning 24 will complement the area. Residential nine surrounds the 25

1	subject site to the north, south and east. And therefore, the
2	proposed rezoning meets the intent of Objective seven and
3	Objective eight.
4	Based upon those considerations, Planning Commission
5	Staff finds the proposed rezoning consistent with the
6	Unincorporated Hillsborough County Comprehensive Plan, subject
7	to the proposed conditions by the development services
8	department.
9	HEARING MASTER: All right. Thank you. All right.
10	Is there anyone here or online who wishes to speak in support of
11	this application? All right, I do not hear anyone.
12	Is there is there anyone here or online who wishes
13	to speak in opposition to this application? All right, I do not
14	hear anyone.
15	County Development Services, anything further?
16	MS. HEINRICH: No, ma'am.
17	HEARING MASTER: All right. And applicant, did you
18	wish to add anything further? That's a no. Okay. Thank you.
19	This will close the hearing on Rezoning Standard
20	24-1082.
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23	
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HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
IN RE:	X ) )	
ZONE HEARING MASTER HEARINGS	) ) )	
	X	
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS		
BEFORE:	Brian Grady Development Services	
DATE:	Tuesday, October 15, 2024	
TIME:	Commencing at 6:00 p.m. Concluding at 6:06 p.m.	
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601	
Reported by: Diane DeMarsh, AAERT No.	1654	

December 16, 2024 Zoning Hearing Master Hearing. 1 Item A.21, Rezoning Standard 24-1203. This application is out of order to be heard and is being continued 3 to the November 12, 2024 Zoning Hearing Master Hearing. Item A.22, Rezoning Standard 24-1204. application is out of order to be heard and is being continued to the November 12, 2024 Zoning Hearing Master Hearing. Item A.23, Rezoning Standard 24-1206. This 8 application is being continued by staff to the November 12, 2024 9 Zoning Hearing Master Hearing. 10 And Item A.24, Rezoning Standard 24-1210. It's being 11 continued by the applicant to the November 12, 2024 Zoning 12 13 Hearing Master Hearing. 14 And that includes the published withdrawals and 15 continuances. Now, the following items, which were scheduled to be 16 17 heard tonight, again, are con -- are being continued by staff to 18 the October 28, 2024 Zoning Hearing Master Hearing at 6:00 p.m. Again, due to hurricane recovery reasons associated with the 19 recent hurricane, they're being continued to a rescheduled 20 21 hearing. The first item is Item C.1, Rezoning Standard 24-1023. 22 23 Again, it's being continued to October 28th. Next item is Item C.2, Rezoning Standard 24-1082 and 24 being continued by staff to the October 28, 2024 Zoning Hearing 25

1	Master Hearing.	
2	Item D.1, Rezone Major Mod Application 24-0397.	
3	It's being continued by staff to the October 28, 2024 Zoning	
4	Hearing Master Hearing.	
5	Item D.2, Major Mod Application 24-0691. It's being	
6	continued by staff to the October 28th Zoning Hearing Master	
7	Hearing at at 6:00 p.m.	
8	And Item D.3, Rezoning PD 24-0722. It's, again, being	
9	continued by staff to the October 28th Zoning Hearing Master	
10	Hearing.	
11	Item D.4, Rezoning PD 24-0789. Again, it's being	
12	continued by staff to the October 28th Zoning Hearing Master	
13	Hearing.	
14	Item D.5, Rezoning PD 24-0932. It's being continued	
15	by staff to the October 28th Zoning Hearing Master Hearing.	
16	And Item D.6, Major Mod Application 24-1044. It's	
17	being continued by staff to the October 28th Zoning Hearing	
18	Master Hearing.	
19	That concludes all continuance. And we are adjourned.	
20	Thank you.	
21	(Off the record at 6:06 p.m.)	
22		
23		
24		
25		

#### Zoning Hearing September 16, 2024

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
	X	
IN RE:	)	
ZONE HEARING MASTER	) )	
HEARINGS	) ) X	
ZONING HEARING MASTER HEARING		
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS		
BEFORE:	Susan Finch Land Use Hearing Master	
DATE:	Monday, September 16, 2024	
TIME:	Commencing at 6:00 p.m. Concluding at 6:52 p.m.	
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard, Second Floor Tampa, Florida 33610	
Reported by: Brittany Bridges, AAERT No. 1607 Digital Reporter		

#### Zoning Hearing September 16, 2024

Item A.15, PD 24-0858. This application is out of 1 order to be heard and is being continued to the October 15, 2024 2 3 ZHM Hearing. Item A.16, PD 24-0921. This application is out of order to be heard and is being continued to the December 16, 2024 ZHM Hearing. Item A.17, PD 24-0924. This application is out order to be heard and is being continued to the October 15, 2024 ZHM Hearing. 9 Item A.18, PD 24-0932. This application is out of 10 11 order to be heard and is being continued to be October 15, 2024 12 ZHM Hearing. 13 Item A.19, Major Mod 24-0933. This application is out 14 of order to be heard and is being continued to the 15 October 15, 2024 ZHM Hearing. 16 Item A.20, Standard Rezoning 24-1060. This application is out of order to be heard and is being continued 17 18 to the October 15, 2024 ZHM Hearing. And lastly, Item A.21, Standard Rezoning 24-1082. 19 This application is out of order to be heard and is being 20 21 continued to the October 15, 2024 ZHM Hearing. And that concludes our published withdrawals and continuances. 22 23 HEARING MASTER: Thank you so much. I appreciate it. Let me start by going over our procedures for 24 tonight's hearing. Our hearing tonight consists of agenda items 25

## EXHIBITS SUBMITTED DURING THE ZHM HEARING

## **NONE**

# PARTY OF RECORD

## **NONE**