



STAFF REPORT

SUBJECT:	PRS 21-0229	PLANNING AREA:	Apollo Beach
REQUEST:	Rezone to a Planned Development	SECTOR	South
APPLICANT:	Bayview Properties LTD LLLP		
Existing Zoning : PD 86-0154		Comp Plan Category: UMU-20	



**Immediate Aerial
Zoning Map
PRS 21-0229**

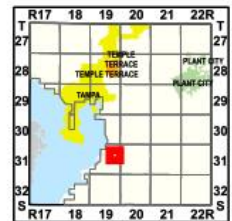
Folio: 51526.0000

- ▭ Application Site
- ▭ Zoning Boundary
- ▭ Parcels



0 525 1,050 Feet

STR: 13-31-19, 14-31-19



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of the map.
THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.
SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records. It has been based on BEST AVAILABLE DATA.
Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Application Review Summary and Recommendation

1.0 Summary

1.1 Project Narrative

The applicant seeks to modify a Planned Development (PD) 86-0154, a.k.a. Southbend, to allow the location of Townhouses units in one of the Tracts within the PD and also specify development standards for the attached residential units. The site is located on the south side of Big Bend Road between US Highway 41 and Interstate 75. The PD was most recently modified by MM (Major Modification) petition 20-1316.



Figure 1 –Subject PD – General Area

The applicant proposes to add a residential unit type to the approved uses in Tract 5:

	Currently Approved Uses	Proposed Uses
Tract 5	General / Neighborhood Commercial Hotel Office Multi Family	General / Neighborhood Commercial Hotel Office Multi Family Townhouses

According to the applicant, the SouthBend project anticipated a mix of uses to include Commercial/Office/Residential to be located throughout various tracts. Specific to this request, the application is focused on Tract 5 and the Conditions of Approval (COA). The General Site Plan (GSP) shows Multi-family dwelling units on Tract 5 which allows for Townhouses to be sold only as condominiums or used as rental housing. According to the narrative, the intent is now to allow Townhouses to be sold under Fee Simple ownership. For that reason, the General Site Plan has been amended to add Townhouse to Tract 5.

This minor modification is also requesting to add dimensional criteria to Condition #2 for Townhouse units. This criteria for development standards was not specifically stated in the COA but makes references to the RMC-12 zoning regulation standards for dimensional criteria. The applicant states that the RMC-12 standards do not reflect the current market trends for lot sizes and setbacks. The request will eliminate the requirement to use RMC-12 criteria in favor of specific standards set for this project.

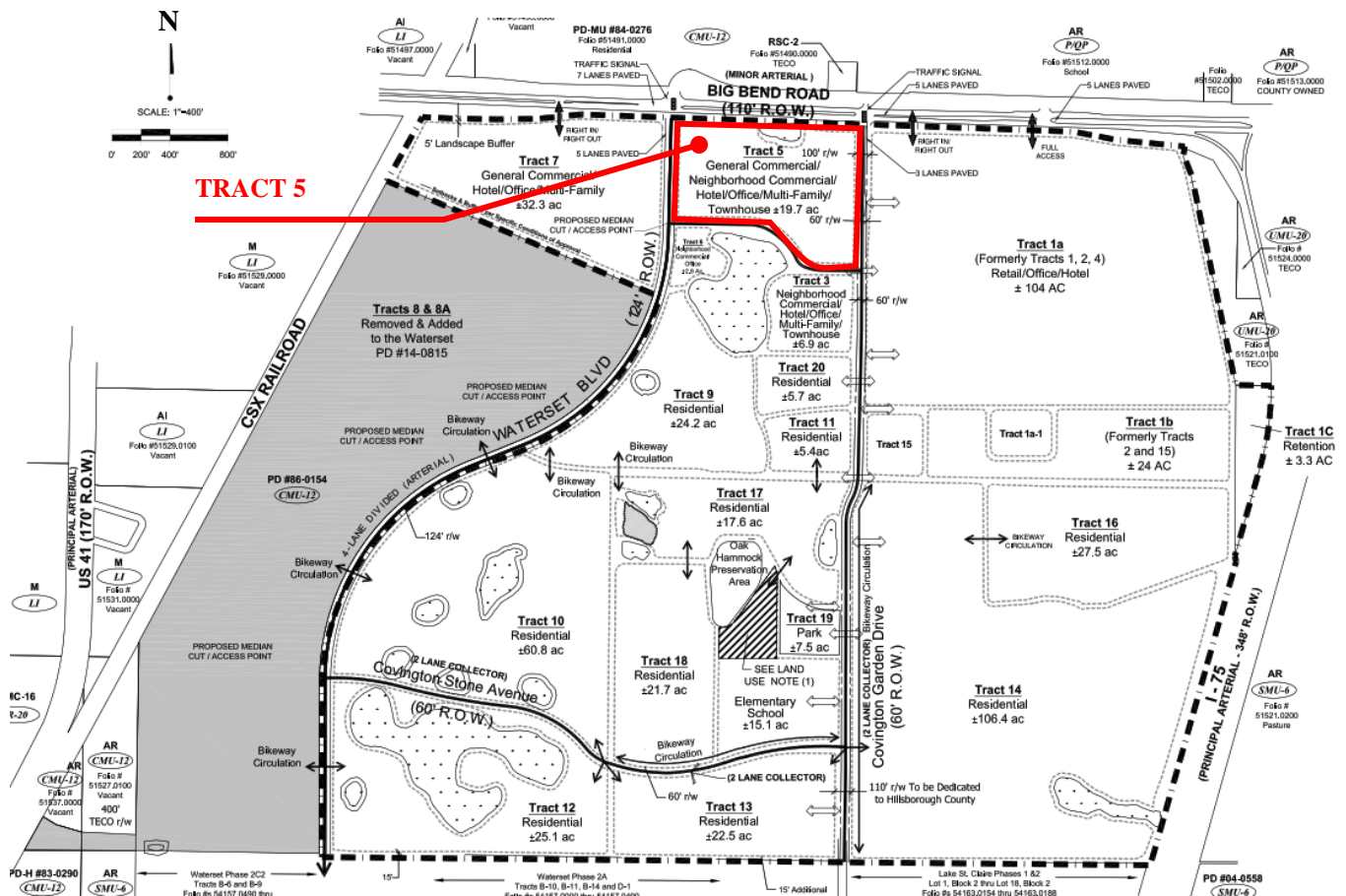


Figure 2 –Current PD Plan

The proposed development standards for the townhouse units are:

- Minimum Lot Size 1,800 sf
- Minimum Lot Width 20 feet
- Minimum Front Yard 20 feet

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ZHM HEARING DATE: N/A

BOCC MEETING DATE: March 9, 2021

CASE REVIEWER: Israel Monsanto

Minimum Side Yard	5 feet
Minimum Rear Yard	15 feet
Maximum Height	35 feet

All other conditions and uses will remain as approved today. The proposed change would not trigger a DRI Development Order Amendment since Tract 5 is considered a Mixed-Use Tract permitting non-residential and residential uses, per the DRI Map H. Additionally, Tract 5 already permits multifamily units and townhouses are a type of dwelling unit considered as multifamily.

1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested variations from the general site development requirements found in Parts 6.05.00, Parking and Loading, 6.06.06, Buffers Between Incompatible Land Uses or 6.07.00, Fences and Walls of the Land Development Code.

1.3 Analysis of Recommended Conditions

The site plan is being amended to reflect the Townhouse units added within Tract 5 along Big Bend Road.

The proposed development standard for the Townhouse units is being added to Condition #2.

Condition 2 is also being amended to correct a typo in the residential development for Single Family units: Minimum lot width should state 40 feet instead of 0 feet.

All other conditions, including Transportation, will remain unchanged.

1.4 Evaluation of Existing and Planned Public Facilities

Utilities

This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

School Board

Doby Elementary and Eisenhower Middle schools do not currently have capacity for the proposed project, nor do adjacent concurrency service areas (CSAs) at these grade levels. Although East Bay High School is approaching total capacity, additional room at the high school level exists in an adjacent high school CSA. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.

Transportation

Transportation Review Section staff has no objection to this request. The Transportation report includes information and issues regarding some corrections to current zoning conditions that may require modifications. While those issues have no bearing on the specific minor modification request, in the interest of time and efficiency, staff has sought to ensure the applicant/owner aware of these potential issues which may prevent further development post zoning approval, and could be corrected as a part of this or a future rezoning application, in the event such issues are determined warrant correction.

ROADWAY LEVELS OF SERVICE (LOS)

Roadway	From	To	Peak Hour Directional LOS	LOS Standard
Big Bend Rd	US 41	I-75	C	D
US 41	Apollo Beach Blvd	Big Bend	C	D
US 41	19th Ave NE	Apollo Beach Blvd	C	D
19th Ave	US 41	US 301	C	D

Source: [2019 Hillsborough County Level of Service \(LOS\) Report](#).

1.5 Natural Resources/Environmental

N/A

1.6 Comprehensive Plan Consistency

The Planning Commission staff finds the proposed re-zoning **consistent** with the *Future of Hillsborough* Comprehensive Plan.

1.7 Compatibility

The proposed changes requested by this Minor Modification would not affect the integrity of the Planned Development. The PD today allows Townhouses development in other Tracts. Multi-family is also allowed in Tract 5. Tract 5 today allows Commercial Neighborhood and General, office and hotel uses, as well as Multi-family. The change in unit types would allow the option of townhomes, a multifamily dwelling type, to be developed as Fee Simple units in addition to a standard multi-family apartment complex.

The Southbend PD previously provided specific development standards for Fee Simple townhouse units, similar to those proposed in this modification. These standards were eliminated from the Southbend PD when portions of this PD were removed and incorporated to the Waterset PD, adjacent to the west and south. Only standards from the RMC-12 and RMC-20 districts were maintained for Townhouse or multi-family units. By adding these standards again to the Southbend PD, the project would allow other type of dwelling units to be developed as originally contemplated in the Southbend PD. The Waterset PD and the zoning districts to the north include development of townhouse projects with similar standards as the ones proposed by the applicant.

The area today is a mix of residential, commercial, office, institutional and industrial uses, consistent with the CMU-12 and UMU-20 FLU designations of the Comprehensive Plan. The proposed modification would allow a variety of residential types within the PD that are also comparable with other townhouse projects in adjacent districts in the immediate area. Proposed building height will remain as approved today (35 feet). Given its location within a Competitive Site, the Economic Development Section reviewed the request and does not object. None of the other Conditions are being changed as part of

this modification. Based on all of these considerations, staff finds the request approvable, with conditions.

1.8 Agency Comments

No objections were received from reviewing agencies.

1.9 Exhibits

Exhibit 1: General Aerial Map

Exhibit 2: Immediate Aerial Map

Exhibit 3: Current PD Plan PD 86-0154 (PRS 20-1316)

Exhibit 4: Proposed PD Plan

2.0 Recommendation

Staff recommends approval, subject to the following conditions.

2.1 Recommended Conditions of Approval

Approval– Approval of the request, subject to the conditions listed below, is based on the general site plan submitted ~~November 16~~ December 21, 2020 .

1. The development of the Southbend project shall proceed in strict accordance with the Development Order for the Development of Regional Impact, DRI #145, as amended, the General Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County. Approval is based upon the General Development Plan received ~~November 22, 2017~~ December 21, 2020, and all data shown, defined, described, noted, referenced and listed thereon.
 - 1.1 All of the Single Family Residential entitlements in Phase 1 were owned and developed by NNP-Southbend II, LLC. All of the non-Single Family in Phase 1 and all of Phase 2B entitlements are currently owned by Bayview Properties, Ltd., LLLP. All of the Phase 2A entitlements are currently owned by NRI Equity Tampa, LLC.
 - 1.2 In order to track project development in accordance with the DRI Equivalency Matrix (trade-off mechanism), a tracking table shall be submitted with each Preliminary Plan or Preliminary Plat submitted for each portion of project development.
 - 1.3 Each tracking table shall show the following by Phase: (1) the approved amount of development [number and type of residential units or square feet], (2) the amount of development [number and type of residential units or square feet] having previously received Preliminary Plan or Preliminary Plat approval, (3) the amount of development proposed by the Preliminary Plan or Preliminary Plat for the subject portion of the project, (4) the remaining development entitlements, by type of development, after Preliminary Plan or Preliminary Plat submittal for the subject portion of the project, and (5) the owner of the entitlements. The tracking table shall document any land use trade-offs undertaken prior to the time of Preliminary Plan or Preliminary Plat submittal for the subject portion of the project.

2. On-site residential development shall comply with the following requirements:

Single family:

Minimum Lot Size	4,400 sf
Minimum Lot Width	40 feet
Minimum Front Yard	20 feet
Minimum Side Yard	5 feet
Minimum Rear Yard	20 feet
Maximum Lot Coverage	50%
Maximum Height	35 feet

Townhouse:

RMC-12 regulations

<u>Minimum Lot Size</u>	<u>1,800 sf</u>
<u>Minimum Lot Width</u>	<u>20 feet</u>
<u>Minimum Front Yard</u>	<u>20 feet</u>
<u>Minimum Side Yard</u>	<u>5 feet (Minimum 10 feet between buildings)</u>
<u>Minimum Rear Yard</u>	<u>15 feet</u>
<u>Maximum Height</u>	<u>35 feet</u>
<u>Maximum Lot Coverage</u>	<u>65%</u>

Multi family

RMC-20 regulations

3. The following exceptions to those requirements may be made for single-family zero lot line development: Side-yard setbacks may be a minimum of zero (0) feet on one side and ten (10) feet on the other, or five (5) feet on each side. This requirement shall not preclude Z-lots, i.e., the zero lot line may be partially on one and partially on the other side of a lot. It shall also not preclude combinations, such as three (3) feet on one side and seven (7) on the other. In no case, however, shall a combination of setbacks (i.e., 0 feet+ 10 feet and 5 feet+ 5 feet) be allowed which would create a separation of less than ten (10) feet between nonattached structures. Further, rear yards shall be a minimum of 20 feet, but may be reduced to 15 feet on conditions that the total usable open space contained within rear yards and portions of side yards of no less than 15 usable feet in width is not less than twenty times the average lot width.

4. The developer shall have the option of developing villa-duplex units within any tract, subject to the following development standards:

Minimum Lot Size	3,500 sf
Minimum Lot Width	33 feet
Minimum Front Yard	20 feet
Minimum Side Yard	5 feet
Minimum Rear Yard	20 feet
Maximum Lot Coverage	50%
Maximum Height	35 feet

5. For all uses other than single family, two feet of additional yards other than that described herein shall be provided for every one foot of structure height over 20 feet.

6. The maximum residential density on any tract shall be no greater than 5 percent in excess of that shown on the Land Use Schedule for the particular type of residential development, except that densities may be a maximum of 15 units per acre. This shall not preclude the transfer of types of residential units from tract to tract providing that the tracts receiving the more intense form of development are not located on the perimeter of the project except along Interstate 75.
7. Pole signs and Billboards shall be prohibited in Tract 7.
8. Development regulations within Tracts 1a, Tract 1a-1, Tract 1b, Tract 3, Tract 5, Tract 6, and Tract 7 shall be as follows:
 - Tract 3, Tract 5, Tract 6, Tract 7, and Tract 1a shall be subject to the development standards listed for the C-I zoning district, per the Land Development Code, unless otherwise specified herein;
 - Warehouses and truck terminals shall be prohibited in Tract 1a;
 - Office and hotel uses shall be subject to the development standards listed for the CG zoning district, per the Land Development Code, unless otherwise specified herein;
 - Tract 1 a-1, Tract 1b and Tract 15 shall be subject to the development standards listed for the C-G zoning district, per the Land Development Code, unless otherwise specified herein;
 - Fitness center/gymnasium and hotel shall also be permitted uses in Tract 1a-1, Tract 3, Tract 5, and Tract 7;
 - Fitness center/gymnasium shall also be a permitted use in Tract 6;
 - Hotels may exceed the twenty-five percent limitation on gross building square footage for the district;
 - The maximum impervious surface ratio shall not exceed eighty percent (80%) for developments within Tract 1a, Tract 1a-1 and Tract 1b;
- 8.1 All office buildings within Tract 1 a, Tract 15 and Tract 1 b shall have a maximum height of seventy-five (75) feet.
- 8.2 There shall be a minimum building setback of two hundred and twenty five (225) feet from the southern boundary of Tract 1 b and Tract 15. This setback shall apply to all development, excluding parking garages/structured parking, in Tract 1a and Tract 1 b.
- 8.3 Parking garages/structured parking within Tract 1b and Tract 15 shall have a minimum setback of seventy-five (75) feet from the southern boundary of Tract 1b. The maximum height of parking garages/structured parking in Tract 1b between the seventy-five (75)

- foot set back and two hundred (200) feet from the southern boundary of Tract 1b, shall be twenty-five (25) feet. The maximum height of parking garages/structured parking beyond two hundred (200) feet from the southern boundary of Tract 1b shall be fifty-five (55) feet.
- 8.4 Within Tract 1a-1, Tract 1b and Tract 15 there shall be no more than ten (10) buildings with office uses as the primary use. All office buildings, with the exception of two (2), within Tracts 1a-1, 1b and 15, as combined, shall be a minimum of three (3) stories. Accessory retail uses shall be allowed in office uses developed in Tracts 1a-1, 1b and 15, and shall comply with the requirements of Section 6.11.03 of the Land Development Code.
- 8.5 No interim or required parking for Tract 1a or Tract 1a-1 shall be allowed within Tract 1b or Tract 15, unless said parking is for office uses. Upon development of office uses within Tract 1b or Tract 15, parking constructed for said office uses can be used for overflow retail parking associated with Tract 1a and/or Tract 1a-1, subject to appropriate cross parking agreements.
- 8.6 Large Scale Retail as defined by the Land Development Code shall comply with the requirements for Large Scale Retail Development (Single Tenant Big Box) in Section 6.11.106 of the Land Development Code with the exception of Section 6.11.106.7.a.
- 8.7 Free standing, ground mounted lighting fixtures within Tract 1B and Tract 15 south of the buildings, structured parking and surface parking shall be limited to a maximum height of eighteen (18) feet.
- 8.8 Development within Tracts 1a, 1a-1 and 1b shall incorporate precautions to control unconfined emissions of particulate matter (dust), including, but not limited to, the methods, practices and procedures contained in Chapter 62-296.320(4)(C), Florida Administrative Code.
- 8.9 Within Tract 1a, no more than 50 percent of the frontage along Big Bend Road and Covington Garden Drive shall be occupied with an open parking lot without buildings in front of said parking. Two rows of parking between the front facade of the building and the roadway shall not be considered open parking.
- 8.10 Service areas and loading docks facing Covington Garden Drive shall be screened from Covington Garden Drive in accordance with Section 6.11.107.9 of the Land Development Code. A berm or combination berm with landscaping and/or Fencing may also be used to meet screening requirements with the minimum height consistent with the requirements in Section 6.11.107.9.
- 8.11 Within Tracts 1a, 1a-1, 1b and 15, the developer shall provide an interconnected vehicular and pedestrian circulation system (i.e., sidewalk). At a minimum, the interconnected pedestrian circulation system shall:

- Connect to Big Bend Road and Covington Garden Drive at all full access connections
 - Travel from the above access connections into the project and terminate at another sidewalk, building or public courtyard/open space.
 - Connect all development components of the project, excluding outparcel buildings along Big Bend Road. This outparcel exemption shall not be construed as exempting outparcels from ADA accessibility requirement as provided for in the Land Development Code. A development component shall be defined as a building or group of buildings that is separated from another individual building or group of buildings by driveways, drive aisles and/or parking lots. Within Tract 1a, each development component shall have a minimum of two separate sidewalk connections to other development components within the project. Said connections can be to the same development component or to a separate development component. Compliance with this standard can be met by connection to an internal sidewalk that then connects to another development component.
- 8.12 The project shall contain two central gathering places generally within the center of Tract 1a. Each central gathering place shall contain a mixture of buildings and public spaces (i.e., courtyard, park, gazebo, indoor/outdoor arcade and/or gallery, etc.) that are not separated from each other by vehicular use areas (i.e., parking, driveways, service roads, etc.). The two central gathering places shall be connected to each other by an enhanced pedestrian connection/pathway. The enhanced pedestrian pathway shall be constructed of materials (i.e., pavers, brick, etc.), to differentiate it from the other sidewalks, pathways within the development (if the other sidewalks/pathways are constructed of concrete, asphalt or similar material). The developer, prior to final construction plan approval, shall submit a landscaping plan for review and approval by the County that demonstrates a 75 percent canopy closure over the enhanced pedestrian pathway within five years of planting. A combination of an architectural feature (e.g., pergola, archway, colonnade, trelliswork, arbor, etc.) and landscaping material may be utilized to achieve the equivalent of providing the 75 percent tree canopy closure. This requirement shall not be construed as preventing the developer from utilizing the same enhanced design on other sidewalk/pathways within the development. The enhanced pedestrian pathway shall not be required if the two central gathering places are constructed along a common access drive/road that is designed in accordance with Traditional Neighborhood Design standards.
- 8.13 Site construction plan approval for free-standing General/Regional Commercial uses in Tracts 5 and 7 shall be capped at 200,000 square feet, unless and until (1) the project also includes a minimum of 250,000 square feet of Office uses to be located on Tracts 3, 5, 6 and/or 7, or (2) Tract 1a by itself or in combination with any or all of Tracts 3, 5, 6 and/or 7 has obtained site construction plan approval for a minimum of 250,000 square

feet of Office uses.

- 8.14 Commercial uses that are vertically integrated into an office or hotel project shall not be counted against the cap in Condition 8.13 above.
- 8.15 Any request to remove or revise the cap on commercial uses shall be processed as a Minor Modification.
9. The maximum floor area (FAR) ratio on any tract shall be no more than 15 percent in excess of the average FAR shown on the Land Use Schedule for that use.
10. Height limitation in the project shall be as follows:
- 10.1 All structures in the office areas, except for office buildings in Tract 1a and Tract 1b, shall be limited in height to five (5) stories and sixty-five (65) feet whichever is less. The height of office buildings in Tract 1a and Tract 1b shall be as specified in Condition 8.1.
- 10.2 All structures in the general commercial areas shall be limited in height to two (2) story or thirty-five (35) feet whichever is less.
- 10.3 All structures in Tract 1a to be used for leasable retail space or storage shall be limited in height to three (3) stories or fifty-five (55) feet whichever is less. Architectural features such as towers, spires, atriums, parapet walls or other similar features may be permitted up to a height of sixty-five (65) feet.
- 10.4 All structures in the multi-family and townhouse areas shall be limited in height to four (4) stories or fifty-five (55) feet whichever is less.
- 10.5 All structures in the villa duplex area shall be limited in height to three (3) stories or thirty-five (35) feet, whichever is less.
- 10.6 Hotel structures shall be limited to five (5) stories, or fifty-five (55) feet, whichever is less, in Tract 3, except excluded portions of buildings per LDC Section 6.08.01. Hotel structures shall be limited to six (6) stories, or sixty-five (65) feet, whichever is less, in Tract 5 and Tract 7, except excluded portions of buildings per LDC Section 6.08.01. Hotel structures shall be limited and to eight (8) stories in Tract 1a.
11. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise specified herein. Between office uses and single family or townhomes, and between hotels and single family, the following shall be required: a 15 foot buffer with 10 foot high evergreen trees at 15 foot intervals, a lawn/shrub/groundcover/mulch over the buffer, and a choice of evergreen shrubs (6 feet high within two years of planting), or 6 foot masonry wall, or 6 foot wooden fence, or a berm/planting combination 6 feet in height. Within Tract 1b there shall be a fifty (50) foot wide buffer along the southern boundary adjacent to single-family residential uses to the south. Within the fifty (50) foot wide buffer there shall be a ten (10) foot high berm with an eight (8) foot high solid fence on top of the berm. Landscaping shall be provided along the entire length of the berm which shall consist of evergreen shade trees, a minimum of twelve

- (12) feet in overall height at the time of planting, planted on twenty (20) foot centers, which will achieve a seventy-five percent (75%) opacity above the top of the eight foot fence within three years of planting. The berm and fence shall be constructed and the landscaping installed prior to the issuance of any certificates of occupancy for any development within Tract 1a or Tract 1b.
- 11.1 Along the southern boundary of Tract 3, there shall be a 20 foot buffer with 10 foot high evergreen trees at 15 foot intervals. a lawn/shrub/groundcover/mulch over the buffer, and a choice of evergreen shrubs (6 feet high within two years of planting), or 6 foot masonry wall, or 6 foot wooden fence, or a berm/planting combination 6 feet in height if developed with office, neighborhood commercial, or hotel uses.
- 11.2 Along the southern boundary of Tract 7, along the part of the boundary located north of the existing single family home development, and not within a wetland or wetland buffer area, a 30 foot wide natural vegetation strip shall remain. This shall not preclude existing plantings from counting toward screening requirements if verified by Natural Resources staff at the time of site development. The required building setbacks shall not be increased as a result of this natural vegetation strip.
12. Residential tracts abutting the western north-south roadway (Waterset Boulevard) shall have a 24 foot buffer from the right-of-way. Additionally, in accordance with the Land Development Code Section 6.06.06.C.6., a berm/planting combination with the berm an average height of four feet with minimum 3:1 side slopes and dense plantings which will, when combined with the berm, achieve a minimum height of eight feet and 75% opacity within three years of planting, shall be required adjacent to the right-of-way.
13. The developer shall provide, prior to the issuance of Certificate of Occupancy, for each applicable site plan submittal, those internal sidewalks and external sidewalks to the project in the right-of-way area of the major roadway(s) bordering the project (i.e. Big Bend Road).
14. The internal sidewalks shall be provided as appropriate in non-residential tracts to ensure free pedestrian movement to neighborhood shops, offices, and community facilities. The exact locations of said sidewalks shall be determined by the County Development Services Department during the appropriate Site Plan approval.
15. Prior to the issuance of Certificate of Occupancy, the developer unless otherwise directed by the County shall be responsible for constructing all improvements that are required as a result of this project at the intersection of the project entrance with Big Bend Road and at the project access with United States Highway 41 to maintain a Level of Service "D" or better. The developer shall pay for the installation when said signals become warranted. Interconnecting these traffic signals to adjacent traffic signals as per Hillsborough County Engineering Department requirements shall also be the developer's responsibility.
16. The developer shall provide a minimum of 118-foot wide right-of-way for the future extension of 30th Street through the site. This right-of-way corridor will coincide approximately with the eastern most north south roadway shown on the conceptual site plan. Since this roadway is necessary to provide access to the project, any applicable Transportation and/or Right-Of-Way Impact Fee credit shall be based on percentage of roadway capacity provided beyond what is

needed for project traffic. THIS REQUIREMENT HAS BEEN SATISFIED.

17. If the Developer elects the Pipeline Mitigation Alternative in the Southbend DRI Development Order, then the Developer shall design Western North/South roadway as a four (4) lane divided roadway and shall construct two (2) of the lanes. The Developer shall construct the roadway to Hillsborough County standards and shall include all bicycle, pedestrian, and transit facilities as specified in the latest edition of the Transportation Technical Manual. The Developer shall also dedicate all of the right-of-way needed for ponds. The Developer shall submit the 30% roadway plans for the roadway to the County for review and approval within 120 days of dedication of the Western North/South roadway right-of-way. Subsequent submittals of roadway plans for 60% design, 90% design and 100% design shall be submitted within 90 days of the County's approval of the previously submitted plans. Construction of the Required Improvements shall be completed within three (3) years of final approval by Hillsborough County of the 100% roadway plans. [This alternative was selected to mitigate the impacts Phase 1 of the Southbend DRI].
18. The Developer shall ensure that all roadway intersections with the Western North/South roadway are constructed with the appropriate roadway geometry to provide for safe vehicular movements and maintenance of the North/South roadway capacity.
19. Prior to Concurrency approval, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the access related left and right turn lanes needed to serve development traffic. The access related turn lanes shall be constructed to FDOT and/or Hillsborough County standards. The only exceptions to access related roadway improvements shall be based on documented safety or environmental concerns. The Development Services and Public Works Departments shall approve all exceptions. The Developer, consistent with requirements of the Land Development Code, shall construct the following access related turn lanes:
 - 19.1 Westbound left turn lane on Big Bend Rd @ Western North/South Roadway
 - 19.2 Eastbound right turn lane on Big Bend Rd @ Western North/South Roadway
 - 19.3 Eastbound right turn lane on Big Bend Rd @ each project entrance
 - 19.4 Northbound exclusive left turn lane, through lane, and right turn lane on Western North/South Roadway @ Big Bend Rd.
 - 19.5 EB right turn lane on Big Bend Road at the right-in/right-out access to Tract 7. The right-in/right-out access shall be aligned with Kings Crossing Drive on the north side of Big Bend Road.
 - 19.6 Construct continuous right turn lane from the right-in/right-out access to Tract 7 to Western North/South Roadway.
 - 19.7 Channelize the full median opening on Big Bend Road, along Tract 7 to allow for EB left turn movement only.

- 19.8 No direct access connection to Tract 5, off of Big Bend Road is allowed.
20. Prior to the issuance of any certificates of occupancy for any development in Tract 1a or Tract 1b the developer shall construct the following improvements:
- 20.1 The developer shall widen Covington Gardens Drive from two lanes to four lanes for the entire length of Tract 1a. The final design of the roadway shall be determined and approved by Hillsborough County's Public Works Department.
- 20.2 The developer shall construct turn lanes at each project driveway along Covington Gardens Drive. The final design of the roadway shall be determined and approved by Hillsborough County's Public Works Department.
- 20.3 The developer shall construct right and left turn lanes at the project's main entrance on Big Bend Road located east of Covington Gardens Drive and west of I-75. The final design of the turn lanes shall be determined and approved by Hillsborough County's Public Works Department.
- 20.4 The developer shall be required to extend the left and right turn lanes at the intersection of Big Bend Road and Covington Gardens Drive. The final design of the turn lanes shall be determined and approved by Hillsborough County's Public Works Department.
- 20.5 When warranted, the developer shall install a traffic signal on Big Bend Road at the project's main driveway located east of Covington Gardens Drive and west of I-75. The final design of the traffic signal shall be determined and approved by Hillsborough County's Public Works Department.
21. Annually, for inclusion in the DRI Annual Report, the Developer shall complete an evaluation with FDOT and Hillsborough County, as appropriate, to determine whether a warrant study is required for the signalization of Big Bend Rd at the Western North/South roadway. Should it be determined that a warrant study is required, the Developer shall provide same in the DRI Annual Report. Furthermore, if a traffic signal is warranted, and the results are approved by Hillsborough County, then the developer shall submit 100 % signal design plans to Hillsborough County within 120 days of Hillsborough County approval. In addition, the developer shall also submit 100% design plans for the construction of a second left turn lane on Big Bend Rd at the Western North/South roadway. Construction of the traffic signal and second left turn lane shall commence within 120 days of approval of the final signal and roadway design plans by Hillsborough County. If Hillsborough County elects to conduct a traffic signal warrant and finds that a signal is warranted, then the developer shall comply with the timing schedule described above. The signal and roadway improvements shall be designed and constructed to Hillsborough County Standards.
22. Annually, for inclusion in the DRI Annual Report, the Developer shall complete an evaluation with FOOT and Hillsborough County, as appropriate, to determine whether a warrant study is required for the signalization of Big Bend Rd at Covington Garden Drive. Should it be determined that a warrant study is required, the Developer shall provide same in the DRI Annual Report. Furthermore, if a traffic signal is warranted, and the results are approved by

Hillsborough County, then the developer shall submit 100% signal design plans to Hillsborough County within 120 days of Hillsborough County approval. In addition, the developer shall also submit 100 % design plans for the construction of a second left turn lane on Big Bend Rd at Covington Garden Drive. Construction of the traffic signal and second left turn lane shall commence within 120 days of approval of the final signal and roadway design plans by Hillsborough County. If Hillsborough County elects to conduct a traffic signal warrant and finds that a signal is warranted, then the developer shall comply with the timing schedule described above. The signal and roadway improvements shall be designed and constructed to Hillsborough County Standards.


23. The Developer shall provide at least one (1) paved pedestrian and bicycle connection from Tract 9 to the Western North/South roadway. All pedestrian and bicycle connections shall be designed to the trail standards as found in the latest edition of the Transportation Technical Manual.
24. Within all residential tracts, the Developer shall provide pedestrian and bicycle interconnectivity between adjacent residential pods/clusters that do not provide for vehicular access between the two residential pods/clusters. The Developer shall also provide for pedestrian and bicycle connectivity between adjacent residential and nonresidential pods, where a direct vehicular access is not provided.
25. The developer shall provide an internal collector roadway that runs parallel to Big Bend Rd along the southern boundary of Tract 5. The internal collector roadway shall provide for a continuous interconnected route between Tract 7 and the proposed regional commercial development within Tract 1. The Developer shall provide cross access and internal circulation to parcels or tracts adjacent to the roadway. The roadway shall connect with any internal roadways running north/south that have an access point with Big Bend Rd. The roadway shall intersect the Western North/South Roadway and Covington Garden Drive.
26. The developer shall provide the necessary pavement markings, signals and signs for a pedestrian crossing at the intersection of Big Bend Road and project entrance selected by the County when the pedestrian crossing is required by the County.
27. The number and general location of the access points into each "pod" for Phase I shall be shown on the General Site Plan. All access points shall be limited as follows:
 - 27.1 No access point shall be permitted:
 - 27 .1.1 within 150 feet of any intersection rights-of-way at roadway intersections;
 - 27.1.2 within 150 feet of the northern project boundary at the intersection of the project roadways and Big Bend Road;
 - 27 .1.3 within 150 feet of another access point or roadway on the same side of the street, or without 150 feet of another access point of roadway on the opposite side of the street unless such opposite roadways are in direct alignment; unless an alternate design acceptable to Hillsborough County Department of Development Coordination and the Engineering Department is approved in the Detailed Site

Plan Phase. In no case shall access points be closer than 1 00 feet apart; and

27.1.4 No more than five (5) access points per "pod" will be permitted, which pods will be located in compliance with the conditions set out above.

28. The developer shall dedicate to the School Board upon request of the School Board, usable land for one 15.1-acre elementary school site of which 3 .5 acres may be shared with the adjacent park site. The location of the site shall be subject to approval of the County School Board and the Hillsborough County Board of County Commissioners accordingly. If ever it shall be determined that the school site shall not be used for a school, the site may be used for single-family or townhouse residential development only so long as the total number of dwelling units on site does not exceed 2,810.
29. All school site dedication shall be credited against school site dedication impact fees as provided in Hillsborough County Ordinance #86-20. If the school site is not used for a school, the developer shall pay impact fees in lieu of the land.
30. The developer shall dedicate to Hillsborough County a 4.0-acre park site. An additional 3.5 acres may be shared with the school site. Said dedication shall occur when any adjacent roadway is dedicated to Hillsborough County.
31. All public park land dedications and/or improvements shall be credited against park site acquisition and improvements impact fees as provided in Hillsborough County Ordinance.
32. The developer shall be required to utilize public water and shall pay all costs to connect for service delivery for this project's needs. The developer shall submit to the Hillsborough County Development Services Department, prior to the issuance of Certificates of Occupancy, evidence of commitment; from the County Department of Water and Wastewater Utilities to provide public water service, and evidence of agreement to pay necessary costs for this project to enable the County to provide public water service delivery.
33. The developer shall include on the General Site Plan a general bikeway circulation plan. The plan shall be designed in such a manner as to insure safe and continuous bikeway circulation throughout the development. A detailed pedestrian circulation plan showing an internal pedestrian system shall be shown on each Detailed Site Plan and the plan shall be implemented by the developer at the developer's expense. Said system shall be submitted to and approved by the Department of Development Services. The system shall meet the policies and standards of the Tampa Urban Metropolitan Planning Organization.
34. The developer shall be required to ensure that adequate wastewater treatment facilities exist prior to the issuance of Certificates of Occupancy for any phase. The developer shall submit to the Hillsborough County Development Services Department prior to the issuance of Certificates of Occupancy for any phase, evidence of agreement of the Water Department to the plan for providing wastewater treatment facilities.
35. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as

- proposed will be issued, does not itself serve to justify any impact to wetland, and does not grant any implied or vested right to environmental approvals.
36. The construction and location of any proposed wetland impacts are not approved by this rezoning, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC. (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
 37. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/other surface water (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
 38. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
 39. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
 40. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
 41. Within 90 days of rezoning approval of PRS ~~20-1316~~ 21-0229 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a revised General Development Plan for certification reflecting all the conditions outlined above.

Staff's Recommendation: Approvable, Subject to Conditions
Zoning Administrator
 J Brian Grady Tue Feb 23 2021 14:16:47
Sign-off:

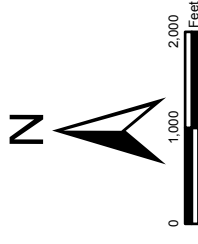


General Aerial Zoning Map

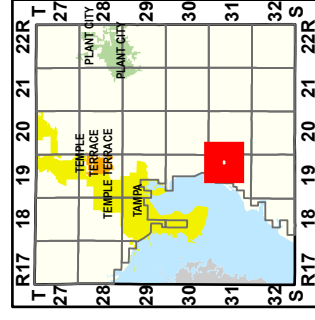
PRS 21-0229

Folio: 51526.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 13-31-19, 14-31-19

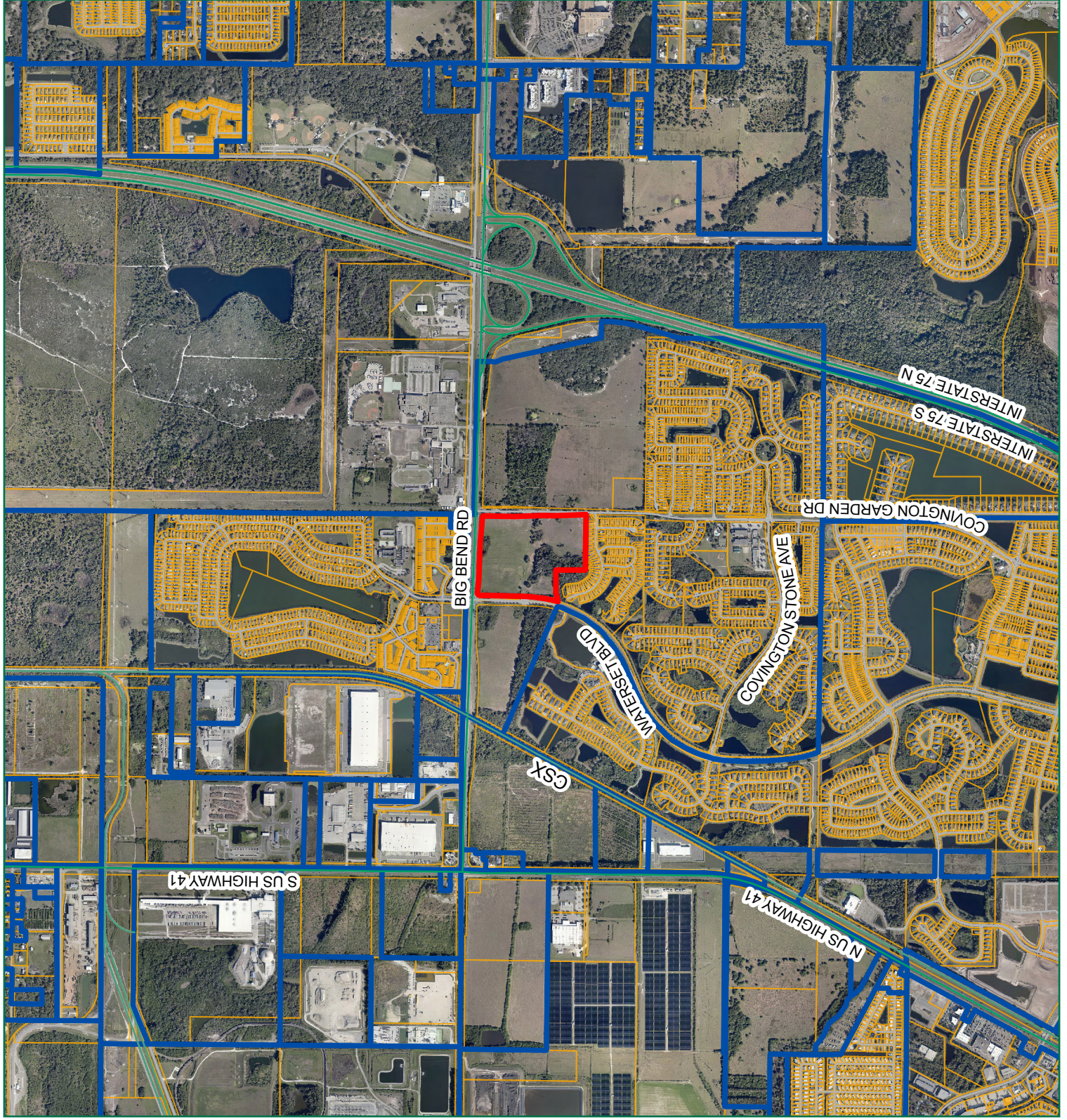


NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.



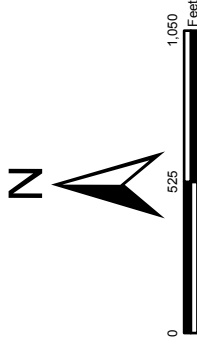


Immediate Aerial Zoning Map

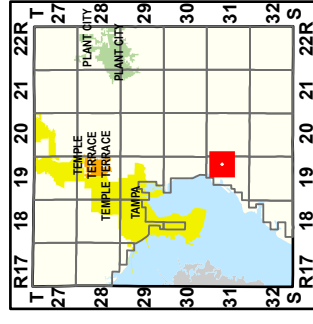
PRS 21-0229

Folio: 51526.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 13-31-19, 14-31-19



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APPROVED**

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Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted November 16, 2020.

1. The development of the Southbend project shall proceed in strict accordance with the Development Order for the Development of Regional Impact, DRI #145, as amended, the General Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County. Approval is based upon the General Development Plan received November 22, 2017, and all data shown, defined, described, noted, referenced and listed thereon.
 - 1.1 All of the Single Family Residential entitlements in Phase 1 were owned and developed by NNP-Southbend II, LLC. All of the non-Single Family in Phase 1 and all of Phase 2B entitlements are currently owned by Bayview Properties, Ltd., LLLP. All of the Phase 2A entitlements are currently owned by NRI Equity Tampa, LLC.
 - 1.2 In order to track project development in accordance with the DRI Equivalency Matrix (trade-off mechanism), a tracking table shall be submitted with each Preliminary Plan or Preliminary Plat submitted for each portion of project development.
 - 1.3 Each tracking table shall show the following by Phase: (1) the approved amount of development [number and type of residential units or square feet], (2) the amount of development [number and type of residential units or square feet] having previously received Preliminary Plan or Preliminary Plat approval, (3) the amount of development proposed by the Preliminary Plan or Preliminary Plat for the subject portion of the project, (4) the remaining development entitlements, by type of development, after Preliminary Plan or Preliminary Plat submittal for the subject portion of the project, and (5) the owner of the entitlements. The tracking table shall document any land use trade offs undertaken prior to the time of Preliminary Plan or Preliminary Plat submittal for the subject portion of the project.
2. On-site residential development shall comply with the following requirements:

Single family:

Minimum Lot Size:	4,400 sf
Minimum Lot Width:	0 feet
Minimum Front Yard:	20 feet
Minimum Side Yard:	5 feet
Minimum Rear Yard:	20 feet
Maximum Lot Coverage:	50%
Maximum Height:	35 feet

Townhouse: RMC-12 regulations
Multi family: RMC-20 regulations
3. The following exceptions to those requirements may be made for single-family zero lot line development: Side-yard setbacks may be a minimum of zero (0) feet on one side and ten (10) feet on the other, or five (5) feet on each side. This requirement shall not preclude Z-lots, i.e., the zero lot line may be partially on one and partially on the other side of a lot. It shall also not preclude combinations, such as three (3) feet on one side and seven (7) on the other. In no case, however, shall a combination of setbacks (i.e., 0 feet+ 10 feet and 5 feet+ 5 feet) be allowed which would create a separation of less than ten (10) feet between

nonattached structures. Further, rear yards shall be a minimum of 20 feet, but may be reduced to 15 feet on conditions that the total usable open space contained within rear yards and portions of side yards of no less than 15 usable feet in width is not less than twenty times the average lot width.

4. The developer shall have the option of developing villa-duplex units within any tract, subject to the following development standards:

Minimum Lot Size:	3,500 sf
Minimum Lot Width:	33 feet
Minimum Front Yard:	20 feet
Minimum Side Yard:	5 feet
Minimum Rear Yard:	20 feet
Maximum Lot Coverage:	50%
Maximum Height:	35 feet

5. For all uses other than single family, two feet of additional yards other than that described herein shall be provided for every one foot of structure height over 20 feet.
6. The maximum residential density on any tract shall be no greater than 5 percent in excess of that shown on the Land Use Schedule for the particular type of residential development, except that densities may be a maximum of 15 units per acre. This shall not preclude the transfer of types of residential units from tract to tract providing that the tracts receiving the more intense form of development are not located on the perimeter of the project except along Interstate 75.
7. Pole signs and Billboards shall be prohibited in Tract 7.
8. Development regulations within Tracts 1a, Tract 1a-1, Tract 1b, Tract 3, Tract 5, Tract 6, and Tract 7 shall be as follows:
- Tract 3, Tract 5, Tract 6, Tract 7, and Tract 1a shall be subject to the development standards listed for the C-I zoning district, per the Land Development Code, unless otherwise specified herein;
 - Warehouses and truck terminals shall be prohibited in Tract 1a;
 - Office and hotel uses shall be subject to the development standards listed for the CG zoning district, per the Land Development Code, unless otherwise specified herein;
 - Tract 1 a-1, Tract 1b and Tract 15 shall be subject to the development standards listed for the C-G zoning district, per the Land Development Code, unless otherwise specified herein;
 - Fitness center/gymnasium and hotel shall also be permitted uses in Tract 1a-1, Tract 3, Tract 5, and Tract 7;
 - Fitness center/gymnasium shall also be a permitted use in Tract 6;
 - Hotels may exceed the twenty-five percent limitation on gross building square footage for the district;

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- The maximum impervious surface ratio shall not exceed eighty percent (80%) for developments within Tract 1a, Tract 1a-1 and Tract 1b;
- 8.1 All office buildings within Tract 1 a, Tract 15 and Tract 1 b shall have a maximum height of seventy-five (75) feet.
 - 8.2 There shall be a minimum building setback of two hundred and twenty five (225) feet from the southern boundary of Tract 1 b and Tract 15. This setback shall apply to all development, excluding parking garages/structured parking, in Tract 1a and Tract 1 b.
 - 8.3 Parking garages/structured parking within Tract 1b and Tract 15 shall have a minimum setback of seventy-five (75) feet from the southern boundary of Tract 1b. The maximum height of parking garages/structured parking in Tract 1b between the seventy-five (75) foot set back and two hundred (200) feet from the southern boundary of Tract 1b, shall be twenty-five (25) feet. The maximum height of parking garages/structured parking beyond two hundred (200) feet from the southern boundary of Tract 1b shall be fifty-five (55) feet.
 - 8.4 Within Tract 1a-1, Tract 1b and Tract 15 there shall be no more than ten (10) buildings with office uses as the primary use. All office buildings, with the exception of two (2), within Tracts 1a- 1, 1b and 15, as combined, shall be a minimum of three (3) stories. Accessory retail uses shall be allowed in office uses developed in Tracts 1a-1, 1 b and 15, and shall comply with the requirements of Section 6.11.03 of the Land Development Code.
 - 8.5 No interim or required parking for Tract 1a or Tract 1a-1 shall be allowed within Tract 1b or Tract 15, unless said parking is for office uses. Upon development of office uses within Tract 1b or Tract 15, parking constructed for said office uses can be used for overflow retail parking associated with Tract 1a and/or Tract 1a-1, subject to appropriate cross parking agreements.
 - 8.6 Large Scale Retail as defined by the Land Development Code shall comply with the requirements for Large Scale Retail Development (Single Tenant Big Box) in Section 6.11. 106 of the Land Development Code with the exception of Section 6.11. 106.7.a.
 - 8.7 Free standing, ground mounted lighting fixtures within Tract 1B and Tract 15 south of the buildings, structured parking and surface parking shall be limited to a maximum height of eighteen (18) feet.
 - 8.8 Development within Tracts 1a, 1a-1 and 1b shall incorporate precautions to control unconfined emissions of particulate matter (dust), including, but not limited to, the methods, practices and procedures contained in Chapter 62-296.320(4)(C), Florida Administrative Code.
 - 8.9 Within Tract 1a, no more than 50 percent of the frontage along Big Bend Road and Covington Garden Drive shall be occupied with an open parking lot without buildings in front of said parking. Two rows of parking between the front facade of the building and the roadway shall not be considered open parking.
 - 8.10 Service areas and loading docks facing Covington Garden Drive shall be screened from Covington Garden Drive in accordance with Section 6.11.107 .9 of the Land Development Code. A berm or

combination berm with landscaping and/or Fencing may also be used to meet screening requirements with the minimum height consistent with the requirements in Section 6.11. 107.9.

- 8.11 Within Tracts 1a, 1a-1, 1b and 15, the developer shall provide an interconnected vehicular and pedestrian circulation system (i.e., sidewalk). At a minimum, the interconnected pedestrian circulation system shall:
- Connect to Big Bend Road and Covington Garden Drive at all full access connections
 - Travel from the above access connections into the project and terminate at another sidewalk, building or public courtyard/open space.
 - Connect all development components of the project, excluding outparcel buildings along Big Bend Road. This outparcel exemption shall not be construed as exempting outparcels from ADA accessibility requirement as provided for in the Land Development Code. A development component shall be defined as a building or group of buildings that is separated from another individual building or group of buildings by driveways, drive aisles and/or parking lots. Within Tract 1a, each development component shall have a minimum of two separate sidewalk connections to other development components within the project. Said connections can be to the same development component or to a separate development component. Compliance with this standard can be met by connection to an internal sidewalk that then connects to another development component.
- 8.12 The project shall contain two central gathering places generally within the center of Tract 1a. Each central gathering place shall contain a mixture of buildings and public spaces (i.e., courtyard, park, gazebo, indoor/outdoor arcade and/or gallery, etc.) that are not separated from each other by vehicular use areas (i.e., parking, driveways, service roads, etc.). The two central gathering places shall be connected to each other by an enhanced pedestrian connection/pathway. The enhanced pedestrian pathway shall be constructed of materials (i.e., pavers, brick, etc.), to differentiate it from the other sidewalks, pathways within the development (if the other sidewalks/pathways are constructed of concrete, asphalt or similar material). The developer, prior to final construction plan approval, shall submit a landscaping plan for review and approval by the County that demonstrates a 75 percent canopy closure over the enhanced pedestrian pathway within five years of planting. A combination of an architectural feature (e.g., pergola, archway, colonnade, trelliswork, arbor, etc.) and landscaping material may be utilized to achieve the equivalent of providing the 75 percent tree canopy closure. This requirement shall not be construed as preventing the developer from utilizing the same enhanced design on other sidewalk/pathways within the development. The enhanced pedestrian pathway shall not be required if the two central gathering places are constructed along a common access drive/road that is designed in accordance with Traditional Neighborhood Design standards.
- 8.13 Site construction plan approval for free-standing General/Regional Commercial uses in Tracts 5 and 7 shall be capped at 200,000 square feet, unless and until (1) the project also includes a minimum of 250,000 square feet of Office uses to be located on Tracts 3, 5, 6 and/or 7. or (2) Tract 1a by itself or in combination with any or all of Tracts 3, 5, 6 and/or 7 has obtained site construction plan approval for a minimum of 250,000 square feet of Office uses.

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- 8.14 Commercial uses that are vertically integrated into an office or hotel project shall not be counted against the cap in Condition 8.13 above.
- 8.15 Any request to remove or revise the cap on commercial uses shall be processed as a Minor Modification.
9. The maximum floor area (FAR) ratio on any tract shall be no more than 15 percent in excess of the average FAR shown on the Land Use Schedule for that use.
10. Height limitation in the project shall be as follows:
- 10.1 All structures in the office areas, except for office buildings in Tract 1a and Tract 1b, shall be limited in height to five (5) stories and sixty-five (65) feet whichever is less. The height of office buildings in Tract 1a and Tract 1b shall be as specified in Condition 8.1.
- 10.2 All structures in the general commercial areas shall be limited in height to two (2) story or thirty-five (35) feet whichever is less.
- 10.3 All structures in Tract 1a to be used for leasable retail space or storage shall be limited in height to three (3) stories or fifty-five (55) feet whichever is less. Architectural features such as towers, spires, atriums, parapet walls or other similar features may be permitted up to a height of sixty-five (65) feet.
- 10.4 All structures in the multi-family and townhouse areas shall be limited in height to four (4) stories or fifty-five (55) feet whichever is less.
- 10.5 All structures in the villa duplex area shall be limited in height to three (3) stories or thirty-five (35) feet, whichever is less.
- 10.6 Hotel structures shall be limited to five (5) stories, or fifty-five (55) feet, whichever is less, in Tract 3, except excluded portions of buildings per LDC Section 6.08.01. Hotel structures shall be limited to six (6) stories, or sixty-five (65) feet, whichever is less, in Tract 5 and Tract 7, except excluded portions of buildings per LDC Section 6.08.01. Hotel structures shall be limited and to eight (8) stories in Tract 1a.
11. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise specified herein. Between office uses and single family or townhomes, and between hotels and single family, the following shall be required: a 15 foot buffer with 10 foot high evergreen trees at 15 foot intervals, a lawn/shrub/groundcover/mulch over the buffer, and a choice of evergreen shrubs (6 feet high within two years of planting), or 6 foot masonry wall, or 6 foot wooden fence, or a berm/planting combination 6 feet in height. Within Tract 1b there shall be a fifty (50) foot wide buffer along the southern boundary adjacent to single-family residential uses to the south. Within the fifty (50) foot wide buffer there shall be a ten (10) foot high berm with an eight (8) foot high solid fence on top of the berm. Landscaping shall be provided along the entire length of the berm which shall consist of evergreen shade trees, a minimum of twelve (12) feet in overall height at the time of planting, planted on twenty (20) foot centers, which will achieve a seventy-five percent (75%) opacity above the top of the eight foot fence within three years of planting. The berm and fence shall be constructed and the landscaping installed prior to the issuance of any certificates of occupancy for any development within Tract 1a or Tract 1b.

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- 11.1 Along the southern boundary of Tract 3, there shall be a 20 foot buffer with 10 foot high evergreen trees at 15 foot intervals. a lawn/shrub/groundcover/mulch over the buffer, and a choice of evergreen shrubs (6 feet high within two years of planting), or 6 foot masonry wall, or 6 foot wooden fence, or a berm/planting combination 6 feet in height if developed with office, neighborhood commercial, or hotel uses.
- 11.2 Along the southern boundary of Tract 7, along the part of the boundary located north of the existing single family home development, and not within a wetland or wetland buffer area, a 30 foot wide natural vegetation strip shall remain. This shall not preclude existing plantings from counting toward screening requirements if verified by Natural Resources staff at the time of site development. The required building setbacks shall not be increased as a result of this natural vegetation strip.
12. Residential tracts abutting the western north-south roadway (Waterset Boulevard) shall have a 24 foot buffer from the right-of-way. Additionally, in accordance with the Land Development Code Section 6.06.06.C.6., a berm/planting combination with the berm an average height of four feet with minimum 3:1 side slopes and dense plantings which will, when combined with the berm, achieve a minimum height of eight feet and 75% opacity within three years of planting, shall be required adjacent to the right-of-way.
13. The developer shall provide, prior to the issuance of Certificate of Occupancy, for each applicable site plan submittal, those internal sidewalks and external sidewalks to the project in the right-of-way area of the major roadway(s) bordering the project (i.e. Big Bend Road).
14. The internal sidewalks shall be provided as appropriate in non-residential tracts to ensure free pedestrian movement to neighborhood shops, offices, and community facilities. The exact locations of said sidewalks shall be determined by the County Development Services Department during the appropriate Site Plan approval.
15. Prior to the issuance of Certificate of Occupancy, the developer unless otherwise directed by the County shall be responsible for constructing all improvements that are required as a result of this project at the intersection of the project entrance with Big Bend Road and at the project access with United States Highway 41 to maintain a Level of Service "D" or better. The developer shall pay for the installation when said signals become warranted. Interconnecting these traffic signals to adjacent traffic signals as per Hillsborough County Engineering Department requirements shall also be the developer's responsibility.
16. The developer shall provide a minimum of 118-foot wide right-of-way for the future extension of 30th Street through the site. This right-of-way corridor will coincide approximately with the eastern most north south roadway shown on the conceptual site plan. Since this roadway is necessary to provide access to the project, any applicable Transportation and/or Right-Of-Way Impact Fee credit shall be based on percentage of roadway capacity provided beyond what is needed for project traffic. THIS REQUIREMENT HAS BEEN SATISFIED.
17. If the Developer elects the Pipeline Mitigation Alternative in the Southbend DRI Development Order, then the Developer shall design Western North/South roadway as a four (4) lane divided roadway and shall construct two (2) of the lanes. The Developer shall construct the roadway to Hillsborough County standards and shall include all bicycle, pedestrian, and transit facilities as specified in the latest edition of the Transportation Technical Manual. The Developer shall also dedicate all of the right-of-way needed for ponds. The Developer shall submit the 30% roadway plans for the roadway to the County for review and

approval within 120 days of dedication of the Western North/South roadway right-of-way. Subsequent submittals of roadway plans for 60% design, 90% design and 100% design shall be submitted within 90 days of the County's approval of the previously submitted plans. Construction of the Required Improvements shall be completed within three (3) years of final approval by Hillsborough County of the 100% roadway plans. [This alternative was selected to mitigate the impacts Phase 1 of the Southbend DRI].

18. The Developer shall ensure that all roadway intersections with the Western North/South roadway are constructed with the appropriate roadway geometry to provide for safe vehicular movements and maintenance of the North/South roadway capacity.
19. Prior to Concurrency approval, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the access related left and right turn lanes needed to serve development traffic. The access related turn lanes shall be constructed to FDOT and/or Hillsborough County standards. The only exceptions to access related roadway improvements shall be based on documented safety or environmental concerns. The Development Services and Public Works Departments shall approve all exceptions. The Developer, consistent with requirements of the Land Development Code, shall construct the following access related turn lanes:
 - 19.1 Westbound left turn lane on Big Bend Rd @ Western North/South Roadway
 - 19.2 Eastbound right turn lane on Big Bend Rd @ Western North/South Roadway
 - 19.3 Eastbound right turn lane on Big Bend Rd @ each project entrance
 - 19.4 Northbound exclusive left turn lane, through lane, and right turn lane on Western North/South Roadway @ Big Bend Rd.
 - 19.5 EB right turn lane on Big Bend Road at the right-in/right-out access to Tract 7. The right-in/right-out access shall be aligned with Kings Crossing Drive on the north side of Big Bend Road.
 - 19.6 Construct continuous right turn lane from the right-in/right-out access to Tract 7 to Western North/South Roadway.
 - 19.7 Channelize the full median opening on Big Bend Road, along Tract 7 to allow for EB left turn movement only.
 - 19.8 No direct access connection to Tract 5, off of Big Bend Road is allowed.
20. Prior to the issuance of any certificates of occupancy for any development in Tract 1a or Tract 1b the developer shall construct the following improvements:
 - 20.1 The developer shall widen Covington Gardens Drive from two lanes to four lanes for the entire length of Tract 1a. The final design of the roadway shall be determined and approved by Hillsborough County's Public Works Department.

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- 20.2 The developer shall construct turn lanes at each project driveway along Covington Gardens Drive. The final design of the roadway shall be determined and approved by Hillsborough County's Public Works Department.
- 20.3 The developer shall construct right and left turn lanes at the project's main entrance on Big Bend Road located east of Covington Gardens Drive and west of I-75. The final design of the turn lanes shall be determined and approved by Hillsborough County's Public Works Department.
- 20.4 The developer shall be required to extend the left and right turn lanes at the intersection of Big Bend Road and Covington Gardens Drive. The final design of the turn lanes shall be determined and approved by Hillsborough County's Public Works Department.
- 20.5 When warranted, the developer shall install a traffic signal on Big Bend Road at the project's main driveway located east of Covington Gardens Drive and west of I-75. The final design of the traffic signal shall be determined and approved by Hillsborough County's Public Works Department.
21. Annually, for inclusion in the DRI Annual Report, the Developer shall complete an evaluation with FDOT and Hillsborough County, as appropriate, to determine whether a warrant study is required for the signalization of Big Bend Rd at the Western North/South roadway. Should it be determined that a warrant study is required, the Developer shall provide same in the DRI Annual Report. Furthermore, if a traffic signal is warranted, and the results are approved by Hillsborough County, then the developer shall submit 100 % signal design plans to Hillsborough County within 120 days of Hillsborough County approval. In addition, the developer shall also submit 100% design plans for the construction of a second left turn lane on Big Bend Rd at the Western North/South roadway. Construction of the traffic signal and second left turn lane shall commence within 120 days of approval of the final signal and roadway design plans by Hillsborough County. If Hillsborough County elects to conduct a traffic signal warrant and finds that a signal is warranted, then the developer shall comply with the timing schedule described above. The signal and roadway improvements shall be designed and constructed to Hillsborough County Standards.
22. Annually, for inclusion in the DRI Annual Report, the Developer shall complete an evaluation with FDOT and Hillsborough County, as appropriate, to determine whether a warrant study is required for the signalization of Big Bend Rd at Covington Garden Drive. Should it be determined that a warrant study is required, the Developer shall provide same in the DRI Annual Report. Furthermore, if a traffic signal is warranted, and the results are approved by Hillsborough County, then the developer shall submit 100% signal design plans to Hillsborough County within 120 days of Hillsborough County approval. In addition, the developer shall also submit 100 % design plans for the construction of a second left turn lane on Big Bend Rd at Covington Garden Drive. Construction of the traffic signal and second left turn lane shall commence within 120 days of approval of the final signal and roadway design plans by Hillsborough County. If Hillsborough County elects to conduct a traffic signal warrant and finds that a signal is warranted, then the developer shall comply with the timing schedule described above. The signal and roadway improvements shall be designed and constructed to Hillsborough County Standards.
23. The Developer shall provide at least one (1) paved pedestrian and bicycle connection from Tract 9 to the Western North/South roadway. All pedestrian and bicycle connections shall be designed to the trail standards as found in the latest edition of the Transportation Technical Manual.

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24. Within all residential tracts, the Developer shall provide pedestrian and bicycle interconnectivity between adjacent residential pods/clusters that do not provide for vehicular access between the two residential pods/clusters. The Developer shall also provide for pedestrian and bicycle connectivity between adjacent residential and nonresidential pods, where a direct vehicular access is not provided.
25. The developer shall provide an internal collector roadway that runs parallel to Big Bend Rd along the southern boundary of Tract 5. The internal collector roadway shall provide for a continuous interconnected route between Tract 7 and the proposed regional commercial development within Tract 1. The Developer shall provide cross access and internal circulation to parcels or tracts adjacent to the roadway. The roadway shall connect with any internal roadways running north/south that have an access point with Big Bend Rd. The roadway shall intersect the Western North/South Roadway and Covington Garden Drive.
26. The developer shall provide the necessary pavement markings, signals and signs for a pedestrian crossing at the intersection of Big Bend Road and project entrance selected by the County when the pedestrian crossing is required by the County.
27. The number and general location of the access points into each "pod" for Phase I shall be shown on the General Site Plan. All access points shall be limited as follows:
- 27.1 No access point shall be permitted:
- 27.1.1 within 150 feet of any intersection rights-of-way at roadway intersections;
- 27.1.2 within 150 feet of the northern project boundary at the intersection of the project roadways and Big Bend Road;
- 27.1.3 within 150 feet of another access point or roadway on the same side of the street, or without 150 feet of another access point of roadway on the opposite side of the street unless such opposite roadways are in direct alignment; unless an alternate design acceptable to Hillsborough County Department of Development Coordination and the Engineering Department is approved in the Detailed Site Plan Phase. In no case shall access points be closer than 100 feet apart; and
- 27.1.4 No more than five (5) access points per "pod" will be permitted, which pods will be located in compliance with the conditions set out above.
28. The developer shall dedicate to the School Board upon request of the School Board, usable land for one 15.1-acre elementary school site of which 3.5 acres may be shared with the adjacent park site. The location of the site shall be subject to approval of the County School Board and the Hillsborough County Board of County Commissioners accordingly. If ever it shall be determined that the school site shall not be used for a school, the site may be used for single family or townhouse residential development only so long as the total number of dwelling units on site does not exceed 2,810.
29. All school site dedication shall be credited against school site dedication impact fees as provided in Hillsborough County Ordinance #86-20. If the school site is not used for a school, the developer shall pay impact fees in lieu of the land.

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30. The developer shall dedicate to Hillsborough County a 4.0-acre park site. An additional 3.5 acres may be shared with the school site. Said dedication shall occur when any adjacent roadway is dedicated to Hillsborough County.
 31. All public park land dedications and/or improvements shall be credited against park site acquisition and improvements impact fees as provided in Hillsborough County Ordinance.
 32. The developer shall be required to utilize public water and shall pay all costs to connect for service delivery for this project's needs. The developer shall submit to the Hillsborough County Development Services Department, prior to the issuance of Certificates of Occupancy, evidence of commitment; from the County Department of Water and Wastewater Utilities to provide public water service, and evidence of agreement to pay necessary costs for this project to enable the County to provide public water service delivery.
 33. The developer shall include on the General Site Plan a general bikeway circulation plan. The plan shall be designed in such a manner as to insure safe and continuous bikeway circulation throughout the development. A detailed pedestrian circulation plan showing an internal pedestrian system shall be shown on each Detailed Site Plan and the plan shall be implemented by the developer at the developer's expense. Said system shall be submitted to and approved by the Department of Development Services. The system shall meet the policies and standards of the Tampa Urban Metropolitan Planning Organization.
 34. The developer shall be required to ensure that adequate wastewater treatment facilities exist prior to the issuance of Certificates of Occupancy for any phase. The developer shall submit to the Hillsborough County Development Services Department prior to the issuance of Certificates of Occupancy for any phase, evidence of agreement of the Water Department to the plan for providing wastewater treatment facilities.
 35. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetland, and does not grant any implied or vested right to environmental approvals.
 36. The construction and location of any proposed wetland impacts are not approved by this rezoning, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC. (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
 37. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/other surface water (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
 38. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
 39. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.

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

41. Within 90 days of rezoning approval of PRS 20-1316 by the Hillsborough County Board of County Commissioners, the developer shall submit to the Hillsborough County Development Services Department a revised General Development Plan for certification reflecting all the conditions outlined above.

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AGENCY COMMENTS

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AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 2/24/2021

REVIEWER: James Ratliff, AICP, PTP, Principal Planner AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: APB/ South

PETITION NO: PRS 20-0229

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

SUMMARY OF REQUESTS AND CONCLUSIONS

The applicant is requesting a Minor Modification (PRS) to previously approved Planned Development (PD) 86-0154, as was most recently modified via PRS file #20-1316. The project lies within the Southbend Development of Regional Impact (DRI) #145. The current zoning is approved for a variety of uses. Tract 5, which is the subject of this PRS application, allows General Commercial, Neighborhood Commercial, Hotel, Office and Multi-Family Residential Uses. The applicant is seeking to amend the PD to permit townhomes to be developed within Tract 5. The maximum number of units approved within the zoning and DRI are proposed to remain unchanged. Entitlements for the Tract 5 townhouse use will come from existing approvals from the overall zoning/DRI. As such, this PRS request will have no impact on the maximum trip generation potential for the overall project.

Changes to localized impacts (e.g. within and around Tract 5) may occur as a result of the zoning; however, it is anticipated that townhomes would generate far fewer trips than commercial which could otherwise occur within Tract 5. Development impacts and appropriate mitigation/requirements will be determined at the time of plat/site/construction plan review, based on the use ultimately developed, and in accordance with the DRI and zoning conditions of approval, as well as other applicable rules and regulations which may apply (e.g. Land Development Code, Transportation Technical Manual, etc.).

Given the above, Transportation Review Section staff has no objection to this request.

Other Issues

It should be noted that staff advised the applicant's team last year, and again during the course of this zoning approval, that the project appears to have issues which will prevent further development from occurring within the project until such items are corrected. Some corrections may require modification of zoning conditions, and the applicant was therefore encouraged to address those as a part of this application. Specifically, staff noted that:

- Condition 27 appears to restrict access for Phase 1 development to only that shown on the plan. This would result in certain tracts (e.g. Tracts 3, 5 and 6) not having any access, which would seem unreasonable. Staff's first impression was that the applicant should consider deleting this condition and allowing the PD site plan external access arrows govern access onto Big Bend. This would mean that access to Tracts via connections internal to the PD would be subject only to LDC access management regulations (instead of both access management regulations and the PD site plan/Condition 27). Ultimately, staff believes it may be better to let the LDC standards control at the time of plat/site/construction plan review for these more "internal" connections, given the wide variety in type and size of development which may be sought

(making it more appropriate to determine specific access scenarios at a later date when more specificity in development plans is known).

- While staff realizes there are limits with regards to being able to make any changes which affects Tract 1a, which is not a signatory to this rezoning request, Transportation Review Section staff felt it could help streamline future staff reviews and plan readability to “clean up” access arrow inconsistencies (to the greatest extent possible). Staff would prefer to avoid showing some but not all access arrows on the site plan, as it can be confusing for staff and the general public, and can lead to questions later about what regulatory purpose or function they were intended to serve.
- Regarding Condition 15, there appears to be language in this condition that may be a holdover from when Southbend included land that is now a part of Waterset (and which extended over to US 41), although this still needs to be verified. If so, these references to US 41 should be deleted (assuming they were appropriate transitioned to the Waterset DRI. If not, removed, such improvements may be required with the next increment of development within the Southshore project. Staff believes there may be an opportunity to clarify the remainder of the condition with respect to what transportation/ Level of Service analyses will be required at each of the five (5) project entrances on Big Bend Rd. concurrent with each increment of plat/site/construction plan review.
- Staff asked the applicant to review all of the conditions and the plan and determine if anything else needs to be changed. Staff believes that there may be bicycle/pedestrian facilities which were required but not constructed (reference zoning condition 23). If so, the zoning is technically out of zoning compliance and no further development may be permitted to proceed until required facilities have been constructed (or zoning modifications otherwise pursued to eliminate the condition causing the deficiency). Staff advised the applicant that such condition changes may or may not be supportable.

The above issues have no bearing on the specific request; however, in the interest of time and efficiency staff has sought to ensure the applicant/owner aware of these potential issues which may prevent further development post zoning approval, and could be corrected as a part of this or a future rezoning application, in the event such issues are determined warrant correction.

ROADWAY LEVELS OF SERVICE (LOS)

Roadway	From	To	Peak Hour Directional LOS	LOS Standard
Big Bend Rd	US 41	I-75	C	D
US 41	Apollo Beach Blvd	Big Bend	C	D
US 41	19th Ave NE	Apollo Beach Blvd	C	D
19th Ave	US 41	US 301	C	D

Source: [2019 Hillsborough County Level of Service \(LOS\) Report.](#)

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

PETITION NO.: MM21-0229 REVIEWED BY: Randy Rochelle DATE: 1/19/2021

FOLIO NO.: 51526.0000

This agency would (support), (conditionally support) the proposal.

WATER

- The property lies within the Hillsborough County Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A 12 inch water main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the east Right-of-Way of Waterset Boulevard.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (____ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is ____.

WASTEWATER

- The property lies within the Hillsborough County Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A 6 inch wastewater force main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the east Right-of-Way of Waterset Boulevard.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (____ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is ____.

COMMENTS: This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

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**PARTY OF
RECORD**

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Rome, Ashley

From: Vazquez, Bianca
Sent: Wednesday, February 24, 2021 9:08 AM
To: Rome, Ashley
Subject: FW: (WEB mail) - Apartment complex proposed on Big Bend Road

Hello Ashley can you please upload this under the POR.

Thank You,

Bianca O. Vazquez
Planning and Zoning Technician
Development Services Department

P: (813) 276-2155
F: (813) 635-7362
E: vazquezb@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd. 20th Floor, Tampa, FL 33602

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



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Please make use of CenterPass to make appointment requests online at
<https://www.hillsboroughcounty.org/en/businesses/permits-and-records/centerpass>

From: Grady, Brian <GradyB@HillsboroughCounty.ORG>
Sent: Wednesday, February 24, 2021 9:06 AM
To: Vazquez, Bianca <VazquezB@hillsboroughcounty.org>
Cc: Monsanto, Israel <Monsantol@hillsboroughcounty.org>
Subject: FW: (WEB mail) - Apartment complex proposed on Big Bend Road

I believe this is related to 21-0229

J. Brian Grady
Executive Planner
Development Services Department

P: (813) 276-8343
E: GradyB@HCFLGov.net
W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

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From: Cury, Della <CuryD@HillsboroughCounty.ORG>
Sent: Wednesday, February 24, 2021 8:54 AM
To: Grady, Brian <GradyB@HillsboroughCounty.ORG>
Cc: Manresa, Lidia <ManresaL@hillsboroughcounty.org>
Subject: FW: (WEB mail) - Apartment complex proposed on Big Bend Road

For the file.

Della Cury

Legislative Aide to Harry Cohen
County Commissioner, District 1
P: (813) 272-5470
M: (813) 614-2391
E: Curyd@HillsboroughCounty.org
County Center, 601 E Kennedy Blvd, 2nd floor
Tampa, FL 33602

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

From: formstack@hillsboroughcounty.org <formstack@hillsboroughcounty.org>
Sent: Tuesday, February 23, 2021 5:45 PM
To: Commissioner District 1 <ContactDistrict1@hillsboroughcounty.org>
Subject: (WEB mail) - Apartment complex proposed on Big Bend Road

The following Commissioner(s) received a direct copy of this email:

- 1 | Commissioner Harry Cohen (District 1)
- 2 | Commissioner Ken Hagan (District 2)
- 3 | Commissioner Gwen Myers (District 3)
- 4 | Commissioner Stacy White (District 4)
- 5 | Commissioner Mariella Smith (District 5)
- 6 | Commissioner Pat Kemp (District 6)
- 7 | Commissioner Kimberly Overman (District 7)

Date and Time Submitted: Feb 23, 2021 5:44 PM

Name: Margaret Burns

Address: 509 BEACON SOUND WAY
Apollo Beach, FL 33572

Phone Number: (757) 343-9661

Email Address: margaretlandburns@gmail.com

Subject: Apartment complex proposed on Big Bend Road

Message: Hello.

I am writing to express my opposition to the proposed apartment complex on Big Bend Road in the Kings Lake/Waterset area. The area is not equipped to handle that volume of traffic and infrastructure is already beyond capacity. Please vote "no" on this proposal.

Thank you.

Margaret Burns

765987689

*Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/88.0.4324.182
Safari/537.36*

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