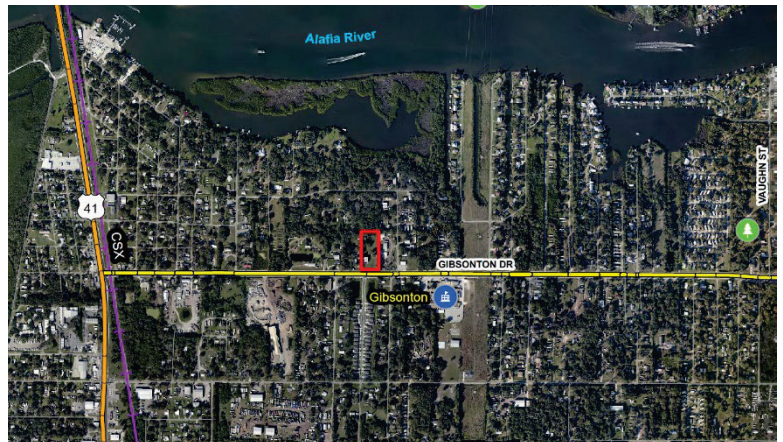


1.0 APPLICATION SUMMARY

Applicant: William J. Molloy
 FLU Category: R-4
 Service Area: Urban
 Site Acreage: 2.31
 Community Plan Area: Gibsonton
 Overlay: None



Introduction Summary:

Change from RSB to CG (R) in order to allow for a contractor’s office without outdoor storage to operate on a 2.31 acre lot located at 7510 Gibsonton Drive.

Zoning:	Existing	Proposed
District(s)	RSB	CG (R)
Typical General Use(s)	Show Business: Business and Residential Uses	Contractor’s Office without Open Storage
Acreage	2.31	2.31
Density/Intensity	4 DU per GA/0.25 FAR	0 DU per GA/0.25 FAR
Mathematical Maximum*	9 units/100,439 SF	0 DUs/100,439 SF

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RSB	CG (R)
Lot Size / Lot Width	7000 sf / 70’	10,000 sf / 75’
Setbacks/Buffering and Screening	25’ Front 10’ Rear 25’ Sides	30’ Front 20’ / B Rear 20’ / B Side
Height	30’	50’

Additional Information:

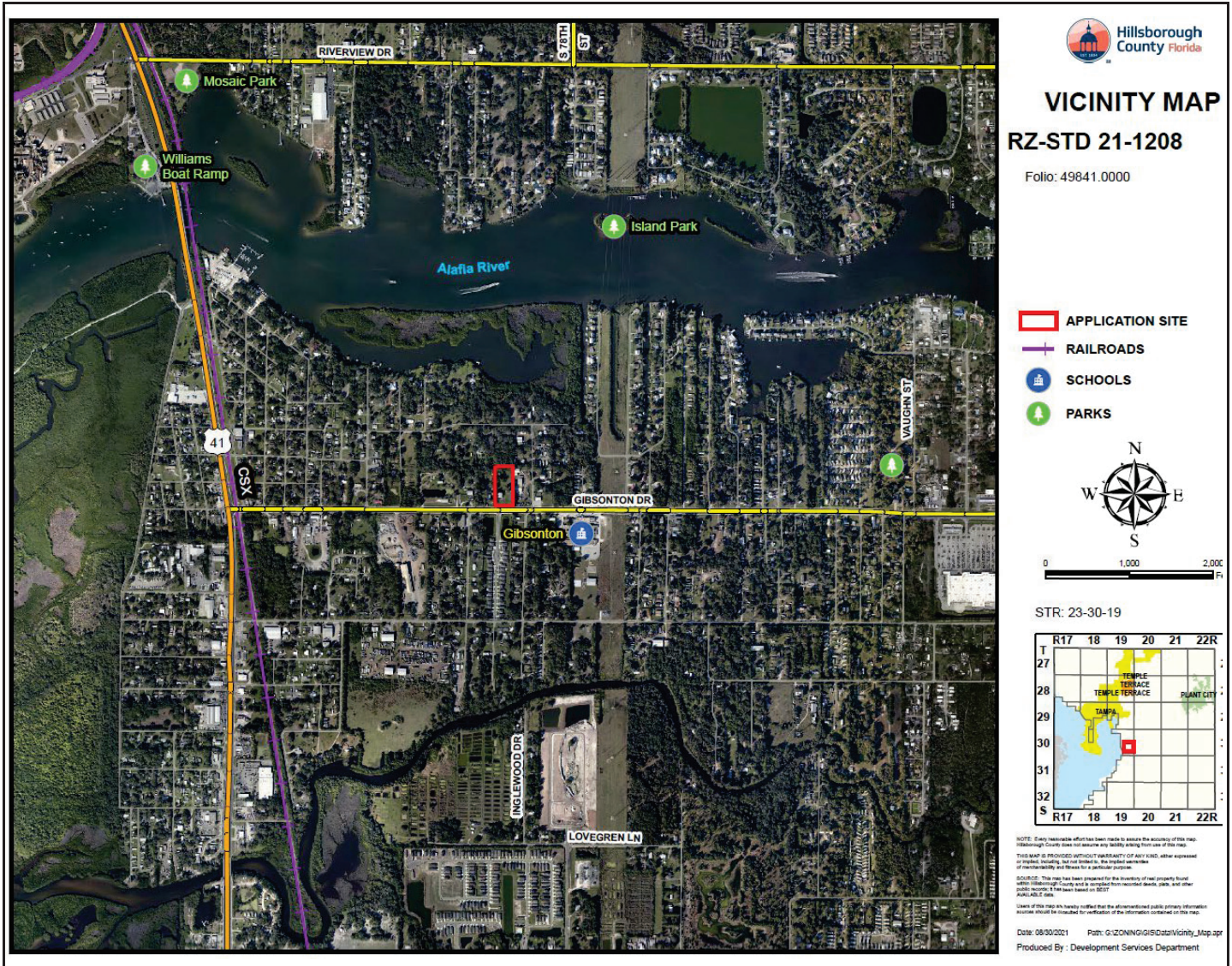
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	

Planning Commission Recommendation:
Inconsistent

Development Services Recommendation:
Not supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

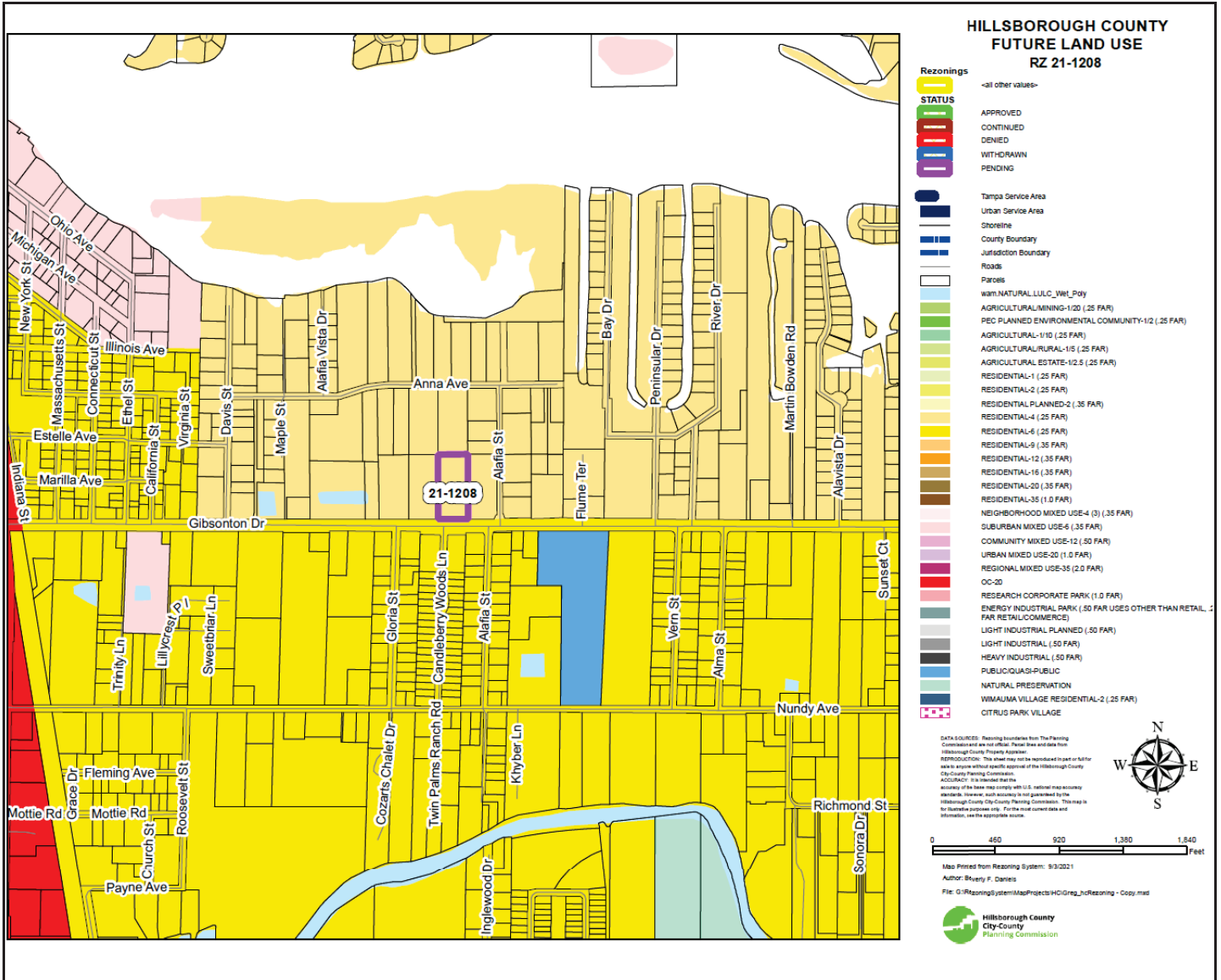
2.1 Vicinity Map



Context of Surrounding Area: The property abuts RSB zoning with show business residential and business use to the west and RSB zoning with a business use to the east. The properties to the north are zoned AS-1 and are developed for single family use on lots ranging from approximately. The properties to the south are zoned PD and RSC-6 and are developed for residential use. The neighboring properties on the north side of Gibsonton Drive are predominantly designated Residential-4 and the properties on the south side of Gibsonton Drive are designated Residential-6 on the Future Land Use Map. The closest CG zoned property, located on the opposite side of Gibsonton Drive approximately 210 feet to the southeast, has an underlying R-6 Future Land Use Map designation, is also zoned RSC-6 on approximately one-third of the property, and is developed for single-family use.

2.0 LAND USE MAP SET AND SUMMARY DATA

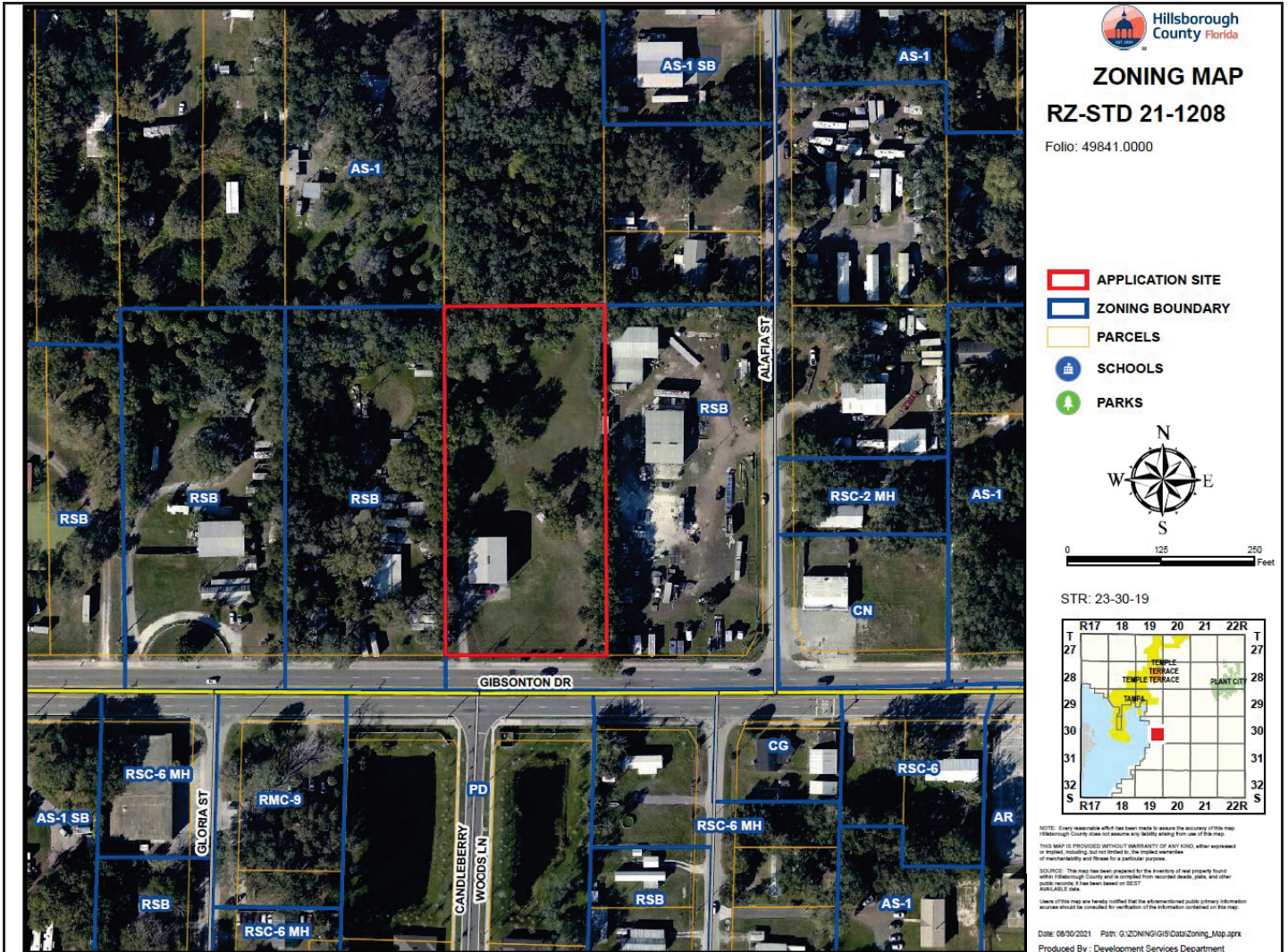
2.2 Future Land Use Map



Subject Site Future Land Use Category:	R-4 (Residential-4)
Maximum Density/F.A.R.:	4.0 DU per GA/ 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

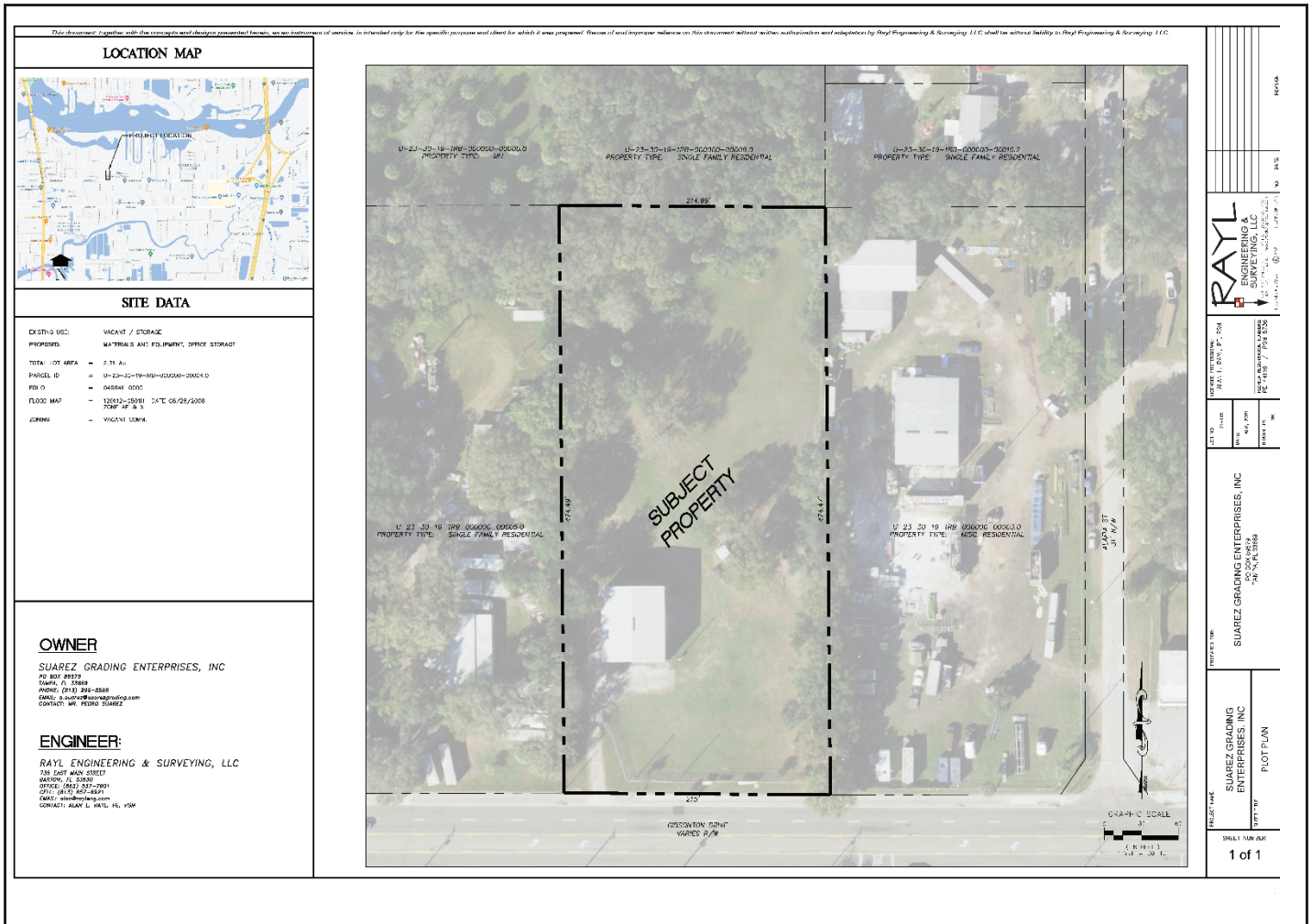


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by	Allowable Use:	Existing Use:
North	AS-1	1.0 du/ga	Agriculture and Single-Family Detached Homes	Single-Family Detached
South	PD 06-0121	3.15 du/ga	Single-Family Detached Homes	Single-Family Detached
East	RSB	4.0 du/ga	Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles	Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles
West	RSB	4.0 du/ga	Single-Family Dwelling; the Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles	Residential, Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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
Gibsonston Drive	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	167	23	26
Proposed	3,765	153	120
Difference (+/1)	+3,598	+130	+94

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Section 7
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Connection to the County's potable water and wastewater systems is required.

				Water distribution improvements will need to be completed prior to connection to the County’s water system.
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No comment provided as maximum density does not meet school concurrency thresholds.”
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Inconsistent with the Gibsonton Community Plan Signature Corridor Strategy.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property covers approximately 2.31 acres and has a one-story building with 3,000 square feet. The applicant is offering to restrict the use to a contractor’s office without outdoor storage.

The Planning Commission noted compatibility concerns regarding the proposed rezoning because the site is does not meet Commercial Locational Criteria as neither Alafia nor Gloria Street are listed in the 2040 Cost Affordable Map. The applicant requested a waiver to Locational Criteria. However, as per the Gibsonton Community Plan, Gibsonton Drive is envisioned to be a signature corridor and developed with small business, professional office and specialty neighborhood retail uses. The proposed Contractor’s Office would be inconsistent with the Signature Corridor Strategy of Goal 4b of Gibsonton Community Plan as stated below.

“Designate Gibsonton Drive as a “signature corridor” to encourage small scale business development and beautification.”

“Prepare and carry-out a redevelopment plan for residential properties having frontage along Gibsonton Drive to allow small business, professional office and specialty neighborhood retail uses. Develop a special zoning district and/or specific criteria that support rather than obstruct small businesses and offices along Gibsonton Drive. Incorporate a minimum standard of landscaping consistent with Gibsonton Drive’s “signature corridor” status for office and special retail-oriented development.”

The subject property fronts a 4-lane arterial roadway with approximately 100 feet of right-of-way and is situated among multiple uses within the immediate area. The adjoining properties to the east and west are approximately 2.25 acres each and are used for residential, show business purposes with a significant portion of the properties being used for unscreened open storage. The properties to the north are used for single family residences on lots

averaging approximately 1.5 acres and have one-acre minimum lot size requirements. The residential subdivision across Gibsonton Road to the south finalized construction in 2019 with 38 detached single-family dwellings.

Based on the above considerations staff finds the requested CG (R) zoning district incompatible with the existing zoning development pattern in the area.


5.2 Recommendation

The proposed restriction to the site to only be used for a contractor’s office without open storage is not considered a professional business or specialty retail. Therefore, staff concurs that the restricted CG zoning district would result in further movement away from the goals of the Gibsonton Community Plan. Furthermore, because the parcels along this stretch of Gibsonton Drive are not uniformly zoned for commercial uses, future rezoning of these parcels could occur as envisioned by the Gibsonton Community Plan.

Based on the above considerations and the inconsistencies with the Gibsonton Community Plan, staff finds the requested CG (R) not supportable.

6.0 PROPOSED CONDITIONS

NA

<p>Zoning Administrator Sign Off:</p>	 <p>J. Brian Grady Fri Dec 3 2021 14:10:41</p>
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>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.</p>	

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Environmental Protection Commission Additional Information and Comments

The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 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.
- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

8.0 PROPOSED SITE PLAN (FULL)

NA

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Gibsonton/South

DATE: 10/05/2021
AGENCY/DEPT: Transportation
PETITION NO: STD 21-1208

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 3,598 average daily trips, 130 trips in the a.m. peak hour, and 94 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 2.3 acres from Show Business Overlay (RSB) to Commercial General (CG). The site is located +/- 0.6 miles east the of the intersection of Gibsonton Dr. and US Hwy 41. The Future Land Use designation of the site is RES-4.

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, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSB, 25,000sf Warehousing (ITE code 150)	167	23	26

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 10,000 sf Pharmacy/Drugstore with Drive Through Window (ITE Code 881)	1,092	38	103

CG, 10,000 sf Bank with Drive Through Window	318	24	40
CG, 5,000 Fast-Food Restaurant with Drive Through Window (ITE Code 934)	2,355	201	163
Subtotal:	3,765	263	306
<i>Less Internal Capture:</i>	<i>Not Available</i>	8	82
<i>Passerby Trips:</i>	<i>Not Available</i>	102	104
Net External Trips:	3,765	153	120

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+3,598	+130	+94

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 3,598 average daily trips, 130 trips in the a.m. peak hour, and 94 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Gibsonton Dr., a 4-lane, undivided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage of the subject site, Gibsonton Dr. lies within a range of +/- 85-foot-wide to +/- 95-foot-wide right-of-way. There are sidewalks on both of Gibsonton Dr. lanes in the vicinity proposed project and no bike lanes.

Gibsonton Dr. is not shown on the Hillsborough County Corridor Preservation Plan in the vicinity of the project.

SITE ACCESS

It is anticipated that access to the site will be from Gibsonton Dr. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
GIBSONTON DR	US HWY 41	I-75 N RAMP	D	C

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	Current Conditions	Select Future Improvements
Gibson Drive	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	167	23	26
Proposed	3,765	153	120
Difference (+/-)	+3,598	+130	+94

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

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

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

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

COUNTY OF HILLSBOROUGH

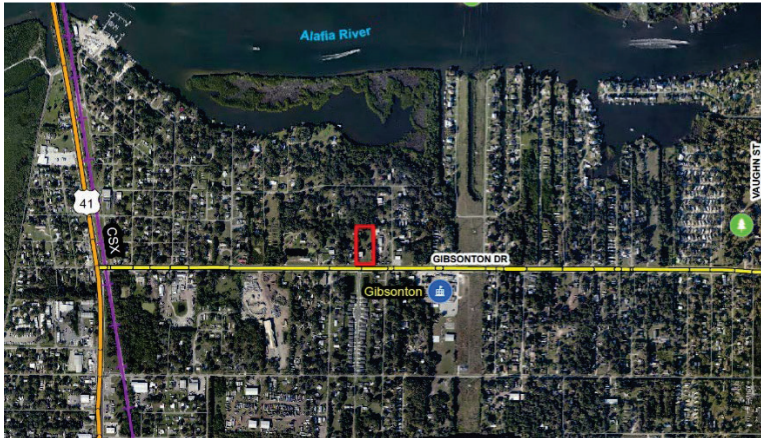
**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 21-1208
DATE OF HEARING:	December 13, 2021
APPLICANT:	Graceland Real Estate Investment Corp.
PETITION REQUEST:	The request is to rezone a parcel of land from RSB to CG (R)
LOCATION:	North side of Gibsonton Dr. & 280 feet west of Alafia St.
SIZE OF PROPERTY:	2.31 acres m.o.l.
EXISTING ZONING DISTRICT:	RSB
FUTURE LAND USE CATEGORY:	RES-4
SERVICE AREA:	Urban

DEVELOPMENT REVIEW STAFF REPORT*

*Please note that formatting issues prevented the entire staff report from being included in the Hearing Master's Recommendation. Please refer to the Hillsborough County Development Services Department website for the complete staff report.

1.0 APPLICATION SUMMARY



Applicant: William J. Molloy

FLU Category: R-4

Service Area: Urban

Site Acreage: 2.31

Community Plan Area: Gibsonton

Overlay: None

Introduction Summary:

Change from RSB to CG (R) in order to allow for a contractor's office without outdoor storage to operate on a 2.31 acre lot located at 7510 Gibsonton Drive.

Zoning: Existing Proposed

District(s)	RSB	CG(R)
Typical General Use(s)	Show Business: Business and Residential Uses	Contractor's Office without Open Storage
Acreage	2.31	2.31
Density/Intensity	4 DU per GA/0.25 FAR	0 DU per GA/0.25 FAR
Mathematical Maximum*	9 units/100,439 SF	0 DUs/100,439 SF

*number represents a pre-development approximation

Development Standards: Existing Proposed

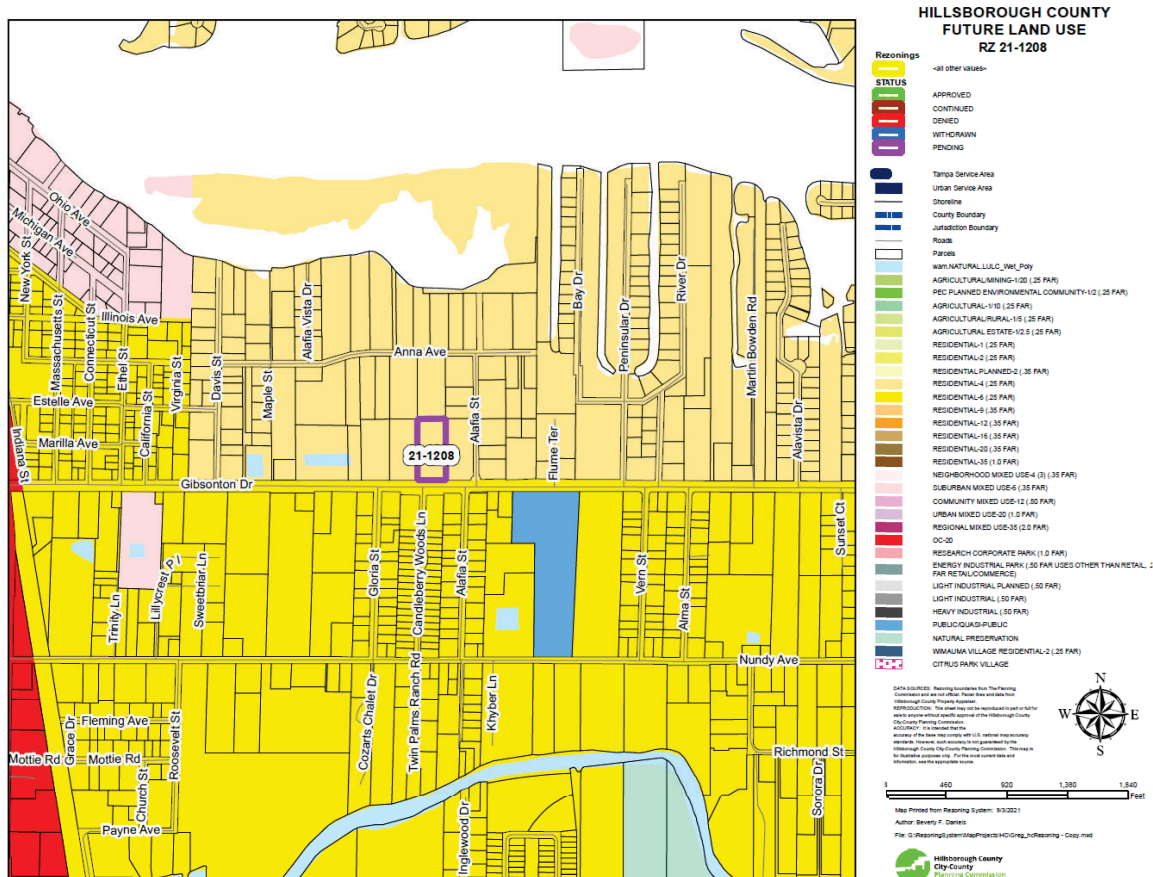
District(s)	RSB	CG(R)
Lot Size / Lot Width	7000 sf / 70'	10,000 sf / 75'
Setbacks/Buffering and Screening	25' Front 10' Rear 25' Sides	30' Front 20' / B Rear 20' / B Side
Height	30'	50'

Additional Information:

PD Variation(s)	None requested as part of this application
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residential use. The neighboring properties on the north side of Gibsonton Drive are predominantly designated Residential-4 and the properties on the south side of Gibsonton Drive are designated Residential-6 on the Future Land Use Map. The closest CG zoned property, located on the opposite side of Gibsonton Drive approximately 210 feet to the southeast, has an underlying R-6 Future Land Use Map designation, is also zoned RSC-6 on approximately one-third of the property, and is developed for single-family use.

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



Subject Site Future Land Use Category:	R-4 (Residential-4)
Maximum Density/F.A.R.:	4.0 DU per GA/ 0.25 F.A.R.

Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.
---------------	---

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



Adjacent Zonings and Uses				
Location	Zoning:	Maximum Density/F.A.R. Permitted by	Allowable Use:	Existing Use:
North	AS-1	1.0 du/ga	Agriculture and Single-Family Detached Homes	Single-Family Detached

South	PD 06-0121	3.15 du/ga	Single-Family Detached Homes	Single-Family Detached
East	RSB	4.0 du/ga	Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles	Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles
West	RSB	4.0 du/ga	Single-Family Dwelling; the Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles	Residential, Repair, Construction and Open Storage of Show Business Sets, Equipment and Vehicles

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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
Gibsonton Drive	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	167	23	26
Proposed	3,765	153	120
Difference (+/-)	+3,598	+130	+94

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC

East		None	None	Meets LDC
West		None	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Finding

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Section 7
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Use of Environmentally Sensitive Land Credit

Wellhead Protection Area

Surface Water Resource Protection Area

Other _____

Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Service Area/ Water & Wastewater	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Connection to the County's potable water and wastewater systems is required.

				Water distribution improvements will need to be completed prior to connection to the County's water system.
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Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No comment provided as maximum density does not meet school concurrency thresholds.”
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Inconsistent with the Gibsonton Community Plan Signature Corridor Strategy.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property covers approximately 2.31 acres and has a one-story building with 3,000 square feet. The applicant is offering to restrict the use to a contractor’s office without outdoor storage.

The Planning Commission noted compatibility concerns regarding the proposed rezoning because the site is does not meet Commercial Locational Criteria as neither Alafia nor Gloria Street are listed in the 2040 Cost Affordable Map. The applicant requested a waiver to Locational Criteria. However, as per the Gibsonton Community Plan, Gibsonton Drive is envisioned to be a signature corridor and developed with small business, professional office and specialty neighborhood retail uses. The proposed Contractor’s Office would be inconsistent with the Signature Corridor Strategy of Goal 4b of Gibsonton Community Plan as stated below.

“Designate Gibsonton Drive as a “signature corridor” to encourage small scale business development and beautification.”

“Prepare and carry-out a redevelopment plan for residential properties having frontage along Gibsonton Drive to allow small business, professional office and specialty neighborhood retail uses. Develop a special zoning district and/or specific criteria that support rather than obstruct small businesses and offices along Gibsonton Drive. Incorporate a minimum standard of landscaping consistent with Gibsonton Drive’s “signature corridor” status for office and special retail-oriented development.”

The subject property fronts a 4-lane arterial roadway with approximately 100 feet of right-of-way and is situated among multiple uses within the immediate area. The adjoining properties to the east and west are approximately 2.25 acres each and are used for residential, show business purposes with a significant portion of the properties being used for unscreened open storage. The properties to the north are used for single family residences on lots averaging approximately 1.5 acres and have one-acre minimum lot size requirements. The residential subdivision across Gibsonton Road to the south finalized construction in 2019 with 38 detached single-family dwellings.

Based on the above considerations staff finds the requested CG (R) zoning district incompatible with the existing zoning development pattern in the area.

5.2 Recommendation

The proposed restriction to the site to only be used for a contractor’s office without open storage is not considered a professional business or specialty retail. Therefore, staff concurs that the restricted CG zoning district would result in further movement away from the goals of the Gibsonton Community Plan. Furthermore, because the parcels along this stretch of Gibsonton Drive are not uniformly zoned for commercial uses, future rezoning of these parcels could occur as envisioned by the Gibsonton Community Plan.

Based on the above considerations and the inconsistencies with the Gibsonton Community Plan, staff finds the requested CG (R) not supportable.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on December 13, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition. Mr. Grady added that a revised transportation analysis that correctly reflects the proposed use of the property restricting it to contractor’s office will be filed into the record.

Mr. William Molloy 325 South Boulevard Tampa testified as the applicant and

stated that the request is a rezoning from Residential Show Business to a highly restricted Commercial General use for a contractor's office. He added that it would be the sole intended use of the property and not blanket Commercial General land uses. No outdoor storage would be permitted. Mr. Molloy added that the applicant is amenable to Type B screening and buffering on the north, east and west sides of the property and even the street side if it is appropriate. He believes that the request is a step down from Residential Show Business which on Gibsonton Drive seems to encourage open storage and not the look the County is looking for on Gibsonton Drive. County staff found the request inconsistent. Mr. Molloy stated that he has problems with the Planning Commission's interpretation of the Comprehensive Plan. He stated that the first issue is locational criteria. The project does not meet locational criteria and Planning Commission staff does not support the requested waiver. The commercial use is that of a contractor's office and the only potential vehicular impacts are those of the contractor, his employees and perhaps a customer or two per day. The use is not something that captures drive-by traffic. The office functions as a professional office but does not fall into the BPO version of offices. Second, the staff published in the report that the Gibsonton Community Plan states that Gibsonton Drive is envisioned to be a signature corridor and developed with small business, professional office and small specialty neighborhood retail. Mr. Molloy stated that he does not understand supporting the waiver when the Community Plan calls for offices and professional uses along Gibsonton Drive. He added that a contractor's office is a small business. His client runs a construction business and needs an office. He is a licensed, bonded and insured gentleman which reinforces that a contractor's office is a small business. The staff reports states that a contractor's office without open storage is not considered a professional business. He referenced the Land Development Code definition of contractor's office and professional services. He added that a contractor's office without open storage is no different than an engineer or surveyors office. Contractors are regulated by the State's Business and Professional Regulation. Section 5.2 of the County's staff report states that parcels along the subject section of Gibsonton Drive are not uniformly zoned for commercial use which appears to tie his client's property rights to the future potential of nearby parcels. The traffic report was based on the property's worst case scenario. The report has been amended to reflect the single use of contractor's office.

Mr. Sam Ball, Development Services staff, testified regarding the County's staff report. Mr. Ball stated that the request is to rezone the 2.31 acre property from Residential Show Business to Commercial General Restricted for the purpose of developing a contractor's office without outdoor storage. The existing Residential-4 Future Land Use category permits the consideration of up to nine dwelling units or up to 100,439 square feet of non-residential development. Mr. Ball described the surrounding land use categories. He stated that the applicant is offering to install a Type B buffer to the north. The use of the property as a contractor's office is not considered a professional business or specialty retail

and staff finds that the Restricted Commercial General use would move further away from the goals of the Gibsonton Community Plan. Mr. Ball concluded his presentation by stating that staff does not support the request.

Ms. Yeneka Mills, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Mills stated that the subject property is within the Residential-4 Future Land Use classification and the Urban Service Area and the Gibsonton Community Plan. Ms. Mills testified that while the applicant has offered buffering and screening adjacent to the parcel to the north which is developed with single-family residential, the proposed use does not meet Policy 16.2 regarding the gradual transition of intensities between different land uses. She added that the site does not meet commercial locational criteria as it is over one mile from the intersection of East Bay Drive and Gibsonton Drive. Staff does not support the requested waiver due to compatibility concerns with the proposed use. The use is not consistent with the vision of the Gibsonton Community Plan regarding the creation of small professional businesses and specialty retail along Gibsonton Drive. Therefore, staff found that the proposed rezoning inconsistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. None replied.

Hearing Master Finch asked for members of the audience in opposition to the application. None replied.

Hearing Master Finch asked County staff if they would like to comment on Mr. Molloy's statement that the staff report finds that a contractor's office is not a professional office. Mr. Ball replied that he verified with the Planning Commission that the contractor's office did not qualify for the Gibsonton signature corridor.

Ms. Mills of the Planning Commission testified that the Planning Commission does not define land uses. She added that the Planning Commission's concerns pertained to the Community Plan standard for a small professional office and that a 25,000 square foot contractor's office is not small.

Mr. Grady of the Development Services Department testified that the proposed use does not meet the standard of the small business language found in the Comprehensive Plan. The statement within the Community Plan regarding redevelopment was not specifically tied to the subject property.

Mr. Molloy testified during the rebuttal period that the issue is a grey area in the Comprehensive Plan. The statements in the Gibsonton Community Plan are suggestions. He concluded his remarks by stating that the area is certainly not a scenic corridor currently and that a contractor's office is a good place to start.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Grady submitted revised Transportation Section review comments into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject property is 2.31 acres in size and is currently zoned Residential Show Business (RSB) and is designated Residential-4 (RES-4) by the Comprehensive Plan. The property is located within the Urban Service Area and the Gibsonton Community Planning Area.
2. The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district. The applicant has agreed to restrict the proposed use of the property to a contractor's office without open storage.
3. The Planning Commission staff does not support the request. The Planning Commission found that the site does not meet commercial locational criteria and does not support the waiver due to compatibility issues. Staff found that the request for a contractor's office does not provide a gradual transition of uses as required in Policy 16.2. Further, staff stated that the proposed 25,000 square foot contractor's office is not a small professional office which is encouraged by the Gibsonton Community Plan for the Gibsonton Drive corridor. Therefore, the Planning Commission found the application inconsistent with the Comprehensive Plan.
4. The Development Services Department also does not support the requested rezoning as it found that a contractor's office without open storage is not a professional business or specialty retail use which are the land uses encouraged by the Gibsonton Community Plan.
5. The subject property is located in an area comprised of both single-family residential and show business repair and storage facilities. The surrounding zoning districts are AS-1 to the north, PD to the south (single-family homes) and RSB to the east and west.

6. The Goal 4b of the Gibsonton Community Plan states that Gibsonton Drive should be designated as a signature corridor which will encourage small scale business development and beautification.
7. A 25,000 square foot contractor's office does not meet the intent of the Gibsonton Community Plan for a small scale business.
8. While there is Commercial Neighborhood (CN) and Commercial General (CG) zoning to the east of the subject property where Gibsonton Drive intersects with Alafia Street, the subject property does not meet commercial locational criteria and the Planning Commission does not support the requested waiver due to compatibility concerns.
9. The request for the CG-R zoning district on the subject property does not meet the intent of the Gibsonton Community Plan regarding the encouragement of small businesses along the Gibsonton Drive corridor and the property does not meet commercial locational criteria which is inconsistent with the Comprehensive Plan.

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

The rezoning request is not in compliance with and does not further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is not substantial competent evidence to demonstrate that the requested rezoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

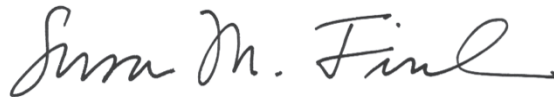
The applicant is requesting a rezoning to the CG-R zoning district. The property is 2.31 acres in size and is currently zoned RSB and designated RES-4 by the Comprehensive Plan. The property is located in the Urban Service Area and the Gibsonton Community Plan.

The Planning Commission found the request incompatible with the Gibsonton Community Plan which encourages the development of small businesses along the Gibsonton Drive corridor. Staff stated that a 25,000 square foot contractor's office did not represent a small business. Staff also found that the site does not meet commercial locational criteria and does not support the requested waiver due to compatibility concerns of the proposed land use.

The request for the CG-R zoning district on the subject property is incompatible with the surrounding development pattern and the Gibsonton Community Plan.

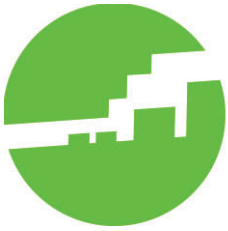
RECOMMENDATION

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

A handwritten signature in black ink that reads "Susan M. Finch". The signature is written in a cursive style with a large, flowing "S" and "F".

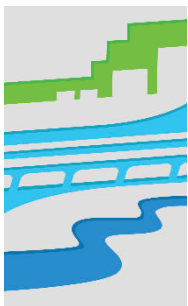
**Susan M. Finch, AICP
Land Use Hearing Officer**

Date January 05, 2022



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: December 13, 2021 Report Prepared: December 3, 2021	Petition: 21-1208 7519 Gibsonton Drive <i>North side of Gibsonton Drive and west of Alafia Street</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan:	Gibsonton Community Plan
Requested Zoning:	Residential Show Business (RSB) to Commercial General- Restricted (CG-R)
Parcel Size (Approx.):	2.3 +/- acres
Street Functional Classification:	Gibsonton Drive – County Arterial Alafia Street- Local
Locational Criteria	Does not meet Locational Criteria
Evacuation Zone	The subject property is within Evacuation Zone A



Context

- The vacant 2.3 +/- acre subject site is located on the north side of Gibsonton Drive, west of Alafia Street. The site is located within the Urban Service Area and falls within the limits of the Gibsonton Community Plan. The subject site is within the Coastal High Hazard Area.
- The subject site is designated as Residential-4 (RES-4) on the Future Land Use Map. Typical allowable uses within the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses shall meet locational criteria for specific land use. RES-4 is located to the north, west and east of the site. Residential-6 (RES-6) is located to the south of the site.
- The subject site are parcels directly to the east and west are currently zoned Residential Show Business (RSB) To the north is designated Agricultural Single Family-1 (AS-1) and to the south across Gibsonton Drive is designated Planned Development. All of the parcels adjacent to the site have a residential land use with developed with either single family or multi-family residential.
- The applicant is requesting to rezone the parcel from Agricultural Single-Family - 1 (AS-1) to Commercial General (CG-R). The request is restricted to the single use of a Contractor's Office.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

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.*

Neighborhood/Community Development

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

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

Policy 16.2: *Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.*

Policy 16.3: *Development and redevelopment shall be integrated with the adjacent land uses through:*

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

Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Neighborhood and Community Serving Uses

Objective 17: Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

Policy 17.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Commercial-Locational Criteria

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

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

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

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

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital

Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Policy 22.7: *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.*

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.*

Livable Communities Element – Gibsonton Community Plan

Gibsonton Drive, the “Signature Corridor”, promotes home-based and specialty retail businesses and offices within “Main Street” design guidelines.

Goal 4a: *Gibsonton will enjoy appropriately-scaled commercial development by:*

- *Designate Gibsonton Drive as a “signature corridor” to encourage small scale business development and beautification.*
- *Prepare and carry-out a redevelopment plan for residential properties having frontage along Gibsonton Drive to allow small business, professional office and specialty neighborhood retail uses. Develop a special zoning district and/or specific criteria that support rather than obstruct small businesses and offices along Gibsonton Drive. Incorporate a minimum standard of landscaping consistent with Gibsonton Drive’s “signature corridor” status for office and special retail-oriented development.*

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the subject site from Agricultural Single-Family - 1 (AS-1) to Commercial General-Restricted (CG-R) to develop a contractor's office.

Future Land Use Element (FLUE) Objective 16 and its accompanying policies require the protection of existing neighborhoods through various instruments, such as buffering and screening (FLUE Policies 16.1, 16.3). The applicant revised the narrative to offer buffering and screening to the adjacent parcel to the north, which is developed with single family residential, however the proposed rezoning still does not meet the specific criteria of FLUE Policy 16.2 which identifies the use of gradual transitions of intensities between different land uses. With an acreage of 2.3 acres and an FAR of 0.25, the site could be considered for over 25,000 square feet on non-residential development, which is too intense. The mitigation measures would likely not be able to achieve the degree of compatibility needed adjacent to residential uses.

FLUE Policy 16.1 includes language about limiting commercial development in residential land use categories to a neighborhood scale. The intent of this policy is to protect less intense uses, such as residential uses, and to locate more intensive uses in appropriate locations. A rezoning to CG-R would not support this policy direction

Additionally, the subject request does not meet Commercial Locational Criteria as outlined under Objective 22 of the Future Land Use Element. The subject property is located approximately 3000 feet east of the intersection of U.S. Highway 41 and Gibsonton Drive and is well over a mile from the intersection of East Bay Drive and Gibsonton Drive, both of which are qualifying intersections. This parcel's location does meet commercial locational criteria per FLUE Policy 22.1 and FLUE Policy 22.2. The applicant has requested a waiver to Commercial Locational Criteria; however Planning Commission staff does not suggest that the BOCC approve this request due to the compatibility concerns with the proposed use.

The proposed rezoning does not support the vision of the Gibsonton Community Plan, as stated in Goal 4a. This goal focuses on creating opportunities for small professional, businesses and specialty neighborhood retail along Gibsonton Drive and U.S. 41. Permitting this site to be rezoned to CG- Restricted is inconsistent with the Gibsonton Community Plan.

Overall, the proposed rezoning would allow for a development that is inconsistent with the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, as well as the Gibsonton Community Plan.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 21-1208

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Reads
- Parcels

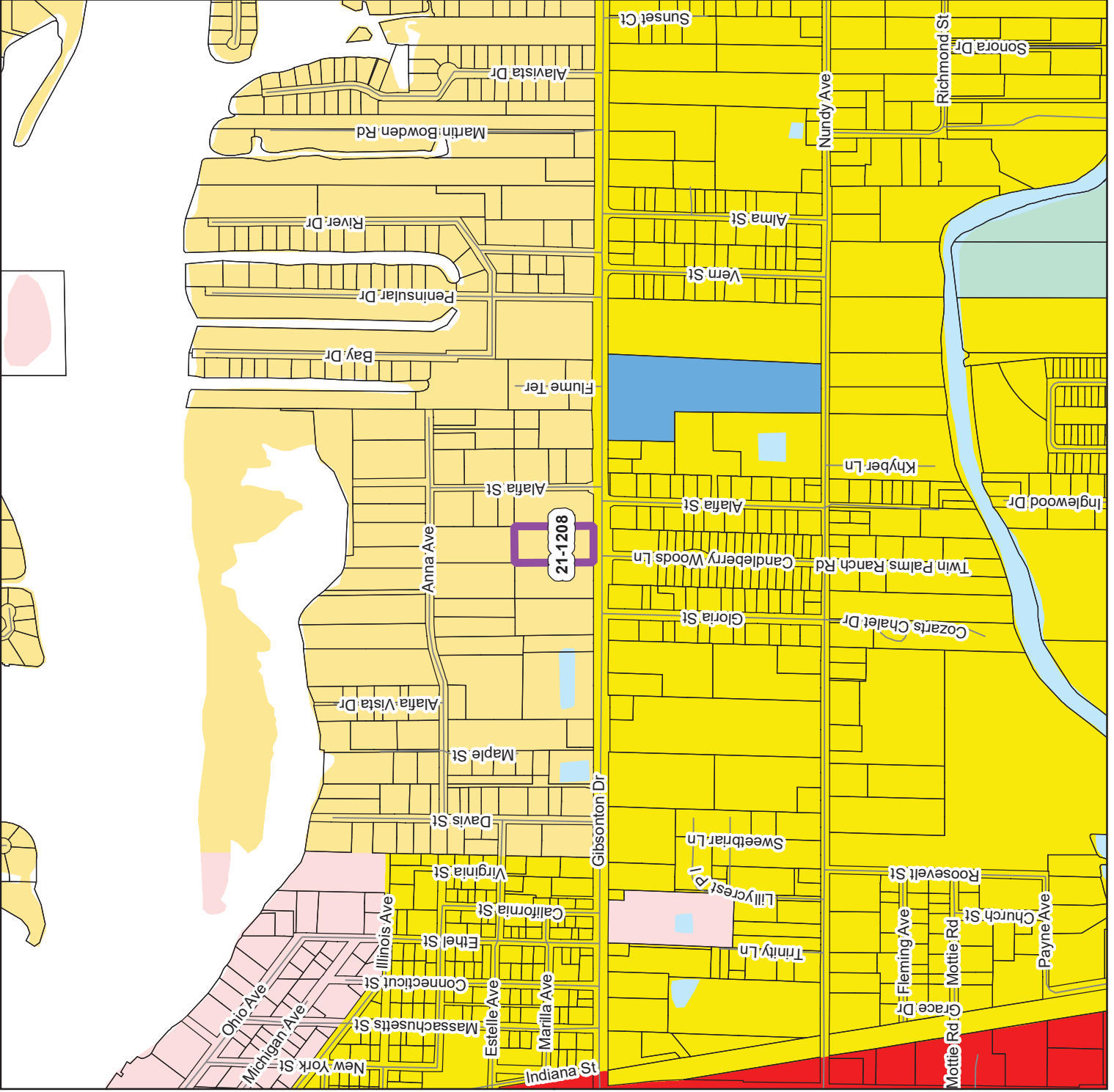
- WATER NATURAL LULC, Wet Pdry
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-RURAL-1/10 (.25 FAR)
- AGRICULTURAL-ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)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

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.

Map prepared by Hillsborough County Planning Commission staff for informational purposes only. The map is not intended to be used for any specific project or site. It is intended to provide a general overview of the rezoning process. Hillsborough County Planning Commission does not warrant the accuracy of the information shown on this map. Hillsborough County Planning Commission is not responsible for any errors or omissions on this map. The map is for informational purposes only. For the most current data and information, visit the appropriate website.

0 460 920 1,380 1,840 Feet

Map Printed from Rezoning System: 9/3/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\GReg_HzRezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Gibsonton/South

DATE: 10/05/2021
AGENCY/DEPT: Transportation
PETITION NO: STD 21-1208

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 3,598 average daily trips, 130 trips in the a.m. peak hour, and 94 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 2.3 acres from Show Business Overlay (RSB) to Commercial General (CG). The site is located +/- 0.6 miles east the of the intersection of Gibsonton Dr. and US Hwy 41. The Future Land Use designation of the site is RES-4.

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, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSB, 25,000sf Warehousing (ITE code 150)	167	23	26

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 10,000 sf Pharmacy/Drugstore with Drive Through Window (ITE Code 881)	1,092	38	103

CG, 10,000 sf Bank with Drive Through Window	318	24	40
CG, 5,000 Fast-Food Restaurant with Drive Through Window (ITE Code 934)	2,355	201	163
Subtotal:	3,765	263	306
<i>Less Internal Capture:</i>	<i>Not Available</i>	8	82
<i>Passerby Trips:</i>	<i>Not Available</i>	102	104
Net External Trips:	3,765	153	120

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+3,598	+130	+94

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 3,598 average daily trips, 130 trips in the a.m. peak hour, and 94 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Gibsonton Dr., a 4-lane, undivided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage of the subject site, Gibsonton Dr. lies within a range of +/- 85-foot-wide to +/- 95-foot-wide right-of-way. There are sidewalks on both of Gibsonton Dr. lanes in the vicinity proposed project and no bike lanes.

Gibsonton Dr. is not shown on the Hillsborough County Corridor Preservation Plan in the vicinity of the project.

SITE ACCESS

It is anticipated that access to the site will be from Gibsonton Dr. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
GIBSONTON DR	US HWY 41	I-75 N RAMP	D	C

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	Current Conditions	Select Future Improvements
Gibson Drive	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	167	23	26
Proposed	3,765	153	120
Difference (+/-)	+3,598	+130	+94

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

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

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

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

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 12/13/2021</p> <p>PETITION NO.: 21-1208</p> <p>EPC REVIEWER: Chris Stiens</p> <p>CONTACT INFORMATION: (813) 627-2600 X1225</p> <p>EMAIL: stiensc@epchc.org</p>	<p>COMMENT DATE: 12/9/2021</p> <p>PROPERTY ADDRESS: 7510 Gibsonton Dr, Gibsonton, FL 33534</p> <p>FOLIO #: 0498410000</p> <p>STR: 23-30S-19E</p>
<p>REQUESTED ZONING: RSB to CG-(R)</p>	
FINDINGS	
<p>WETLANDS PRESENT</p> <p>SITE INSPECTION DATE</p> <p>WETLAND LINE VALIDITY</p> <p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>YES</p> <p>10/1/2021</p> <p>Not Valid</p> <p>Wetland is located in the northwest corner of the property. Remnant swale is still partially in the landscape.</p>
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> • Buffer and Fence installation within the wetland areas are not authorized through this review. • Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. • The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. • Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ 	

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

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

INFORMATIONAL COMMENTS:

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

- The Rezoning, as proposed in the narrative (not depicted on the site plan), may result in wetland impacts for the fence and buffer construction in the wetland along the property boundary. The fence and buffer construction in the wetland has not been authorized by the Environmental Protection Commission (EPC). EPC staff recommends that the applicant clarifies that the proposed fence and buffer construction will be located outside of the approved wetland area to avoid impacts to the wetland. Separate, additional wetland permitting will be required if the proposed fence is located within the approved wetland area.
- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

cs/mst

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

PETITION NO.: STD21-1208 REVIEWED BY: Randy Rochelle DATE: 9/16/2021

FOLIO NO.: 49841.0000

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.

- A 20 inch water main exists (adjacent to the site), (approximately 60 feet from the site) and is located within the south Right-of-Way of Gibsonton Drive. 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 two funded CIP projects that are currently under construction, C32001 - South County Potable Water Repump Station Expansion and C32011 - Potable Water In-Line Booster Pump Station, and will need to be completed by the County prior to issuance of any building permits prior to June 1, 2022, that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.

- A 4 inch wastewater force main exists (adjacent to the site), (approximately _____ feet from the site) and is located within the north Right-of-Way of Gibsonton Drive. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

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

Statement of Record

The South County service area (generally south of the Alafia River) has seen significant customer growth over the recent past. As new customers are added to the system there is an increased demand for potable water that is causing delivery issues during certain periods of the year. The greatest demand for water occurs during the spring dry season, generally the months of March through May. During the dry season of 2021 the Water Resources Department was challenged to deliver water to the southern portions of the service area to meet customer expectations for pressure and flow. While Levels of Service per the Comprehensive Plan were met, customers complained of very low pressure during early morning hours. Efforts to increase flow and pressure to the south resulted in unacceptably high pressures in the north portions of the service area. The Florida Plumbing Code limits household pressure to 80 psi to prevent damage to plumbing and possible injury due to system failure. The Department had to balance the operational challenges of customer demand in the south with over pressurization in the north, and as a result, water pressure and flow in the South County service area remained unsatisfactory during the dry period of 2021.

As a result of demand challenges, the Department initiated several projects to improve pressure and flow to the south area. Two projects currently under construction CIP C32001 - South County Potable Water Repump Station Expansion and CIP C32011 - Potable Water In-Line Booster Pump will increase the delivery pressure to customers.

These projects are scheduled to be completed and operational prior to the 2022 dry season, and must demonstrate improved water delivery through the highest demand periods before additional connections to the system can be recommended during such dry season.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 27 Aug 2021

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

APPLICANT: William Molloy

PETITION NO: RZ-STD 21-1208

LOCATION: 7510 Gibsonton Dr.

FOLIO NO: 49841.0000

SEC: 23 TWN: 30 RNG: 19

- This agency has no comments.

- This agency has no objection.

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

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

COMMENTS: _____.



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER )
HEARINGS )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, December 13, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 10:10 p.m.

PLACE: Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 130
Clearwater, FL 33762
(800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
December 13, 2021
ZONING HEARING MASTER: SUSAN FINCH

C1:
Application Number: RZ-STD 21-1208
Applicant: Graceland Real Estate
Investment Corp.
Location: N side of Gibsonton Dr. & 280'
W of Alafia St.
Folio Number: 049841.0000
Acreage: 2.31 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSB
Request: Rezone to CG

**Note: Words in brackets [...] are a suggestion only
for what the speaker may have incorrectly
stated.

1 MR. GRADY: The next item is agenda item
2 C-1, Rezoning-Standard 21-1208. The applicant's
3 Graceland Real Estate Investment Corporation. The
4 request is to rezone from RSB to Commercial General
5 with Restrictions. Sam Bell [Ball] will provide
6 staff recommendations after presentation by the
7 applicant.

8 I will note that we did hand out a revised
9 transportation analysis that correctly reflects the
10 proposed use of the parcel, which the applicant has
11 restricted the contractor's office. I think
12 transportation will speak to that if you have any
13 questions regarding that. Thank you.

14 HEARING MASTER FINCH: Thank you.

15 Good evening.

16 MR. MOLLOY: Good evening. William Molloy,
17 325 South Boulevard, Tampa, Florida.

18 As Brian said, this request is a for a
19 Euclidean rezoning for Residential Show Business to
20 a highly restricted Commercial General use, that of
21 a contractor's office. We stipulated that would be
22 the sole intended use here. It's not a request for
23 blanket CG.

24 We've also entirely precluded outdoor storage
25 in this request, which makes it appropriate for the

1 CG category. It should make the request much less
2 intensive as well. I don't believe it's mentioned
3 in the staff report, but we are more than amenable
4 to Type B screening and buffering on the north,
5 east, and west sides of the project. Perhaps, even
6 on the street side if it's appropriate.

7 We presume, given all that, that this was
8 more than appropriate request and it may, in fact,
9 be a step down from the Residential Show Business
10 designation, which on Gibsonton Drive just seems to
11 encourage open storage and probably not the look
12 the County's looking for necessarily on Gibsonton
13 Drive.

14 The staff did find our request
15 inconsistent, and I have some philosophical
16 problems with Planning Commission's interpretation
17 of the Comp Plan to that end.

18 The first issue is locational criteria.
19 This project does not meet commercial locational
20 criteria, and the Planning Commission would not
21 support a waiver. Keep in mind, as I'm sure you
22 know, the locational criteria is fundamentally a
23 matter of keeping intensive uses at appropriate
24 transportation nodes.

25 In this case, the commercial use is that of

1 a contractor's office, and the only potential
2 vehicular impacts are really those of the
3 contractor, his employees, and maybe, perhaps, a
4 customer or two a day. This is not something that
5 captures drive-by traffic. It's not a destination
6 business. This functions as a Professional Office.
7 It simply doesn't fall into the BPO version of
8 offices.

9 Second, and to that end, while staff would
10 not support the locational -- or criteria waiver,
11 they published in the report Gibsonton Drive is
12 envisioned to be a signature corridor and developed
13 with small business, professional office, and
14 specialty neighborhood retail.

15 It goes on to say that part of the plan is
16 to prepare and carry out a redevelopment plan for
17 residential properties having frontage along
18 Gibsonton Drive to allow small businesses,
19 professional office, and specialty neighborhood
20 retail uses develop a zoning district and/or
21 specific criteria in support rather than obstruct
22 small business and offices.

23 That's from the Gibsonton Community Plan. I
24 find it hard to reconcile the need for locational
25 criteria and a waiver if the community plan calls

1 for offices and professional uses along Gibsonton
2 Drive.

3 One of these things is not like the other in
4 my mind. Going forward, I'd like to point out
5 reinforce that a contractor's office is a small
6 business. My client is an individual, not a
7 corporation. He runs a construction business. He
8 needs an office.

9 My client is licensed, bonded, insured
10 gentleman, which brings me my second major point
11 contention that per the staff report, and I quote,
12 a contractor's office without open storage is not
13 considered a professional business.

14 I've included here in my -- in my narrative
15 the definition for a contractor's office and a
16 professional service use -- this is out of the LDC.
17 I'm not going to read those definitions. I assume
18 they're part of the record, but they're lock step
19 together.

20 I realize to that end that and I'm
21 wordsmithing those two definitions, but I would
22 challenge anyone to explain to me how a
23 contractor's without any open storage is any
24 different than an engineer or a surveyor's office,
25 which would be allowable in this instance.

1 Contractors and their subs are regulated by
2 the state and more specifically by the Department
3 of Business and Professional Regulations. Those
4 are two words I cannot stress enough -- business
5 and professional. This is a business office. It's
6 a professional office.

7 And then, finally, I'd like to look at the
8 final justification for denial that being Section
9 5.2 of the staff report, which says furthermore
10 because the parcels along this stretch of Gibsonton
11 Drive are not uniformly zoned for commercial uses,
12 future rezoning of these parcels could occur as
13 envisioned by the Gibsonton Community Plan.

14 I am honestly not exactly sure what's that
15 supposed to mean, but I believe the gist of it is
16 that my client's property rights are tied to and
17 limited by the potential future use of nearby
18 parcels.

19 As a property owner myself, I have a
20 fundamental problem with that. I don't believe
21 that's a good planning. I don't believe that's the
22 intent of the Gibsonton plan.

23 Mr. Grady addressed the issue I have with
24 the traffic report, which was based on a worst case
25 scenario. It was quite pejorative the way it was

1 printed, but I believe it's been amended to now
2 reflect just the very limited use of a contractor's
3 office.

4 I apologize. I've only addressed the
5 negatives of this case, but it's kind of all I have
6 in front of me. So with that, I'll -- I'll rest
7 for now. Thank you.

8 HEARING MASTER FINCH: All right. Thank you
9 so much. I appreciate it. If you could please
10 sign in.

11 Development Services.

12 MR. BALL: Can you see my PowerPoint
13 presentation?

14 MR. GRADY: Yes, we can.

15 MR. BALL: Okay. Great. Thank you. Good
16 evening. Sam Ball, Development Services.

17 This request is to rezone a 2.31-acre site
18 located in the Gibsonton Community Plan area on the
19 north side of Gibsonton Drive. Approximately
20 250 feet west of Alafia Street from Residential
21 Show Business to Commercial General-Restricted.

22 The intent is to allow the property be used
23 for a contractor's office without outdoor storage.
24 Area uses consist of Residential Show Business and
25 Residential Development.

1 The site is within a Residential-4 Land Use
2 district, which allows up to nine dwelling units at
3 four dwelling units per acre or up to 100,439
4 square feet with a 0.25 maximum floor area ratio.

5 Typical Residential-4 uses include
6 residential, residential -- excuse me, suburban
7 scale neighborhood, commercial office uses, and
8 multipurpose projects.

9 Properties surrounding the site on the north
10 side of Gibsonton Drive are also Residential-4 and
11 the properties to the south of the Gibsonton Drive
12 are designated Residential-6.

13 The site is located along a signature
14 corridor in the Gibsonton Community Plan. The
15 applicant submitted a waiver to locational
16 criteria. However, the proposed contractor's
17 office was found to be inconsistent with the plan.

18 The zoning and land uses in the vicinity are
19 predominantly Residential and Residential Show
20 Businesses. The nearest property with Commercial
21 General zoning is approximately 210 feet to the
22 southwest -- excuse me, to the southeast, which has
23 a Residential-6 Future Land Use and about one-third
24 of the property is zoned Residential Single-Family
25 Conventional.

1 The property is also developed for
2 residential use. The properties to the north are
3 designated or zoned AS-1 and up to one dwelling per
4 acre.

5 The subject property and the Residential
6 Show Business zoned properties to the east and west
7 allow four dwellings per acre and the Planned
8 Development district across Gibsonton Drive to the
9 south was developed at 3.15-unit dwellings per
10 acre.

11 The applicant is proposing to limit the use
12 to a contractor's office without open storage. The
13 change in use would require site plan improvements
14 as well as some improvements to be in compliance
15 with the site.

16 The applicant is offering a Type B buffer to
17 the north, which would be the minimum buffer for
18 the change of use. The buffer on the north side of
19 the property will also be impacted by the wetlands
20 in the area.

21 Because the contractor's office is not
22 considered a professional business or specialty
23 retail, staff finds that the restricted Commercial
24 General zoning district would result in further
25 movement away from the goals of the Gibsonton

1 Community Plan.

2 Because the parcels along this stretch of
3 Gibsonton Drive are not uniformly zoned for
4 commercial use, the future rezoning of these
5 parcels could occur as envisioned through the
6 Gibsonton Community Plan.

7 Staff finds the request not supportable.
8 That concludes my presentation, and I'm available
9 for any questions.

10 HEARING MASTER FINCH: No questions at this
11 time. Thank you.

12 Planning Commission, please.

13 MS. MILLS: Yeneka Mills, Planning
14 Commission staff.

15 The subject property is located within the
16 Residential-4 Future Land Use classification, the
17 Urban Service Area, and the Gibsonton Community
18 Planning Area.

19 The Future Land Use Element Objective 16 and
20 its accompanying policies require the protection of
21 existing neighborhoods through various instruments,
22 such as buffering and screening as per Policy 16.1
23 and 16.3.

24 The applicant did revise the narrative to
25 offer buffering and screening to the adjacent

1 parcel to the north, which is developed with
2 single-family residential. However, the proposed
3 rezoning still does not meet the specific criteria
4 for Future Land Use Element Policy 16.2, which
5 identifies the use of gradual transitions of
6 intensities between different land uses.

7 Within an acreage of 2.3 acres and a FAR of
8 .25, the site could be considered for up to
9 25,000 square feet of nonresidential development,
10 which is too intense. The mitigation measures
11 would likely not be able to achieve the degree of
12 compatibility needed to the adjacent residential
13 uses.

14 Additionally, the subject request does not
15 meet commercial locational criteria as outlined
16 under Objective 22 of the Future Land Use Element.
17 The subject property is approximately 3,000 feet
18 east of the intersection of U.S. Highway 41 and
19 Gibsonton Drive. And it's well over a mile from
20 the intersection of East Bay Drive and Gibsonton
21 Drive.

22 This parcel's location does not meet
23 commercial locational criteria as per Policy 22.1
24 and Future Land Use Element 22.2. The applicant
25 has requested a waiver to commercial locational

1 criteria. However, Planning Commission staff does
2 not suggest that the BOCC approve the request due
3 to compatibility concerns with the proposed use.

4 The proposed rezoning also does not support
5 the vision of the Gibsonton Community Plan as
6 stated in goal 4-A. This goal focuses on creating
7 opportunities for small professional businesses and
8 specialty neighborhood retail along Gibsonton Drive
9 and U.S. 41.

10 Permitting the site to be zoned to CG-R is
11 inconsistent with the Gibsonton Community Plan.
12 And based on those considerations, Planning
13 Commission staff finds the proposed rezoning
14 inconsistent with the Future of Hillsborough
15 Comprehensive Plan. Thank you.

16 HEARING MASTER FINCH: Thank you. I
17 appreciate it.

18 All right. We'll call for anyone that would
19 like to speak in support? Anyone in favor of the
20 application? I don't think we have anyone online.
21 Correct?

22 All right. Seeing no one, anyone in
23 opposition to the application? No one.

24 All right. Mr. Grady or Mr. Ball, either
25 one, just a quick comment in response to

1 Mr. Molloy's concern about the staff report saying
2 that a contractor's office is not a professional
3 office, if we could just expound on that a little
4 bit for the record.

5 MR. BALL: This is Sam Ball, Development
6 Services.

7 I verified with the Planning Commission as
8 to the intent of whether or not the -- you know,
9 whether or not the intent of the plan would
10 consider the contractor's office within what was
11 part of the plan, as far as this specific use goes.

12 And they followed up with me saying that it
13 did not -- the use did not qualify basically for
14 that signature corridor.

15 HEARING MASTER FINCH: All right.
16 Mr. Grady, anything you'd like to add before I move
17 on?

18 MR. GRADY: Yeah. I think, again,
19 ultimately the issue is, is that -- you know, I'm
20 trying to look at the language, if you give me a
21 second again.

22 HEARING MASTER FINCH: Absolutely. I can
23 ask Ms. Mills while you're looking. If you just
24 want to add to that conversation about the
25 contractor's office not being a professional office

1 or meeting the intent of the Gibsonton Community
2 Plan. You can just expound on that a little bit.

3 MS. MILLS: Sure. I can expound on that.
4 Well, first, I'd like to clarify. Planning
5 Commission doesn't define uses as you will. I
6 think Planning Commission's major concern here in
7 our report -- I mention in my report is that a part
8 of our concern was small -- it says small
9 professional.

10 And I think to allow a business or
11 contractor's office that could be considered up to
12 25,000 square feet, I wouldn't necessarily consider
13 that small. And with this being a -- just a
14 standard rezoning, without us seeing any details,
15 that's where our -- that's where our challenges
16 was -- the language that's provided for us within
17 the Gibsonton Community Plan.

18 HEARING MASTER FINCH: All right. Thank you
19 so much.

20 Mr. Grady, anything else?

21 MR. GRADY: Yeah. I would say certainly, I
22 think, what staff is intending to do is sort of,
23 again, in recognition of the discussion regarding
24 consistency with the Comprehensive Plan sort of
25 addressing concurrence that, you know, based on

1 those language in the Code, that this was not
2 falling within that metric.

3 Yeah, certainly, small business was -- the
4 fact that it says it didn't reference small
5 professional business certainly is a clarification
6 that's appropriate given that's the language within
7 the Comprehensive Plan.

8 Again -- and I would also note that the
9 further language talking about future rezonings,
10 the intent was that discussing about the other
11 properties within the corridor, how there's
12 opportunities for redevelopment consistent
13 within -- within this corridor, consistent with the
14 intent of the community plan for the various
15 properties along the corridor.

16 So there's opportunities for -- for
17 rezonings consistent with that -- the community
18 plan along that corridor. That was the intent of
19 that statement. It wasn't specifically tied to
20 this property. It was just saying you're looking
21 at the corridor. There's clearly opportunities for
22 redevelopment in accordance with the community
23 plan.

24 HEARING MASTER FINCH: All right.

25 Understood. Thank you for that. I appreciate it.

1 All right. We'll go back to Mr. Molloy.

2 You have five minutes for rebuttal.

3 MR. MOLLOY: William Molloy, again, for the
4 record.

5 I don't think there's anything substantive I
6 can add. There's no reason to pile it on about
7 small business and professionalism, et cetera, et
8 cetera. This is I think -- I'd like to think a
9 gray area in the Comp Plan that's been interpreted
10 one way and my interpretation strongly differs.

11 I hate to also vocalize this. We rarely
12 have to, but the Gibsonton Community Plan, as I
13 understand it, is a suggestion. It's a "you
14 should." It's not a "you shall."

15 And I think we're very much in line with
16 what it envisions for a scenic corridor or what
17 have you. It's certainly not a scenic corridor
18 right now. Maybe a new contractor's office is a
19 good place to start. I'm not sure.

20 But again I think this is -- this request
21 has some flexibility, some gray area, and I'd be
22 very much appreciated if we can see it in what I
23 consider a good planning light, which is to allow
24 this project to go forward.

25 HEARING MASTER FINCH: All right. Thank you

1 for that.

2 And with that, we'll close Rezoning 21-1208
3 and go to the next case.

4 MR. GRADY: The next case is agenda item
5 C-2, Rezoning-Standard 22-0025. The applicant is
6 Yaismel Hernandez. The request is to rezone from
7 AI to M, Manufacturing.

8 Sam Bell [Ball] will provide staff
9 recommendation after presentation by the applicant.

10 HEARING MASTER FINCH: Is the applicant
11 here? Okay. Is the applicant here, agenda item
12 C-1 -- no, I'm sorry. Agenda item C-2, Rezoning
13 22-0025, is the applicant in the room? All right.
14 And not online. Correct? No. All right.

15 MR. GRADY: We can try to get in contact
16 with the applicant, and we'll move on to the next
17 one.

18 HEARING MASTER FINCH: All right. We'll
19 come back to that. Then let's hold that and go to
20 the next case.

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1 This application is out of order to be heard and is
2 being continued to the December 13, 2021, Zoning
3 Hearing Master Hearing.

4 Item A-16, Rezoning-PD 21-1092. This
5 application is out of order to be heard and is
6 being continued to the December 13, 2021, Zoning
7 Hearing Master Hearing.

8 Item A-17, Major Mod Application 21-1106.
9 This application is being continued by the
10 applicant to the December 13, 2021, Zoning Hearing
11 Master Hearing.

12 Item A-18, Major Mod Application 21-1108.
13 This application is being continued by the
14 applicant to the December 13, 2021, Zoning Hearing
15 Master Hearing.

16 Item A-19, Major Mod Application 21-1196.
17 This application is out of order to be heard and is
18 being continued to the December 13, 2021, Zoning
19 Hearing Master Hearing.

20 Item A-20, Rezoning Standard 21-1208. This
21 application is out of order to be heard and is
22 being continued to the December 13, 2021, Zoning
23 Hearing Master Hearing.

24 Item A-21, Major Mod Application 21-1222.
25 This application is being withdrawn from the Zoning

1 Rezoning-PD 21-1076 is being withdrawn.

2 Item A-17, Major Mod Application 21-1090.

3 This application is being continued by the
4 applicant to November 15, 2021, Zoning Hearing
5 Master Hearing.

6 Item A-18, Rezoning-PD 21-1092. This
7 application is continued by the applicant to the
8 November 15, 2021, Zoning Hearing Master Hearing.

9 Item A-19, Major Mod Application 21-1106.
10 This application is being continued by the
11 applicant to the November 15, 2021, Zoning Hearing
12 Master Hearing.

13 Item A-20, Major Mod Application 21-1108.
14 This application is out of order to be heard and is
15 being continued to the November 15, 2021, Zoning
16 Hearing Master Hearing.

17 Item A-21, Rezoning-Standard 21-1193. This
18 application is being withdrawn from the Zoning
19 Hearing Master process.

20 And item A-22, Rezoning-Standard 21-1208.
21 This application is being continued by the
22 applicant to the November 15, 2021, Zoning Hearing
23 Master Hearing.

24 That concludes all withdrawals and
25 continuances.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

APPLICATION # RZ 21-0222	PLEASE PRINT NAME <u>M.D. FORNER</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

APPLICATION # RZ 21-0222	PLEASE PRINT NAME <u>MICHAEL YATES</u>
	MAILING ADDRESS <u>PAUL TRAFFIC 400 N Tampa St, 15th FL</u>
	CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-359-8341</u>

APPLICATION # RZ 21-0222 VS	PLEASE PRINT NAME <u>Rebecca Williams</u>
	MAILING ADDRESS <u>5321 Watson Rd</u>
	CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE _____

APPLICATION # RZ 21-1208	PLEASE PRINT NAME <u>William Molloy</u>
	MAILING ADDRESS <u>325 S Blvd</u>
	CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33206</u> PHONE <u>813-251-7157</u>

APPLICATION # RZ 22-0069	PLEASE PRINT NAME <u>M.D. FORNER</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

APPLICATION # RZ 22-0070	PLEASE PRINT NAME <u>M.D. FORNER, AICP</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

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

PAGE 2 OF 4

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION # RZ 21-0626</p>	<p>PLEASE PRINT NAME <u>FRANCISCO D. OTERO-BRISQ</u></p> <p>MAILING ADDRESS <u>13014 N. DALE MARY HWY #602</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813-517-6828</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>John Grandoff</u></p> <p>MAILING ADDRESS <u>3700 Bayly Avenue Area</u></p> <p>CITY <u>Tam</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>227-8445</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>Maia L. Alvarez-Garcia</u></p> <p>MAILING ADDRESS <u>6920 Silver Sage Cr.</u></p> <p>CITY <u>Tampa</u> STATE <u>F</u> ZIP <u>33609</u> PHONE <u>813 749-5620</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>HUNG PHAM</u></p> <p>MAILING ADDRESS <u>6929 SILVER SAGE CIR</u></p> <p>CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>727-336-9056</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>MARHENA RUTGL</u></p> <p>MAILING ADDRESS <u>6906 Silver Sage Cir</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>814-592-5849</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>Maulik. Patel</u></p> <p>MAILING ADDRESS <u>6902- Silver Sage Cir</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>927-698-0097</u></p>

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>Bhadrash Pater</u> MAILING ADDRESS <u>6916 Silver Sage Cir</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>570 220-4687</u></p>
<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>Hong Nhung Pham</u> MAILING ADDRESS <u>6929 Silver Sage Circle</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>(803) 873-4754</u></p>
<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>maleia Storum</u> MAILING ADDRESS <u>1410 N. Westshore Blvd</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-642-4924</u></p>
<p>APPLICATION # <u>MM 21-1090</u></p>	<p>PLEASE PRINT NAME <u>Michael Brooks</u> MAILING ADDRESS <u>400 N. Tampa St. Unit 1910</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____</p>
<p>APPLICATION # <u>RZ 21-1092</u></p>	<p>PLEASE PRINT NAME <u>TYLER HUDSON</u> MAILING ADDRESS <u>400 N. Ashby Dr. #1100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>21-9600</u></p>
<p>APPLICATION # <u>RZ 21-1196</u></p>	<p>PLEASE PRINT NAME <u>Brim Angst</u> MAILING ADDRESS <u>625 Court St. CLW, pa</u> CITY <u>CLW</u> STATE <u>FL</u> ZIP <u>33756</u> PHONE <u>727-491-8966</u></p>

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION #</p> <p><u>RZ 21-1235</u></p>	<p>PLEASE PRINT NAME <u>MICHAEL W. HOFFMAN</u></p> <p>MAILING ADDRESS <u>2651 NARMEA WAY UNIT 102</u></p> <p>CITY <u>LAND O LAKES</u> STATE <u>FL</u> ZIP <u>34638</u> PHONE <u>321-794-6465</u></p>
<p>APPLICATION #</p> <p><u>RZ 21-1341</u></p>	<p>PLEASE PRINT NAME <u>J.D. ALSABBAGH</u></p> <p>MAILING ADDRESS <u>8370 W. HILLSBOROUGH AVE #205</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33615</u> PHONE <u>813 924-1704</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>

DECEMBER 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 13, 2021, at 6:00 p.m., held virtually.

📄 Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

📄 Brian Grady, Development Services, reviews changes/withdrawals/continuances.

C.5. RZ 22-0077

📄 Susan Finch, ZHM, announces continuation date for C.5.

📄 Brian Grady, Development Services, continues changes/withdrawals/continuances.

📄 Susan Finch, ZHM, overview of ZHM process.

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

📄 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 21-0222

📄 Brian Grady, Development Services, calls RZ 21-0222.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 Michael Yates and 📄 Michael Horner, applicant reps, answer ZHM questions and continue testimony.

📄 Steve Beachy, Development Services, staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Susan Finch, ZHM, questions Development Services.

MONDAY, DECEMBER 13, 2021

- James Ratliff, Development Services Transportation, answers ZHM.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Rebecca Williams, opponent, presents testimony.
- Susan Finch, ZHM, overview of ZHM process.
- Rebecca Williams, opponent, continues testimony.
- Susan Finch, ZHM, calls Development Services.
- James Ratliff, Development Services Transportation, answers ZHM.
- Susan Finch, ZHM, calls applicant rebuttal.
- Michael Horner and Michael Yates, applicant reps, provide rebuttal.
- Susan Finch, ZHM, closes RZ 21-0222.

C. REZONING STANDARD (RZ-STD) :

C.1. RZ 21-1208

- Brian Grady, Development Services, calls RZ 21-1208.
- William Molloy, applicant rep, presents testimony.
- Sam Ball, Development Services, staff report.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Susan Finch, ZHM, questions Development Services/Planning Commission.
- Sam Ball, Development Services, answers ZHM.
- Brian Grady, Development Services, statement for record.
- Yeneka Mills, Planning Commission, answers ZHM.
- Brian Grady, Development Services, answers ZHM.

DECEMBER 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 13, 2021, at 6:00 p.m., held virtually.

📄 Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

📄 Brian Grady, Development Services, reviews changes/withdrawals/continuances.

C.5. RZ 22-0077

📄 Susan Finch, ZHM, announces continuation date for C.5.

📄 Brian Grady, Development Services, continues changes/withdrawals/continuances.

📄 Susan Finch, ZHM, overview of ZHM process.

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

📄 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 21-0222

📄 Brian Grady, Development Services, calls RZ 21-0222.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 Michael Yates and 📄 Michael Horner, applicant reps, answer ZHM questions and continue testimony.

📄 Steve Beachy, Development Services, staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Susan Finch, ZHM, questions Development Services.

MONDAY, DECEMBER 13, 2021

- James Ratliff, Development Services Transportation, answers ZHM.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Rebecca Williams, opponent, presents testimony.
- Susan Finch, ZHM, overview of ZHM process.
- Rebecca Williams, opponent, continues testimony.
- Susan Finch, ZHM, calls Development Services.
- James Ratliff, Development Services Transportation, answers ZHM.
- Susan Finch, ZHM, calls applicant rebuttal.
- Michael Horner and Michael Yates, applicant reps, provide rebuttal.
- Susan Finch, ZHM, closes RZ 21-0222.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 21-1208

- Brian Grady, Development Services, calls RZ 21-1208.
- William Molloy, applicant rep, presents testimony.
- Sam Ball, Development Services, staff report.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Susan Finch, ZHM, questions Development Services/Planning Commission.
- Sam Ball, Development Services, answers ZHM.
- Brian Grady, Development Services, statement for record.
- Yeneka Mills, Planning Commission, answers ZHM.
- Brian Grady, Development Services, answers ZHM.

MONDAY, DECEMBER 13, 2021

📄 Susan Finch, ZHM, calls applicant rebuttal.

📄 William Molloy, applicant representative, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 21-1208.

C.2. RZ 22-0025

📄 Brian Grady, Development Services, calls RZ 22-0025.

📄 Susan Finch, ZHM, calls for applicant.

📄 Brian Grady, Development Services, statement for record.

📄 Susan Finch, ZHM, calls for next case.

📄 Brian Grady, Development Services, announces continuation date.

C.3. RZ 22-0069

📄 Brian Grady, Development Services, calls RZ 22-0069.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant representative.

📄 Michael Horner, applicant rep, answers ZHM.

📄 Chris Grandlienard, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 22-0069.

C.4. RZ 22-0070

📄 Brian Grady, Development Services, calls RZ 22-0070.

📄 Michael Horner, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

MONDAY, DECEMBER 13, 2021

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Michael Horner, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 22-0070.

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

D.1. RZ 21-0626

📄 Brian Grady, Development Services, calls RZ 21-0626.

📄 Francisco J. Otero-Cossio, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Francisco J. Otero-Cossio, applicant rep, answers ZHM.

📄 Michelle Heinrich, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Francisco J. Otero-Cossio, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 21-0626.

📄 Susan Finch, ZHM, breaks.

📄 Susan Finch, ZHM, resumes meeting.

D.2. MM 21-0884

📄 Brian Grady, Development Services, calls MM 21-0884 and statement for record.

📄 John Grandoff, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 John Grandoff, applicant rep, answers ZHM questions and continues testimony.

MONDAY, DECEMBER 13, 2021

- 📄 Tania C. Chapela, Development Services, staff report.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 Brian Grady, Development Services, answers ZHM.
- 📄 Susan Finch, ZHM, questions applicant.
- 📄 John Grandoff, applicant rep, answers ZHM.
- 📄 Tania C. Chapela, Development Services, continues staff report.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 Tania C. Chapela, Development Services, answers ZHM.
- 📄 Brian Grady, Development Services, answers ZHM.
- 📄 Yeneka Mills, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Maria L. Alvarez-Garcia, opponent, presents testimony.
- 📄 Hung Pham, opponent, presents testimony.
- 📄 Mahendra Patel, opponent, presents testimony.
- 📄 Maulik Patel, opponent, presents testimony.
- 📄 Bhadresh Patel, opponent, presents testimony.
- 📄 Hong Nhung Pham, opponent, presents testimony.
- 📄 Susan Finch, ZHM, calls Development Services.
- 📄 Brian Grady, Development Services, statement for record.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 James Ratliff, Development Services Transportation, answers ZHM.
- 📄 John Grandoff, applicant rep, provides rebuttal and questions Development Services.

MONDAY, DECEMBER 13, 2021

📄 Brian Grady, Development Services, answers applicant rep.

📄 John Grandoff, applicant rep, continues rebuttal.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Maleia Storum, applicant rep, answers ZHM.

📄 Brian Grady, Development Services, statement for record.

📄 Susan Finch, ZHM, closes MM 21-0884.

D.3. MM 21-1090

📄 Brian Grady, Development Services, calls MM 21-1090.

📄 Michael Brooks, applicant rep, presents testimony.

📄 Michelle Heinrich, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Michael Brooks, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, calls applicant rep/closes MM 21-1090.

D.4. RZ 21-1092

📄 Brian Grady, Development Services, calls RZ 21-1092.

📄 Tyler Hudson, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Tyler Hudson, applicant rep, answers ZHM.

📄 Tania C. Chapela, Development Services, staff report.

📄 Susan Finch, ZHM, questions Development Services.

📄 Tania C. Chapela, Development Services, answers ZHM.

MONDAY, DECEMBER 13, 2021

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

Tyler Hudson, applicant rep, provides rebuttal.

Susan Finch, ZHM, questions applicant rep.

Tyler Hudson, applicant rep, answers ZHM and continues rebuttal.

Susan Finch, ZHM, closes RZ 21-1092.

D.5. MM 21-1196

Brian Grady, Development Services, calls MM 21-1196.

Brian Aungst, applicant rep, presents testimony.

Tania C. Chapela, Development Services, staff report.

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes MM 21-1196.

D.6. RZ 21-1235

Brian Grady, Development Services, calls RZ 21-1235.

Michael Hoffman, applicant rep, presents testimony.

Susan Finch, ZHM, questions applicant rep.

Michael Hoffman, applicant rep, answers ZHM and continues testimony.

Michelle Heinrich, Development Services, staff report.

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-1235.

MONDAY, DECEMBER 13, 2021

D.7. RZ 21-1341

📄 Brian Grady, Development Services, calls RZ 21-1341 and statement for record.

📄 J.D. Alsabbagh, applicant rep, Oath and presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 J.D. Alsabbagh, applicant rep, answers ZHM and continues testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 J.D. Alsabbagh, applicant rep, answers ZHM.

📄 Sam Ball, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 21-1341.

ADJOURNMENT

📄 Susan Finch, ZHM, adjourns meeting.

Application No. 21-1208
 Name: Brian Grady
 Entered at Public Hearing: ZHM
 Exhibit # 1 Date: 12/13/2021

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 10/05/2021

Revised: 12/13/2021

REVIEWER: Alex Steady, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Gibsonton/South

PETITION NO: STD 21-1208

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 89 average daily trips, 19 trips in the a.m. peak hour, and 23 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 2.3 acres from Show Business Overlay (RSB) to Commercial General (CG/R). The applicant is proposing to restrict the zoning such that only Contractor's Office uses shall be permitted. The site is located +/- 0.6 miles east the of the intersection of Gibsonton Dr. and US Hwy 41. The Future Land Use designation of the site is RES-4.

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, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSB, 25,000 s.f. Warehousing (ITE code 150)	167	23	26

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM

CG/R, 25,000 s.f. Contractors Office (ITE Code 180)	256	42	49
--	-----	----	----

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 89	(+) 19	(+) 23

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Gibsonton Dr., a 4-lane, undivided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage of the subject site, Gibsonton Dr. lies within a range of +/- 85-foot-wide to +/- 95-foot-wide right-of-way. There are sidewalks on both of Gibsonton Dr. lanes in the vicinity proposed project and no bike lanes.

Gibsonton Dr. is not shown on the Hillsborough County Corridor Preservation Plan in the vicinity of the project.

SITE ACCESS

It is anticipated that access to the site will be from Gibsonton Dr. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
GIBSONTON DR	US HWY 41	I-75 N RAMP	D	C

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	Current Conditions	Select Future Improvements
Gibson Drive	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	167	23	26
Proposed	256	42	49
Difference (+/-)	(+) 89	(+) 19	(+) 23

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes: Access for Euclidean zoned properties are evaluated at the time of plat/site/construction plan review.

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

Notes: As this is for a Euclidean zoned property, access and site design will be revised at the time of plat/site/construction plan review. Any Administrative Variances or Design Exceptions requested will be adjudicated at that time concurrent with plat/site/construction plan review.

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No	Condition proffered by application regarding proposed use restriction.



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RECORD**

NONE