

**Rezoning Application:** PD 25-0145

**Zoning Hearing Master Date:** March 24, 2025

**BOCC Land Use Meeting Date:** May 13, 2025



**Hillsborough  
County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant: 10708 BRYAN LLC

FLU Category: UMU-20

Service Area: Urban

Site Acreage: Approximately 3.10 acres

Community  
Plan Area: Seffner Mango

Overlay: None



### Introduction Summary:

The applicant seeks to develop an approximately 3.10-acre unified development consisting of folio no. 65036.0000 located at the north side of Bryan Road north of the T-intersection of Estevez Lane. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of 108 multi-family affordable residential units.

UMU-20 allows a maximum of 20 dwelling units per acre for a total of 62 units. The applicant proposes an Affordable Density Bonus based on the Comprehensive Plan Bonus Affordable Housing to allow 35 dwelling units per acre. The Affordable Housing Density bonus would allow up to 35 du per acre as allowed in the RES-35 for a total of 108 units.

Zoning:	Existing	Proposed
District(s)	AR	Proposed
Typical General Use(s)	Single-Family Residential/Agricultural	Multifamily Residential
Acreage	3.10 acres	3.10 acres
Density/Intensity	1 unit per 5 acres	35 dwelling units per acre with Affordable Housing Density Bonus.
Mathematical Maximum*	0 units	108 units

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AR	PD
Setbacks/Buffering and Screening	Front: 50 ft. Side: 25 ft. Rear: 50 ft.	<u>Setbacks</u> West: 10'; North: 20'; South: 25'; East: 60' <u>Buffering &amp; Screening</u> West: 10'-wide buffer w/Type "A" Screening North (A): 10'-wide buffer w/Type "A" Screening East (A): 10'-wide buffer w/Type "A" Screening *Applicant proposes a 6'-masonry wall around north, east, & west perimeter.

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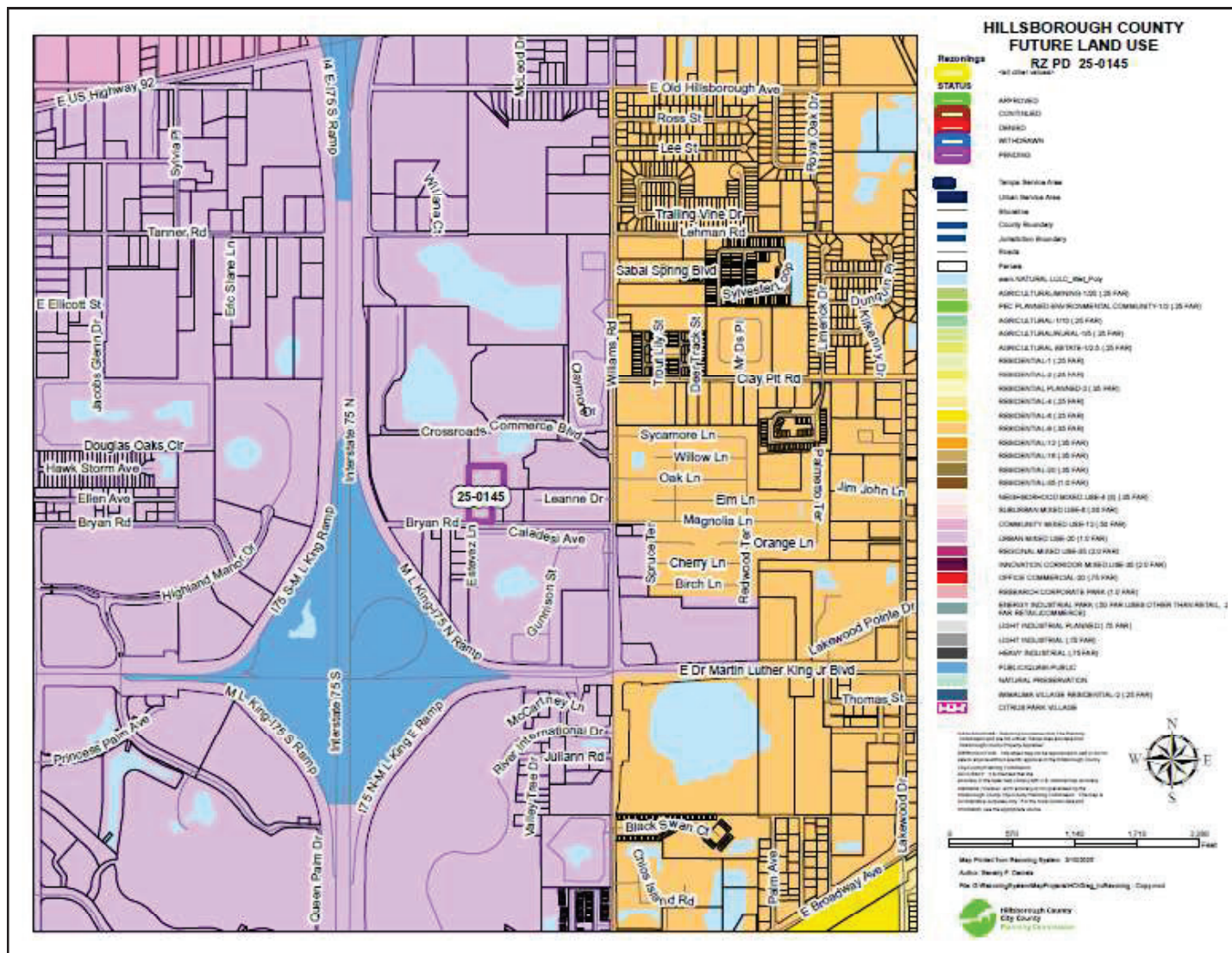
District(s)	AR	Proposed
Height	50 ft. Max. Ht.	45 ft. Max. Ht.
Additional Information:		
PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)	
Waiver(s) to the Land Development Code	None requested as part of this application.	
Planning Commission Recommendation: CONSISTENT		Development Services Recommendation: APPROVABLE, Subject to Conditions.





## 2.0 LAND USE MAP SET AND SUMMARY DATA

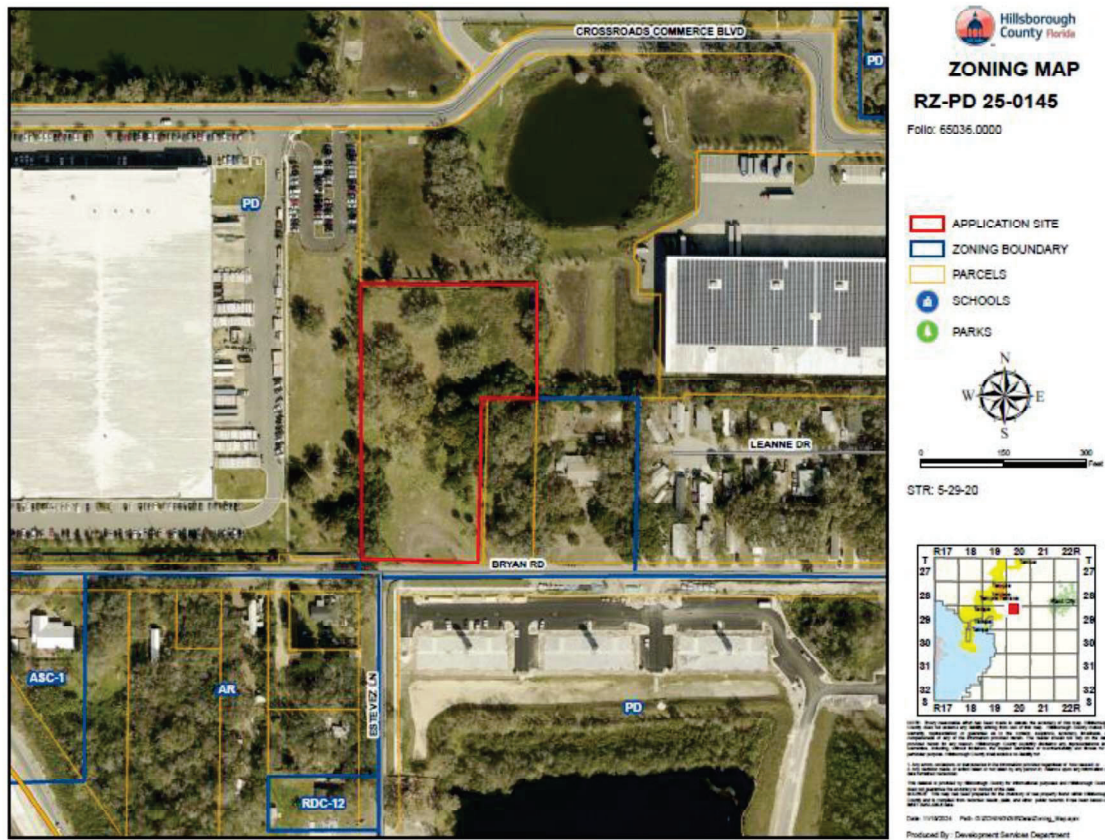
## 2.2 Future Land Use Map



Subject Site Future Land Use Category:	UMU-20
Maximum Density/F.A.R.:	Residential: 20 du/acre Maximum FAR: 1.0
Typical Uses:	Agricultural, residential, commercial, office, business park, research corporate park, light industrial, multi-purpose and/or mixed-use projects at appropriate locations.

## 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 Zoning District:	Allowable Use:	Existing Use:
North	PD 12-0196	0.20 FAR (Parcel B) 20 units per acre (Parcel B)	Parcel B: Office, (Commercial, hotels/motels, light industrial, warehouse, SF and multi-family uses via trade off)	Light Industrial and associated stormwater / retention ponds
South	Bryan Road & PD 20-0382	3.5 – 4.8 units/acre Commercial Max. FAR: 1.0 0.81	Option 1: SF / Comm. Option 2: MF / Comm. Option 3: MF / Park	Vacant
East	AR	1 unit per 5 acres	Agricultural / SF	Vacant and Single-family residential
	PD 12-0196	0.20 FAR (Parcel B) 20 units per acre (Parcel B)	Parcel B: Office, (Commercial, CG, hotels/motels, light industrial, warehouse, SF and multi-family uses via trade off)	Light Industrial

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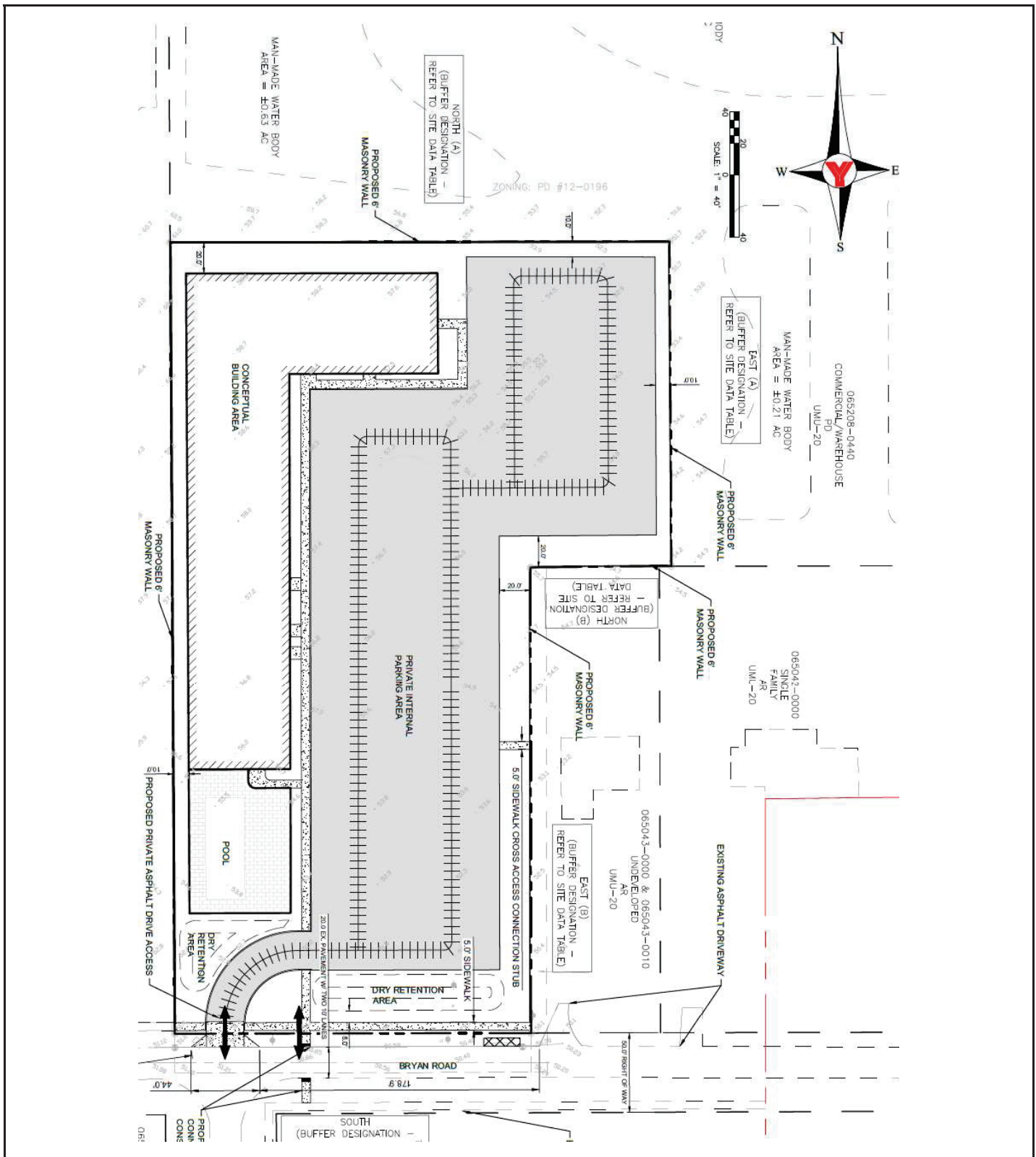
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West	PD 12-0196	0.20 FAR (Parcel B) 20 units per acre (Parcel B)	Parcel B: Office, (Commercial, CG, hotels/motels, light industrial, warehouse, SF and multi-family uses via trade off)	Western area, South of the designated "Land Use Restriction Line": Commercial  Northwest: Light Industrial
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**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 OF STAFF REPORT)**

<b>Adjoining Roadways (check if applicable)</b>			
Road Name	Classification	Current Conditions	Select Future Improvements
Bryan Rd.	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Williams Rd.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

<b>Project Trip Generation</b> <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	478	37	43
Difference (+/-)	+469	+36	+42

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

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

Notes: Due to Bryan Rd. being a dead-end road. The intersection with Williams Rd. is evaluated for site access.

<b>Design Exception/Administrative Variance</b> <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Bryan Rd./Substandard Roadway	Design Exception Requested	Approvable with Conditions

Notes:



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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat (Upland Wildlife Habitat Area) <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other: <u>Airport Height Restriction 130'</u>				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <input checked="" type="checkbox"/> Design Exc./Adm. Variance Previously Approved <input checked="" type="checkbox"/> Off-site Improvements Provided	<input 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	
<b>Service Area/ Water &amp; Wastewater</b> <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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" 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 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	
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$6,661 * 108 units = \$719,388 *** (See note in Summary below) Parks: \$1,555 * 108 units = \$167,940 School: \$3,891 * 108 units = \$429,948 Fire: \$249 * 108 units = \$ 26,892 Total Multi-Family (1-2 story) = \$1,344,168  Urban Mobility, Northeast Park/Fire - 108 MF units  *** mobility fees could be lower if project is an approved affordable housing development working with the affordable housing department. If Annual HH Income is less than 50% SHIP definition a unit as described above would have a rate of \$3,793 per unit.				

If Annual HH Income is between 50% - 80% SHIP definition a unit as described above would have a rate of \$4,453 per unit.

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The applicant seeks to develop an approximately 3.10-acre unified development consisting of one folio located at the north side of Bryan Road north of the T-intersection of Estevez Lane. The on-ramp from Dr. Martin Luther King, Jr. Blvd. is +/-850 feet west of the subject site; however, Bryan Road is a dead-end road with the subject property located approximately 650 feet to the road end to the west with +/-200 feet between the end of Bryan Road and the Interstate 75 on-ramp. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of 108 multi-family affordable residential units.

The immediate area on the north side of Bryan Road is approved (pursuant to Planned Development 12-0196) and developed with commercial and office type uses surrounding the entire north and west boundary of the property. North and west adjacent to the subject site is approved for up to a maximum of 650,000-sf hotel, light industrial warehouse uses and MF up to 20 du/acre. The immediate area east-southeast of the subject property are AR zoned properties, which are both vacant and developed with single-family homes.

The applicant proposes a maximum building height of 45 feet and requests relief from the two additional feet of setback for every foot over 20 feet in height compatibility setbacks from the property boundaries (50-foot setback in addition to the proposed buffer). The applicant states this is in part to facilitate the development of affordable housing. The applicant provides justification within the request narrative for support of relief including design features such as providing a 6-foot-high masonry wall surrounding all adjacent property boundaries excluding perimeter areas adjacent to a road right-of-way. The applicant notes substantial existing setbacks on the adjacent subject property which includes a +/-275-foot-wide area developed with a retention pond and surrounding green space to the north and +/-125-foot-wide green area to the west adjacent to the proposed location of the multi-family structure.

The applicant requests variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering) as follows.

#### West Property Boundary:

The applicant proposes a 10-foot-wide buffer w/Type "A" Screening. The required buffer is a 20-foot-wide buffer with Type "B" screening. In lieu of the Type "B" screening which requires additional vegetation, the applicant proposes a 6-foot-high masonry wall which is normally a Type "C" screening requirement along with additional vegetated screening. Staff notes that the property to the immediate west is located within PD 12-0196, designated as an area that does not allow industrial/warehouse uses immediately to the west as it is south of a designated "Land Use Restriction Line" which runs parallel to the subject site's north boundary line. There is an approximately 125-foot greenspace to the immediate west of the subject site. The applicant provides additional justification in their variation request.

#### North (A) Boundary:

The applicant proposes a 10-foot-wide buffer w/Type "A" Screening. The required buffer is a 30-foot-wide buffer

with Type “C” screening. The applicant proposes a 6-foot-high masonry wall which is normally a Type “C” screening requirement along with additional vegetated screening. The applicant provides additional justification in their variation request including that the subject property to the immediate north is an approximately 275-foot area developed with a retention pond and surrounding green space.

**East (A) Boundary:**

The applicant proposes a 10-foot-wide buffer w/Type “A” Screening. The required buffer is a 30-foot-wide buffer with Type “C” screening. The applicant proposes a 6-foot-high masonry wall which is normally a Type “C” screening requirement along with additional vegetated screening. The applicant provides additional justification in their variation request including that the subject property to the immediate west is an approximately has a substantial setback adjacent to the west property boundary.

Additional justification was included in the applicant’s submittal for the variations. Staff has reviewed the justification statement submitted by the applicant and finds they provided criteria responses per LDC Section 5.03.06.C.6. The Rezoning Hearing Master’s recommendation for this application is required to include a finding on whether the requested variance meets the criteria for approval.

The applicant has not requested any additional variations from the general site development requirements found in Parts 6.05.00, Parking and Loading; or 6.07.00, Fences and Walls of the Land Development Code. The application shall be required to be in compliance with all other requirements of the Hillsborough County Land Development Code.

**5.2 Recommendation**

Based on the above considerations, staff finds the request approvable, subject to conditions and authorization for the Director of the Affordable Housing Department to execute the attached Land Use Restriction Agreement.



Prior to site plan certification, the applicant shall complete the following:

1. Revise "Proposed Units: 109 dwelling units" to "Proposed Units: 108 dwelling units".
2. Revise "Maximum Building Coverage 70%" to "Maximum Building Coverage: 30%".

## 6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 5, 2025.

1. The project shall be developed in general conformance with the March 5, 2025, site plan and be limited to the following uses.

Multi-Family residential with no Affordable Housing Density Bonus: A maximum of 62 multifamily dwelling units.

Multi-Family residential with an Affordable Housing Density Bonus: 63 to a maximum of up to 108 multifamily dwelling units. The developer shall enter into a Land Use Restriction Agreement (LURA) with the Hillsborough County Affordable Housing Department which shall provide for implementation of the below criteria. The LURA shall be executed and recorded prior to any application for site development permits beyond 62 multi-family units. Development of more than 62 units shall comply with the following:

Twenty percent (20%) of the proposed units in the Project must be affordable to households making 100% or less of the area median income ("AMI") for a period of at least 30 years, with a minimum of 50% of the affordable units set aside for incomes at or below 60% AMI; and

The Affordable Units shall be intermixed with, and not segregated from, the Dwelling Units in the Project which are not designated as Affordable Units ("Market Rate Units"). At all times, the Affordable Units must be at least reasonably comparable in terms of size, features and number of bedrooms to the Market Rate Units. Eligible Households shall not be excluded from using common area amenities within the Project.

No Affordable Unit shall be occupied by the Owner or any person related to or affiliated with the Owner or the operator of the Project.

The Owner shall maintain complete and accurate income records pertaining to each Eligible Household occupying an Affordable Unit. These records must be updated annually and shall be maintained for at least six ( 6 ) years following the date of each such record.

The Owner shall, during the Affordability Period as defined herein, provide an Annual Report to the County's Affordable Housing Services Department ("Department") between May 1 and July 31 of each year, unless the Department, in its sole discretion, agrees in writing to a different reporting period. The Annual Report shall provide the following information regarding each Affordable Unit: (a) the unit address; (b) the number of persons residing in the Affordable Unit; (c) the Adjusted Gross Income of the persons residing in the Affordable Unit; (d) the monthly rent charged; and (e) any other information reasonably required to ensure compliance with this LURA and requested by the County. The Annual Report shall identify the dates of both the initial and the final certificates of occupancy for the Project.

2. The development shall comply with the standards shown on the March 5, 2025, site plan and the following development standards.
  - a. Minimum Front Yard Building (South) Setback: 60 feet
  - b. Minimum Rear (North) Building Setback: 20 feet
  - c. Minimum Side Yard Building (West) Setback: 20 feet
  - d. Minimum Side Yard Building Setback (East adjacent to Folio 65043.0000 & 65043.0010 and 65042.0000): 20 feet
  - e. Maximum building Coverage: 30%
  - f. Maximum Impervious Surface: 80%
  - g. Maximum Building Height: 45 feet\*

\*Height is not subject to the additional 2 feet for every foot over 20 feet per Section 6.01.01, endnote 8.
3. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code with the following exceptions.
  - The Western buffer shall be 10-feet width with Type "A" screening.
  - The Northern (A) buffer, as delineated on the site plan, shall be 10-feet width with Type "A" screening.
  - The Eastern (A) buffer, as delineated on the site plan, shall be 10-feet width with Type "A" screening.
  - Type A screening within the above referenced buffers shall consist of a 6-foot-tall masonry wall.
  - Type A screening within the above referenced buffers shall consist of a 6-foot-tall masonry wall.
  - Northern (B) and Eastern (B) buffers as delineated on the site plan, shall be 20-feet width with Type "C" screening.
4. The project shall be permitted one full access connection on Bryan Rd., as shown on the PD site plan.
5. With the initial increment of development, the developer shall construct a northbound to westbound left turn at the intersection of Williams Rd. and Bryan Rd.
6. A sidewalk is required along the project frontage.
7. Notwithstanding anything shown on the PD site plan, an internal sidewalk and ADA/pedestrian routes shall be provided consistent with County Land Development Code, Section 6.03.02.B.
8. If PD 25-0143 is approved, the County Engineer will approve the Design Exception (dated March 14, 2025, and found approvable with conditions on March 17, 2025), for E. 21st Ave. substandard road improvements. As E. 21st Ave. is a substandard roadway, the developer will be required to construct a pedestrian crossing and curb and gutter on Bryan Rd. consistent with the Design Exception. The County Engineer will approve the Design Exception with the condition that the crosswalk and appurtenances associated with the crosswalk shall be reviewed in accordance with Public Works requirements.
9. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
10. Construction access shall be limited to those locations shown on the PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

11. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval, unless otherwise stated herein.
12. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
13. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

**Zoning Administrator Sign Off:****SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

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



**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDNACE WITH HILLSBORO UGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

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

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## 7.0 ADDITIONAL INFORMATION / LAND USE RESTRICTION AGREEMENT

Prepared by and After Recording Return to:  
Hillsborough County Affordable Housing Services  
Attention: Director  
601 E. Kennedy Blvd. 24th Floor  
Tampa, FL 33602

Folio No.: \_\_\_\_\_

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(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

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**DECLARATION**  
**OF COVENANTS AND RESTRICTIONS**

*for*

**AFFORDABLE MULTI-FAMILY RENTAL UNITS THROUGH THE AFFORDABLE**  
**HOUSING DENSITY BONUS POLICY OF THE UNINCORPORATED**  
**HILLSBOROUGH COUNTY COMPREHENSIVE PLAN**

**THIS DECLARATION OF COVENANTS AND RESTRICTIONS**, also known as the Land Use Restriction Agreement, hereinafter referred to as the "LURA", is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the "Effective Date"), by and between Hillsborough County, a political subdivision of the State of Florida, hereinafter referred to as the "County", and \_\_\_\_\_, a \_\_\_\_\_ (state) \_\_\_\_\_ (corporate form) hereinafter referred to as "Owner".

**R E C I T A L S**

**WHEREAS**, the Owner is the owner in fee of that certain real property located in Hillsborough County, Florida, as legally described in **Exhibit "A"** attached hereto and incorporated herein by reference, hereinafter referred to as the "Property"; and

**WHEREAS**, the Owner seeks to rezone the Property from \_\_\_\_\_ to \_\_\_\_\_, and proposes to develop multifamily rental housing on the Property utilizing a density bonus (the "Project"), as generally depicted on the site plan submitted with rezoning application # \_\_\_\_\_, which rezoning was applied for in order to obtain approval for the Project; and

**WHEREAS**, rezoning # \_\_\_\_\_ proposes an increase in allowable dwelling units per acre from \_\_\_\_\_ to \_\_\_\_\_ pursuant to Objective 1.3 of the Housing Component of the Unincorporated Hillsborough County Comprehensive Plan (the "Density Bonus Policy"), which provides that the maximum residential density of a project may be increased when the purpose for the increase is to provide affordable housing for households of moderate or lower income; and



**WHEREAS**, under the Density Bonus Policy, twenty percent (20%) of the proposed units in the Project must be affordable to households making 100% or less of the area median income (“AMI”) for a period of at least 30 years, with a minimum of 50% of the affordable units set aside for incomes at or below 60% AMI; and

**WHEREAS**, the Density Bonus Policy provides that the bonus shall be memorialized in a Land Use Restriction Agreement; and

**WHEREAS**, in compliance with the provisions of the Density Bonus Policy and in order to obtain the additional dwelling units for the Owner’s Project, the Owner agrees to restrict at least 20% of the total number of residential units to be developed on the Property as affordable housing, as defined herein; and

**WHEREAS**, to maintain compliance with the Density Bonus Policy, the Owner and the County wish to ensure that the restricted units are maintained as affordable housing for a period of not less than thirty (30) years, regardless of any subsequent changes in ownership of the Property; and

**WHEREAS**, on \_\_\_\_\_, 2025, the Hillsborough County Board of County Commissioners approved the form of this LURA and delegated authority to execute the LURA to the County Administrator or designee.

**NOW, THEREFORE**, in consideration of the mutual covenants and undertakings set forth herein, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the County and the Owner do hereby contract and agree as follows:

1. RECITALS.

The recitals set forth above are true and correct and incorporated into this LURA by reference.

2. PROPERTY.

The Property subject to this LURA is further described in **Exhibit “A”**, attached hereto and incorporated herein by reference.

3. DEFINITIONS.

Unless otherwise expressly provided herein or unless the context clearly requires otherwise, the following terms shall have the respective meanings set forth below:

a. **“Adjusted Gross Income”** means all wages, assets, regular cash or noncash contributions or gifts from persons outside the Eligible Household, and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under s. 62 of the Internal Revenue Code.

b. “**Affordable**” means that monthly rents including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the annual median Adjusted Gross Income for an Eligible Household.

c. “**Affordable Unit**” or “**Affordable Units**” means those Dwelling Units that are Affordable to an Eligible Household. Affordable Unit(s) need not be limited to particular designated Dwelling Units within the Project but may be floating units that change over time. If the Project, as defined herein, is developed with the Maximum Number of Units, the number of Affordable Units within the Project shall be no fewer than \_\_\_\_\_ (\_\_\_\_) Affordable Units. Of the total number of Affordable Units within the Project, one-half of the units shall be affordable to Low Income Households.

d. “**Dwelling Units**” means the residential rental units within the Project, including Affordable Units and those units which are market-rate. The Project is approved for no more than \_\_\_\_\_ (\_\_\_\_) Dwelling Units (the “**Maximum Number of Units**”), of which at least 20 percent (20%) shall be Affordable Units.

e. “**Eligible Household(s)**” means one or more natural persons or a family, the total annual adjusted gross household income of which is at or below 100 percent (100%) of the median annual Adjusted Gross Income for households within the state or the Tampa-St. Petersburg-Clearwater Metropolitan Statistical Area, whichever is greater.

f. “**Low Income Household(s)**” is an Eligible Household with a total annual adjusted gross household income which is at or below sixty percent (60%) of the median annual Adjusted Gross Income for households within the state or the Tampa-St. Petersburg-Clearwater Metropolitan Statistical Area, whichever is greater.

g. “**Project**” means the multifamily rental housing development on the Property for which the Owner is applying to obtain rezoning approval from the County.

#### 4. USE AND OCCUPANCY OF THE PROPERTY.

The Owner shall comply with the following restrictions regarding the use and occupancy of the Project for the duration of the Affordability Period as defined and established in Section 5 hereof:

a. The Owner shall develop and maintain the Project as a multifamily rental housing development and shall rent and hold available for rental no fewer than twenty percent (20%) of the Dwelling Units as Affordable Units for rent exclusively to Eligible Households, with one-half the number of Affordable Units set aside for Low Income Households.

b. In order to receive a certificate of occupancy for a building within the Project containing Dwelling Units, the number of Affordable Units in the building must, at a minimum be greater than or equal to 20% of the Dwelling Units within that building.

c. For each Affordable Unit, the Owner shall be responsible for accepting rental applications and determining and verifying the Adjusted Gross Income of prospective tenants to ensure such tenants qualify as an Eligible Household. Adjusted Gross Income shall be calculated

by annualizing verified sources of income for the household as the amount of income to be received by the household during the 12 months following the effective date of determination.

d. Rents for all Affordable Units shall be Affordable to the Eligible Household occupying the Affordable Unit.

e. The Affordable Units shall be intermixed with, and not segregated from, the Dwelling Units in the Project which are not designated as Affordable Units (“**Market Rate Units**”). At all times, the Affordable Units must be at least reasonably comparable in terms of size, features and number of bedrooms to the Market Rate Units. Eligible Households shall not be excluded from using common area amenities within the Project.

f. No Affordable Unit shall be occupied by the Owner or any person related to or affiliated with the Owner or the operator of the Project.

5. AFFORDABILITY PERIOD.

The Affordability Period shall commence upon the issuance of the first certificate of occupancy for the Project, and end after a period of no less than thirty (30) years from the last certificate of occupancy for the Project.

6. RECORDS.

The Owner shall maintain complete and accurate income records pertaining to each Eligible Household occupying an Affordable Unit. These records must be updated annually and shall be maintained for at least six (6) years following the date of each such record.

At a minimum, Owner shall maintain the following records for each occupied Affordable Unit:

a. An Eligible Household’s complete application for tenancy and related information including the name of each household member, proof of identity, and employment, income and asset information for each household member;

b. A copy of the lease agreement listing the term of tenancy, the unit occupied, the rent, and identifying each tenant residing in the Affordable Unit;

c. Verification that the household is an Eligible Household as defined herein; and

d. Verification that the Eligible Household’s rent is Affordable as defined herein.

7. ANNUAL REPORT; MONITORING FEE.

a. The Owner shall, during the Affordability Period as defined herein, provide an Annual Report to the County’s Affordable Housing Services Department (“**Department**”) between May 1 and July 31 of each year, unless the Department, in its sole discretion, agrees in writing to a different reporting period. The Annual Report shall provide the following information regarding each Affordable Unit: (a) the unit address; (b) the number of persons residing in the Affordable Unit; (c) the Adjusted Gross Income of the persons residing in the Affordable Unit; (d) the monthly rent charged; and (e) any other information reasonably required to ensure compliance

with this LURA and requested by the County. The Annual Report shall identify the dates of both the initial and the final certificates of occupancy for the Project.

b. Subsequent to submittal of each Annual Report, the Department shall provide the Owner with a written fee statement for County's actual costs of monitoring the Project for the reporting period. The Owner shall pay the monitoring fee to the County within thirty (30) days of receipt of the fee statement. Failure to make a full and timely payment shall be a violation of this LURA, subject to the enforcement provisions of Section 11.

8. MAINTENANCE OF THE PROPERTY AND COMPLIANCE WITH APPLICABLE LAWS.

a. The Owner shall at all times operate the Project in conformity with all federal, state and local laws, rules, regulations, ordinances and orders which may be applicable to the Project, including but not limited to the Federal Fair Housing Act, as implemented by 24 CFR Part 100, the Florida Fair Housing Act, the Americans with Disabilities Act of 1990, and the Florida Americans with Disabilities Accessibility Implementation Act, as amended.

b. The Owner shall maintain the Project and the Property in a condition which is consistent with the County's Land Development Code and Property Maintenance Code (Hillsborough County Code of Laws and Ordinances, Part A, Chapter 8, Article IV).

9. MONITORING AND INSPECTION.

The Owner shall permit the County or its designee to inspect all records, in person or virtually, including but not limited to financial statements and rental records, pertaining to Affordable Units upon reasonable notice and within normal working hours, and shall submit to the County such documentation as required by the County to document compliance with this LURA. The County may, from time to time, make or cause to be made inspections of the Affordable Units and Project rental records to determine compliance with the conditions specified herein. The County shall notify the Owner prior to scheduled inspections, and the Owner shall make any and all necessary arrangements to facilitate the County's inspection. The County may make, or cause to be made, other reasonable entries upon and inspections of the Property, provided that the County shall give the Owner notice prior to any such inspection, specifying reasonable cause therefor related to the County's interest in enforcing this LURA.

10. COVENANTS RUN WITH THE LAND.

All conditions, covenants, and restrictions contained in this LURA shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by the County, its successors and assigns, against the Owner, its successors and assigns, to or of the Property or any portion thereof or any interest therein, and any party in possession or occupancy of said Property or portion thereof. Each and every contract, deed, or other instrument hereafter executed covering or conveying the Property or the Project or any portion thereof or interest therein shall conclusively be held to have been executed, delivered and accepted subject to such covenants, reservations and restrictions,



regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instruments. If a portion or portions of the Property or the Project are conveyed, all of such covenants, reservations and restrictions shall run to each portion of the Property or the Project. Prior to any transfer of interest in the Property or the Project, the Owner shall provide written notice to the County of the Owner's intent to transfer the Property or the Project in accordance with Section 17.

11. ENFORCEMENT.

If the Owner violates any of the terms and conditions of this LURA or breaches a restriction, warranty, covenant, obligation or duty set forth herein, and if such violation or breach remains uncured for a period of thirty (30) days after written notice thereof, the County shall be entitled, in its sole discretion, to any or all of the remedies described below:

a. If the County, by and through the Department, determines that the Owner has taken and diligently continues corrective action and that the breach cannot be corrected within the thirty (30) day period, the County may, in its sole discretion, allow the Owner up to six (6) months after first notice to cure the breach.

b. The County may institute and prosecute any proceeding at law or in equity to abate, prevent, or enjoin any such violation or attempted violation and to compel specific performance. The County shall be entitled to recover its costs and expenses and reasonable attorneys' fees in any such judicial proceeding where the County shall prevail.

c. The County may require that the Annual Report required pursuant to Section 7 hereof be provided quarterly for so long as the County deems reasonable and necessary.

d. In the event that the violation or breach requires that the County undertake additional monitoring of the Project, the County, in its sole discretion, may require the Owner to pay to the County a compliance monitoring fee for supplemental monitoring in the amount necessary to reimburse the County for performing such supplemental monitoring. This fee shall be in addition to, and distinct from, any reimbursement of costs and legal fees to which the County may be entitled as a result of judicial enforcement action and any fines payable to the County pursuant to Subsection 11.e. hereof and shall be payable without respect to whether the County undertakes or succeeds in judicial enforcement or code enforcement activities. The County's right to be compensated for additional monitoring shall, at the Department's discretion, extend for a period of up to two years following the most recent finding of noncompliance with this LURA. The County shall submit written fee statements to the Owner on a quarterly basis which shall be paid by the Owner within thirty (30) days of receipt.

e. The rezoning for this Project was approved by the County in consideration of the Owner's agreement to comply with the terms and conditions of this LURA for the duration of the Affordability Period. Therefore, a violation of the terms and conditions of this LURA constitutes a violation of the approved zoning for the Project and such violation may, at the election of the County, be enforced as provided in Chapter 162, Parts I and II, of the Florida Statutes and Part A, Chapter 14, Articles II and III, of the Hillsborough County Code of Laws and Ordinances, which,

among other remedies, would enable the County to impose fines or issue citations for noncompliance and to place liens on the Property. The Owner irrevocably consents to the jurisdiction of the Hillsborough County Code Enforcement Board and Hillsborough County Code Enforcement Special Magistrate for all purposes related to enforcement of this LURA and expressly waives any objection or defense to such jurisdiction.

f. The provisions hereof are imposed upon and made applicable to the land and shall run with the land and shall be enforceable against the Owner or any other person or entity that has or had an ownership interest in the Project at the time of such violation or attempted violation.

g. Any failure of the County to enforce this LURA shall not be deemed a waiver of the right to do so thereafter.

12. SUBORDINATION.

The Owner shall obtain and record in the official public records of Hillsborough County the written consent and subordination to this LURA and the requirements hereof of any prior recorded lienholder of record on the Property in a form substantially similar to that attached as **Exhibit “B”**. Copies of the executed and acknowledged lienholder’s consent(s), if any, shall be provided to the County for review and approval along with a current title opinion or property information report prior to the acceptance by the County of a preliminary site development plan application or site development construction plans for the Project.

13. REPRESENTATIONS AND WARRANTIES OF OWNER.

The Owner warrants and represents that:

a. The Owner has the full power, authority and capacity to enter into this LURA and to carry out the Owner’s obligations as described in this LURA; and

b. The execution and performance of this LURA by the Owner will not violate or, as applicable, has not violated any provision of any indenture, agreement, mortgage, mortgage note or other instrument to which the Owner is a party or by which it or the Property is bound, and will not result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature.

14. RELEASE.

The Owner hereby releases the County and the Hillsborough County Board of County Commissioners, and the respective agents and employees of the County and the Hillsborough County Board of County Commissioners, from and against any and claims, demands, damages, actions or causes of action, whether in law or in equity, which the Owner has or may have, by reason of the Owner’s decision to proceed with the Project in reliance on this LURA.

15. RECORDATION, EFFECTIVE DATE AND DURATION.

a. This LURA and any amendments hereto shall be recorded by the County in the Official Public Records of Hillsborough County, Florida, and the County shall pay all fees and charges incurred in connection therewith.

b. This LURA shall become effective as of the Effective Date set forth above and upon recording of this LURA in the Official Public Records of Hillsborough County, Florida.

c. This LURA and the restrictions provided herein shall run with the Property and shall remain in effect until the termination of the Affordability Period.

d. Upon conclusion of the Affordability Period, the covenants herein shall be deemed satisfactory complied with unless documents properly and timely recorded with the Hillsborough County Clerk of the Circuit Court indicate otherwise, and the County and the Owner will execute a recordable document further evidencing such termination.

16. MODIFICATION OF AGREEMENT.

The County and its successors and assigns and Owner and the successors and assigns of Owner in and to all or any part of the fee title to the Property, shall have the right to consent and agree to changes in, or to eliminate in whole or in part, any of the covenants, conditions, or restrictions contained in this LURA without the consent of any tenant, lessee, easement holder, licensee, mortgagee, trustee, beneficiary under a deed of trust, or any other person or entity having any interest less than a fee in the Property. Any amendment or modification to this LURA must be in writing and signed by the County and the Owner, or their successors and assigns.

The County and Owner, and their respective successors and assigns, agree to amend or modify this LURA in the event that subsequent changes in state or federal law require such amendments or modifications.

17. NOTICE.

All notices which may be given pursuant to this LURA shall be in writing and shall be delivered by personal service or by certified mail return receipt requested addressed to the parties at their respective addresses indicated below or as the same may be changed in writing from time to time.

**COUNTY:**

Attn: Director  
Hillsborough County  
Affordable Housing Services Department  
P.O. Box 1110  
Tampa, FL 33601

**OWNER:**

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

18. SEVERABILITY.

If any provision hereof shall be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining portions hereof shall not in any way be affected or impaired thereby.

19. ENTIRE AGREEMENT.

This LURA together with the Exhibits embodies the entire agreement and understanding between the parties hereto and there are no other agreements and/or understandings, oral or written, with respect to the subject matter hereof, that are not merged herein and superseded hereby.

20. VENUE AND GOVERNING LAW.

Each party covenants and agrees that any and all legal actions arising out of or connected with this LURA shall be instituted in the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida, or in the United States District Court for the Middle District of Florida, as the exclusive forums and venues for any such action, subject to any right of either party to removal from state court to federal court, which is hereby reserved, and each party further covenants and agrees that it will not institute any action in any other forum or venue and hereby consents to immediate dismissal or transfer of any such action instituted in any other forum or venue. This LURA is entered into within, and with reference to the internal laws of, the State of Florida, and shall be governed, construed, and applied in accordance with the internal laws (excluding conflicts of law) of the State of Florida.

21. MULTIPLE COUNTERPARTS.

This LURA may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

22. ELECTRONIC SIGNATURES AUTHORIZED.

The County and the Owner agree that this LURA and all documents associated with the transaction contemplated herein may be executed by electronic signature in a manner that complies with Chapter 668, Florida Statutes, and as approved by the Hillsborough County Board of County Commissioners in Resolution R15-025 on February 4, 2015.

**THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

**IN WITNESS HERETO**, the parties herein have caused this LURA to be executed at the place and on the day specified hereinabove.

**HILLSBOROUGH COUNTY, FLORIDA**

Signed, sealed and  
delivered in the presence  
of:

By: \_\_\_\_\_  
County Administrator/Designee

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name typed or printed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name typed or printed

**STATE OF FLORIDA                    )**  
**COUNTY OF HILLSBOROUGH        )**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_(date) by \_\_\_\_\_ (name of officer or agent, title of officer or agent) as Hillsborough County Administrator or their designee, on behalf of the County. He/she is personally known to me or has produced \_\_\_\_\_(type of identification) as identification.

[Notary Seal]

Notary Public

\_\_\_\_\_  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

**OWNER:**



Signed, sealed and  
delivered in the presence  
of:

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name printed or typed

\_\_\_\_\_  
[Name, Title]  
[Organization]

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name typed or printed

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of officer or agent, title of officer or agent) of \_\_\_\_\_ (name of company acknowledging) , a \_\_\_\_\_ (state or place of incorporation) company, on behalf of the company. He/she is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A**  
**to**  
**LAND USE RESTRICTION AGREEMENT**  
**LEGAL DESCRIPTION**

**Folio:**

**Address:**

**Legal Description:**

**EXHIBIT B**  
**to**  
**LAND USE RESTRICTION AGREEMENT**  
**CONSENT AND SUBORDINATION OF LIENHOLDER**

Prepared by:  
[*name*]  
[*title, organization*]  
[*address*]

After Recording Return to:  
Hillsborough County Affordable Housing Services  
Attention: Director  
601 E. Kennedy Blvd. 24<sup>th</sup> Floor  
Tampa, FL 33602

Folio No.: \_\_\_\_\_

---

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

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**CONSENT AND SUBORDINATION OF LIENHOLDER**

The undersigned Lender hereby consents to the execution of the Declaration of Covenants and Restrictions ("LURA") by and between Hillsborough County, a political subdivision of the State of Florida, and \_\_\_\_\_, a \_\_\_\_\_ ("Owner") the owner of the property identified as Exhibit "A" to the LURA (the "Property"). A copy of the LURA is attached hereto as Exhibit "1".

The undersigned Lender hereby subordinates its lien(s) on the Property to the LURA and the covenants, conditions, and restrictions therein, such that a foreclosure (or the execution of an instrument in lieu of foreclosure) of the Lender's lien(s) shall not extinguish the LURA.

The Lender acknowledges and agrees, and this Consent and Subordination of Lienholder shall be recorded by the Owner in the official public records of Hillsborough County, Florida, and a copy of the recorded document shall be provided by the Owner to the Lender.

**LENDER:**

Signed, sealed and  
delivered in the presence  
of:

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name printed or typed

\_\_\_\_\_  
[Name, Title]  
[Organization]

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name typed or printed

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of officer or agent, title of officer or agent) of \_\_\_\_\_ (name of company acknowledging) , a \_\_\_\_\_ (state or place of incorporation) company, on behalf of the company. He/she is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public

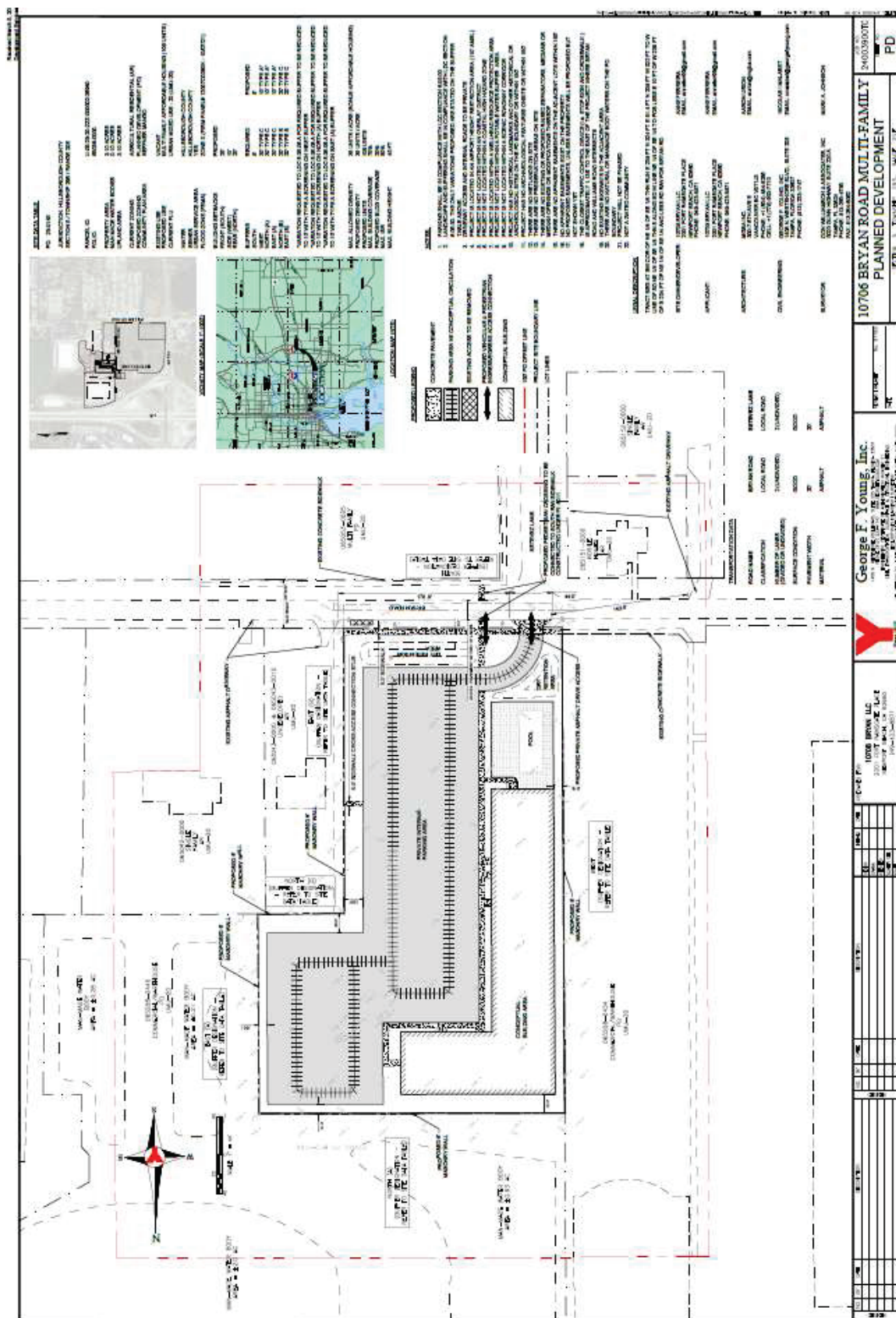
\_\_\_\_\_  
Name typed, printed or stamped  
My Commission Expires: \_\_\_\_\_

**EXHIBIT “1” to CONSENT AND SUBORDINATION OF LIENHOLDER**

*[attach Affordable Housing Density Bonus Declaration of Covenants and Restrictions between  
Owner and County]*



## 8.0 PROPOSED SITE PLAN (FULL)



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

## AGENCY REVIEW COMMENT SHEET

**TO:** Zoning Technician, Development Services Department

**DATE:** 03/17/2025

**REVIEWER:** Richard Perez, AICP, Executive Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** SM/CENTRAL

**PETITION NO:** PD 25-0145

☐

This agency has no comments.

☐

This agency has no objection.

☒

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

☐

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

### **CONDITIONS OF APPROVAL**

1. The project shall be permitted one full access connection on Bryan Rd., as shown on the PD site plan.
2. With the initial increment of development, the developer shall construct a northbound to westbound left turn at the intersection of Williams Rd. and Bryan Rd.
3. A sidewalk is required along the project frontage.
4. Notwithstanding anything shown on the PD site plan, an internal sidewalk and ADA/pedestrian routes shall be provided consistent with County Land Development Code, Section 6.03.02.B.
5. If PD 25-0143 is approved, the County Engineer will approve the Design Exception (dated March 14, 2025, and found approvable with conditions on March 17, 2025), for E. 21st Ave. substandard road improvements. As E. 21st Ave. is a substandard roadway, the developer will be required to construct a pedestrian crossing and curb and gutter on Bryan Rd. consistent with the Design Exception. The County Engineer will approve the Design Exception with the condition that the crosswalk and appurtenances associated with the crosswalk shall be reviewed in accordance with Public Works requirements.
6. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
7. Construction access shall be limited to those locations shown on the PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 3.1-acre parcel, from Agricultural Residential (AR) to Planned Development (PD) to construct up to 110 multi-family units. The site is located on the north side Bryan Rd., west of Williams Rd. The Future Land Use designation is Urban Mixed Use 20 (UMU-20).

#### ***Trip Generation Analysis***

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). 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, 11<sup>th</sup> Edition.

#### **Existing Zoning**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR:1 Single Family Detached Unit (ITE Code 210)	9	1	1

#### **Proposed Rezoning**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 110 Multi Family Units (ITE 221)	478	37	43

#### **Trip Generation Difference**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+)469</b>	<b>(+)36</b>	<b>(+)42</b>

The proposed PD rezoning is anticipated to increase the number of trips potentially generated by development by +469 average daily trips and +36 a.m. peak hour trips, and +42 p.m. peak hour trips.

#### **TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Bryan Rd. is a 2-lane, substandard, local roadway. The roadway is characterized by +/-20-foot-wide pavement in average condition, lying within +/-50 feet of right-of-way. There are sidewalks on both sides and no curb and gutter within the vicinity of the project.

#### **SITE ACCESS AND CONNECTIVITY**

The PD site plan proposes a full access vehicular and pedestrian connection on E. 21st Ave. Dead-end roadway as such site arrival includes Bryan Rd. and Williams Rd. intersection.

As demonstrated in the detailed site access analysis conducted by the applicant's traffic engineer, a northbound to westbound left turn lane is warranted at the intersection of Williams Rd. and Bryan Rd.

Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access may be permitted anywhere along the project boundary consistent with the LDC.

#### **REQUESTED DESIGN EXCEPTION: BRYAN RD.**

As Bryan Rd. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request for the roadway (dated March 14, 2025) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on March 17, 2025). The developer will be required to construct a sidewalk and curb and gutter on Bryan Rd. consistent with the Design Exception.

If this zoning is approved, the County Engineer will approve the Design Exception request with conditions, as specified hereinabove.

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

Roadway Level of Service (LOS) provided for informational purposes only. Bryan Rd. is not a regulated roadway.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
WILLIAMS RD	BROADWAY AVE	E SLIGH AVE	D	C

Source: [\*2020 Hillsborough County Level of Service \(LOS\) Report\*](#)



## Ratliff, James

---

**From:** Williams, Michael  
**Sent:** Monday, March 17, 2025 2:27 PM  
**To:** Ratliff, James; Tirado, Sheida  
**Cc:** Perez, Richard; PW-CEIntake  
**Subject:** RE: RZ PD 25-0145 - Design Exception Review

No. The TTM does not really address crosswalks so it should be in accordance with that.

The crosswalk and appurtenances associated with the crosswalk shall be constructed by the developer in accordance with Public Works requirements.

Mike

---

**From:** Ratliff, James <RatliffJa@hcfl.gov>  
**Sent:** Monday, March 17, 2025 1:49 PM  
**To:** Williams, Michael <WilliamsM@hcfl.gov>; Tirado, Sheida <TiradoS@hcfl.gov>  
**Cc:** Perez, Richard <PerezRL@hcfl.gov>; PW-CEIntake <PW-CEIntake@hcfl.gov>  
**Subject:** RE: RZ PD 25-0145 - Design Exception Review

Sheida or Mike,

Can you please confirm that the condition should state “The crosswalk and appurtenances associated with the crosswalk shall be reviewed by Public Works and shall be constructed by the developer in accordance with Transportation Technical Manual (TTM) requirements.”

Thank you,

**James Ratliff, AICP, PTP** *(he/him/his)*

**Principal Planner**

Development Services Department, Transportation Review

E: [RatliffJa@HCFL.gov](mailto:RatliffJa@HCFL.gov)

P: (813) 307-1924

601 E. Kennedy Blvd., Tampa, FL 33602

[HCFL.gov](http://HCFL.gov)

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**Hillsborough County Florida**

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**From:** Williams, Michael <[WilliamsM@hcfl.gov](mailto:WilliamsM@hcfl.gov)>  
**Sent:** Monday, March 17, 2025 12:08 PM  
**To:** Malabet, Nicolas <[nmalabet@georgefyoung.com](mailto:nmalabet@georgefyoung.com)>

**Cc:** [michael@flamingohomes.com](mailto:michael@flamingohomes.com); [anneferr@bertsproperty.com](mailto:anneferr@bertsproperty.com); Lampkin, Timothy <[LampkinT@hcfl.gov](mailto:LampkinT@hcfl.gov)>; Ratliff, James <[RatliffJa@hcfl.gov](mailto:RatliffJa@hcfl.gov)>; Perez, Richard <[PerezRL@hcfl.gov](mailto:PerezRL@hcfl.gov)>; Tirado, Sheida <[TiradoS@hcfl.gov](mailto:TiradoS@hcfl.gov)>; De Leon, Eleonor <[DeLeonE@hcfl.gov](mailto:DeLeonE@hcfl.gov)>; PW-CEIntake <[PW-CEIntake@hcfl.gov](mailto:PW-CEIntake@hcfl.gov)>

**Subject:** FW: RZ PD 25-0145 - Design Exception Review

**Importance:** High

Nicolas,

I have found the attached Design Exception (DE) for PD 25-0145 APPROVABLE with CONDITIONS. The Condition being that and appurtenances associated with the crosswalk required by the Public Works Department be installed.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon ([DeLeonE@hcfl.gov](mailto:DeLeonE@hcfl.gov) or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to [PW-CEIntake@hcfl.gov](mailto:PW-CEIntake@hcfl.gov)

Mike

**Michael J. Williams, P.E.**

**Director, Development Review**

**County Engineer**

Development Services Department

---

**P:** (813) 307-1851

**M:** (813) 614-2190

**E:** [Williamsm@HCFL.gov](mailto:Williamsm@HCFL.gov)

**W:** HCFLGov.net

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**Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

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**From:** Tirado, Sheida <[TiradoS@hcfl.gov](mailto:TiradoS@hcfl.gov)>

**Sent:** Monday, March 17, 2025 11:29 AM

**To:** Williams, Michael <[WilliamsM@hcfl.gov](mailto:WilliamsM@hcfl.gov)>

**Cc:** Ratliff, James <[RatliffJa@hcfl.gov](mailto:RatliffJa@hcfl.gov)>; Perez, Richard <[PerezRL@hcfl.gov](mailto:PerezRL@hcfl.gov)>; De Leon, Eleonor <[DeLeonE@hcfl.gov](mailto:DeLeonE@hcfl.gov)>

**Subject:** RZ PD 25-0145 - Design Exception Review

**Importance:** High

Hello Mike,

The attached DE is Approvable to me, please include the following people in your response:

[nmalabet@georgefyoung.com](mailto:nmalabet@georgefyoung.com)

[michael@flamingohomes.com](mailto:michael@flamingohomes.com)

[anneferr@bertsproperty.com](mailto:anneferr@bertsproperty.com)

[lampkint@hcfl.gov](mailto:lampkint@hcfl.gov)

[ratliffja@hcfl.gov](mailto:ratliffja@hcfl.gov)

[perezrl@hcfl.gov](mailto:perezrl@hcfl.gov)

Best Regards,

**Sheida L. Tirado, PE**

**Transportation Review Manager**

Development Services Department

E: [TiradoS@HCFL.gov](mailto:TiradoS@HCFL.gov)

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**Hillsborough County Florida**

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**Hillsborough  
County Florida**  
Development Services

# Supplemental Information for Transportation Related Administrative Reviews

## Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Eleonor de Leon at [deleone@HCFL.gov](mailto:deleone@HCFL.gov) or via telephone at (813) 307-1707 if you have questions about how to complete this form.

<b>Request Type</b> (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input checked="" type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)		
<b>Submittal Type</b> (check one)	<input type="checkbox"/> New Request	<input checked="" type="checkbox"/> Revised Request	<input type="checkbox"/> Additional Information
<b>Submittal Number and Description/Running History</b> (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. Design Exception to TS-3 <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.		
<b>Important:</b> To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.			
<b>Project Name/ Phase</b>	10706 Bryan Road Multifamily		
<b>Important:</b> The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.			
<b>Folio Number(s)</b>	65036-0000		
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers			
<b>Important:</b> List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").			
<b>Name of Person Submitting Request</b>	Nicolas Malabet		
<b>Important:</b> For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.			
<b>Current Property Zoning Designation</b>	A-R		
<b>Important:</b> For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at <a href="https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html">https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html</a> . For additional assistance, please contact the <a href="#">Zoning Counselors</a> at the Center for Development Services at (813) 272-5600 Option 3.			
<b>Pending Zoning Application Number</b>	PD#25-0145		
<b>Important:</b> If a rezoning application is pending, enter the application number proceeded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.			
<b>Related Project Identification Number (Site/Subdivision Application Number)</b>	N/A		
<b>Important:</b> This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".			

March 14, 2025  
File No. 24003900TC

Mr. Michael J. Williams, PE  
Director, Development Review Division  
Hillsborough County Development Services  
601 East Kennedy Blvd., 20<sup>th</sup> Floor  
Tampa, FL 33602

Subject: 10706 Bryan Road Multifamily  
Design Exception for Substandard Road Expansion  
PD # 25-0145  
Folio No. 65036-0000

Dear Mr. Williams:

This letter documents a request for a DESIGN EXCEPTION to Hillsborough County Transportation Technical Manual Section 1.7.2 association with PD# 25-0145 for the subject project site. The purpose of this request is to address the substandard road Bryan Road, which does not fully meet the standards for the Transportation Technical Manual (TTM) detail TS-3 (refer to **ATTACHMENT A**).

The subject parcel is currently vacant with open green space. The project proposes 108 residential multi-family residential units. Access to the proposed residential development is planned to be provided via one (1) new access driveway connection to Bryan Road aligning with Estevez Lane. Refer to **ATTACHMENT B** for the project Planned Development Plan and location map and **ATTACHMENT C** for the existing project site survey.

Per PD 25-0145 Bryan Road was found to be substandard in regards to LDC §6.04.03.L stating the following:

*Improvements and upgrading of existing roadways are to conform with standards for new roadways of the same access class. Exception to these standards shall be allowed only where physically impossible for the permittee to comply or otherwise upgrade existing site conditions. All such exceptions shall be approved by the Director of Public Works.*

This request is for a Design Exception to TS-3 for Bryan Road from the project entrance until the improvements recently constructed to Bryan Road east of the project's proposed driveway under PI#6011 (Alliance Residential). The existing 2-lane section from the project's driveway to PI#6011 improvements currently has the following characteristics:

- a) Lane Width –The existing section currently has 2 (10) foot lanes in average width.
- b) Sidewalk –The existing section currently has a 5' sidewalk on the south right of way and no sidewalk on the north right of way from the project driveway to Williams Road.
- c) Right of Way – The existing right of way is 50 feet.

- d) Curbs and Gutter – The existing road has no curbing.

In conjunction with the development of the project, the developer proposes to improve Bryan Road from the proposed access to PI#6011 recent right of way improvements, per the below information. The following is a summary of the proposed typical section for the project in comparison to TS-3:

**From Proposed Project Driveway to PI#6011 Recent Improvements:**

- e) Lane Width – TS-3 has ten (10) foot lanes, and no lane expansions are proposed since the criteria is currently met.
- f) Sidewalk – TS-3 has five (5) foot sidewalks on both sides of the road. A sidewalk pedestrian crossing from the site to the existing sidewalk on the south right of way of Bryan Road.
- g) Right of Way – TS-3 has fifty (50) feet of right of way minimum. The proposed right of way is to be 50 feet.
- h) Curb and Gutter – TS-3 has a valley gutter on both sides of the road. A valley gutter is proposed on the south right of way of Bryan Road to match PI#6011 recent improvements.

**ATTACHMENT D** illustrates the proposed improvements to 10706 Bryan Road Multi Family.

The developer commits to milling and resurfacing the two (2) existing lanes on Bryan Road from the proposed driveway to PI#6011 recent improvements.

Based on the above, it is our opinion, the proposed improvements from the project driveway until the recent improvements of PI#6011 will mitigate the traffic impact of the project and meet the intent of the TTM to the extent feasible considering the project scale.



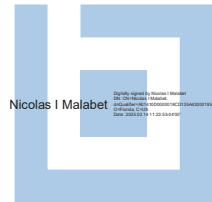
Please do not hesitate to contact us if you have any questions or require additional information.

Sincerely,

George F. Young, Inc.



Nicolas Malabet, PE  
Project Manager, Civil Engineering  
P: 813-223-1747  
E: nmalabet@georgefyoung.com



*This item has been digitally signed and sealed by Nicolas I. Malabet, PE, on the date adjacent to the seal. Printed copies are not considered signed and sealed and the signature must be verified on any electronic copies.*

NMM/JR

cc: Jaime Rojas, EI, GFY

Encl. Attachments

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

☒ Approved with Conditions

☐ Approved

☐ Disapproved

**County Engineer's Condition:**

**The crosswalk and appurtenances associated with the crosswalk shall be reviewed in accordance with Public Works requirements.**

Mr. Michael J. Williams, P.E.

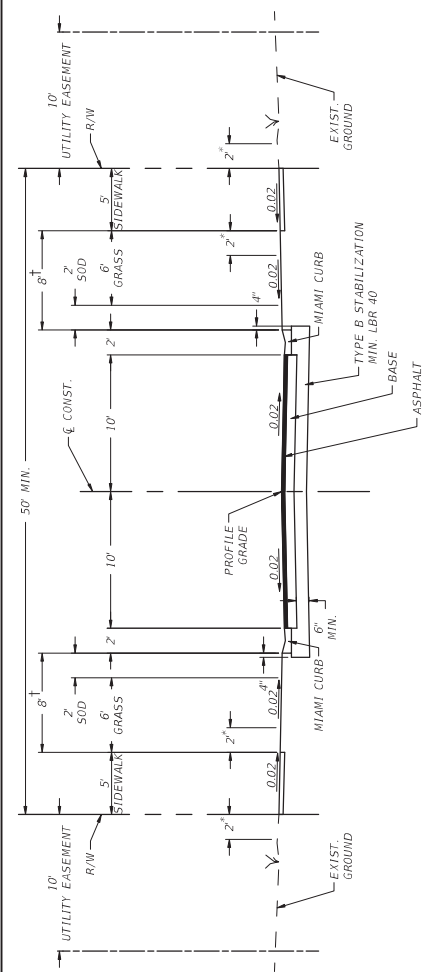
Hillsborough County Engineer on \_\_\_\_\_

## ATTACHMENT A

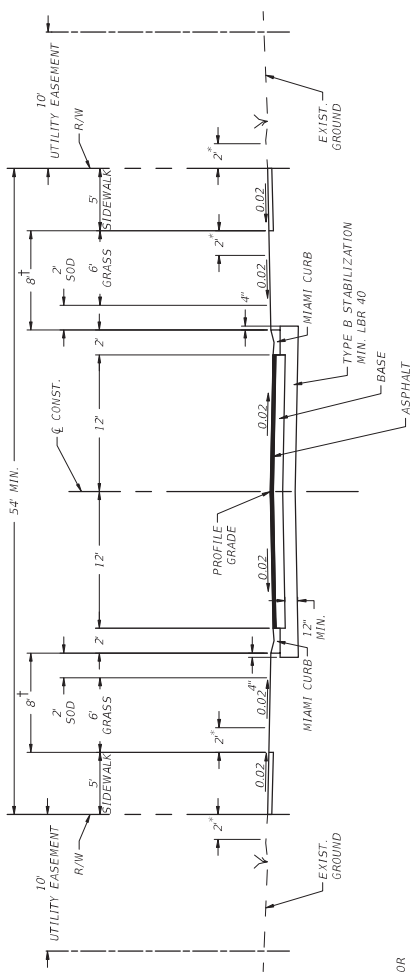
TS-3



25-0145




RESIDENTIAL  
DESIGN SPEED - 25 MPH  
AADT < 5,000 VPD



NON-RESIDENTIAL  
DESIGN SPEED ≤ 30 MPH  
AADT < 5,000 VPD

- NOTES:
- DESIGN SPEED = POSTED SPEED.
  - DIMENSIONS SHOWN ARE MINIMUM.
  - SEE APPROPRIATE SECTIONS OF TRANSPORTATION TECHNICAL MANUAL FOR DESIGN PARAMETERS.
  - PROVIDE 2' MINIMUM CLEARANCE FROM IMPROVEMENTS: FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES, DROP OFFS, OR FROM TOPS OF BANKS WITH SLOPES STEEPER THAN 1:4 THAT INTERFERE WITH THE SAFE FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES OR MATURE TREES 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
  - SEE SIDEWALK PROTECTION OPTIONS, DRAWING NO. TD-16 SHEET 7 OF 7 FOR USE WHEN TREES ARE PLANTED IN THE PARKWAY AREA (BETWEEN THE BACK OF CURB AND SIDEWALK).
  - PLACE SOD WITH STAGGERED TRANSVERSE JOINTS. (BOTH TEMPORARY AND PERMANENT).

10/2023	TRANSPORTATION TECHNICAL MANUAL		LOCAL URBAN ROADS 2 LANE UNDIVIDED TYPICAL SECTION	DRAWING NO.  TS-3	SHEET NO.  1 OF 1

F:\PROJECTS\Hill0008 Transportation Div and Des\2-Corridor Pres Plan\CDU\NEWSR-2019.dwg

8/18/2023 10:05:56 AM

ERIC OLSEN

ATTACHMENT B  
PLANNED DEVELOPMENT SITE PLAN





## ATTACHMENT C

### SITE SURVEY





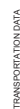
LEGAL DESCRIPTION:  
 BEGIN AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTH 1/4 OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, THENCE RUN EAST 238 FEET; THENCE RUN NORTH 33° 30' 30" EAST, 324 FEET; THENCE RUN EAST 208 FEET; THENCE RUN WEST 320 FEET TO THE WEST LINE OF SAID TRACT 1/4 OF THE SOUTHWEST 1/4, THENCE RUN SOUTH ALONG SAID WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 TO THE POINT OF BEGINNING, LESS AND EXCEPT THAT PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF THE BRYAN ROAD, AND LESS AND EXCEPT THE EAST 10 FEET OF THE WEST 239 FEET OF THE SOUTH 324 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA.

TRACT "D-1" 0.5

**25-0145**

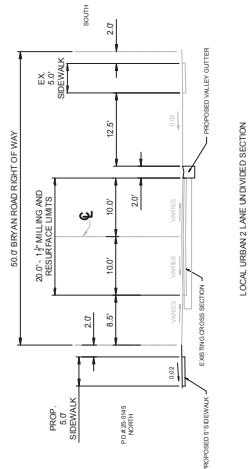
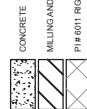
ATTACHMENT D  
BRYAN ROAD IMPROVEMENTS





ROAD NAME	BRYAN ROAD	ESTEVES LANE
CLASSIFICATION	LOCAL ROAD	LOCAL ROAD
NUMBER OF LANES (DIVIDED OR UNDIVIDED)	2 (UNDIVIDED)	2 (UNDIVIDED)
SURFACE CONDITION	GOOD	GOOD
PAVEMENT WIDTH	20'	20'
DRAINAGE	ASPHALT	ASPHALT

### PROPOSED LEGEND

[illegible]

10708 BRYAN LLC  
2001 PORT RAMSGATE PLACE  
NEWPORT BEACH, CA 92860  
949-423-8871



**George F. Young, Inc.**  
408 N. WESTSHORE BOULEVARD, SUITE 205 TAMPA, FLORIDA 33607  
PHONE (813) 223-1747 [WWW.GEORGEYOUNG.COM](http://WWW.GEORGEYOUNG.COM)  
ENGINEERING CERTIFICATE OF AUTHORIZATION NUMBER 21  
CML TRANSPORTATION, SUBSURFACE & STRUCTURAL ENGINEERING  
ECOLOGICAL & PLANNING SURVEILLING

RODOLPH W. MAURER	No. 97765
DATE	

10706 BRYAN ROAD MULTI-FAMILY  
DESIGN EXCEPTION IMPROVEMENTS

SECTION 5. TOWNSHIP 29S.. RANGE 20E..

## 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
Bryan Rd.	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Williams Rd.	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" 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	9	1	1
Proposed	478	37	43
Difference (+/-)	+469	+36	+42

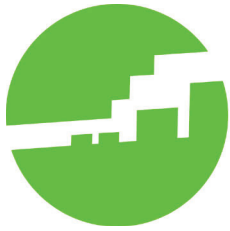
\*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes: Due to Bryan Rd. being a dead-end road. The intersection with Williams Rd. is evaluated for site access.				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Bryan Rd./Substandard Roadway	Design Exception Requested	Approvable with Conditions
Notes:		

### 4.0 Additional Site Information & Agency Comments Summary

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



**Hillsborough County  
City-County  
Planning Commission**

**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
813 – 272 – 5940  
601 E Kennedy Blvd  
18<sup>th</sup> floor  
Tampa, FL, 33602

Unincorporated Hillsborough County Rezoning Consistency Review	
<b>Hearing Date:</b> March 24, 2025  <b>Report Prepared:</b> March 13, 2025	<b>Case Number:</b> PD 25-0145  <b>Folio(s):</b> 65036.0000  <b>General Location:</b> North side of Bryan Road, east of Interstate 75 and west of Williams Road
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	Urban Mixed Use-20 (20 du/ga; 1.0 FAR)
<b>Service Area</b>	Urban
<b>Community Plan(s)</b>	Seffner-Mango
<b>Rezoning Request</b>	Planned Development (PD) to allow 109 multifamily dwelling units utilizing the Affordable Housing Density Bonus
<b>Parcel Size</b>	+/- 3.10 acres
<b>Street Functional Classification</b>	Bryan Road – <b>Local</b> William Road – <b>County Collector</b> Interstate 75 – <b>State Principal Arterial</b>
<b>Commercial Locational Criteria</b>	Not applicable
<b>Evacuation Area</b>	None

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Urban Mixed Use-20	AR	Vacant
North	Urban Mixed Use-20	PD	Vacant + Light Industrial
South	Urban Mixed Use-20	AR + PD	Single- Family Residential + Vacant
East	Urban Mixed Use-20 + Residential-9	AR + PD	Single- Family Residential + Mobile Homes
West	Urban Mixed Use-20	PD	Light Industrial

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

The subject site is located on the north side of Bryan Road, east of Interstate 75 and west of Williams Road on +/- 3.10 acres. The site is in the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan. The applicant is requesting to rezone the site from Agricultural Rural to Planned Development to develop 109 multifamily dwelling units utilizing the Affordable Housing Density Bonus outlined in the Housing Section of the Unincorporated Hillsborough County Comprehensive Plan.

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The proposed development of affordable housing units would be complementary to with the surrounding area. Directly east of the subject site are single family uses along with more single family and vacant uses to the south. The proposal is consistent with this policy direction.

Per Objective 8, Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. The applicant requests 109 dwelling units. For the 3.10-acre site in the Urban Mixed Use-20 FLU category a maximum of 62 dwelling units can be considered. Per Housing Section Policy 1.3.1, the applicant is requesting to be considered for an affordable housing density bonus, which increases the allowable number of dwelling units per acre from 20 to 35. The proposed total of 109 units, which exceeds 35 units per acre (35.16 du/ga). The Development Services Department has added a "Prior to Certification" condition to correct the total amount of proposed



dwelling units by reducing the total number of units to 108. This would then ensure the request is consistent with FLUE Policy 8.3 . Objective 1.3 and Policy 1.3.1 of the Hillsborough County Comprehensive Plan state that density bonuses will be utilized as an incentive to encourage the development of more affordable housing. With approval of the affordable housing density bonus applied, the proposal is consistent with FLUE Objective 8, Objective 1 and its associated policies relating to maximizing growth in the Urban Service Area and calculating density.

Appendix A contains a description of the character and intent permitted in each of the Future Land Use categories. The site is within the Urban Mixed Use-20 (UMU-20) Future Land Use category. The UMU-20 Future Land use category allows the consideration for agricultural, residential, neighborhood commercial, office uses, research corporate park uses, light industrial multipurpose and clustered residential and/or mixed-use. Office uses are not subject to locational criteria. The proposed multi-family residential development is permitted in UMU-20. Therefore, the requested Planned Development is consistent with development expected in the UMU-20 Future Land Use category.

The proposal meets the intent of the Neighborhood Protection policies outlined in the Future Land Use Element, including policy direction in the Community Design Component (CDC) (FLUE Objective 16, CDC Objective 12-1, CDC Policy 12-1.4, CDC Objective 17-1 and CDC Policy 17.1-4). Policy 16.1 requires development in residential areas to be limited to a neighborhood scale. There are light industrial uses to the west of the subject site. The applicant has included buffering and screening techniques allowing for a gradual transition of intensity moving eastward towards established neighborhoods. The proposal meets the intent of this policy direction

The request includes an Affordable Housing Density Bonus, as outlined in the Housing Section of the Comprehensive Plan. Since the site's Future Land Use category is Urban Mixed Use-20, the Affordable Housing Density Bonus would include consideration of up to 35 dwelling units per gross acre (35 du/ga). With 3.10 acres, the site could be considered for up to 108 dwelling units if all bonus criteria are met. The Hillsborough County Affordable Housing Services Department is the professional entity that evaluates whether an applicant meets the criteria outlined under the Affordable Housing Density Bonus. Housing Section Policy 1.2 states that mechanisms such as density bonuses, modified development standards, flexible lot configurations, and inclusionary zoning may be utilized as incentives to increase the supply of affordable housing.

The Seffner-Mango Community Plan within the Livable Communities Element establishes guidance on community identity and planning growth. Goal 2 of the plan seeks to enhance community character and ensure quality residential and nonresidential development. The plans strategies are to support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses. The proposal meets the intent of this policy direction, as the site is located in the Urban Service Area and the proposed multi-family residential use is compatible with the surrounding development pattern. .

Overall, staff finds that the proposed use is an allowable use in the UMU-20, is compatible with the existing development pattern found within the surrounding area and meets the intent of the Seffner-Mango Community Plan. The proposed Planned Development would allow for development that is consistent with the *Unincorporated Hillsborough County Comprehensive Plan*.

### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Planned Development **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the conditions proposed by the Development Services Department.

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

**FUTURE LAND USE ELEMENT**

***Urban Service Area***

**Objective 1:** *Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.*

**Policy 1.2: Minimum Density**

*All new residential or mixed use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.*

*Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.*

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

***Land Use Categories***

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

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

**8.3 Calculating Density**

Densities are applied on a gross residential acreage basis which means that each development proposal is considered as a "project". Only those lands specifically within a project's boundaries may be used for calculating any density credits. Acreage dedicated to commercial, office and industrial land uses that fall within a project's boundaries are excluded. Density may be transferred between non-contiguous parcels in accordance with the County's transferable development rights regulations or when the parcels are physically separated from each other by a roadway, wetlands, stream, river, lake or railway. The following lands may be included when calculating gross residential density: planned but unconstructed roads and road rights-of-ways, utility rights-of-way, public and private parks and recreation sites, sites for schools and churches, open space sites and land uses, and community facilities sites such as sewage treatment plants, community centers, well fields, utility substations, and drainage facility sites.

### **Relationship to Land Development Regulations**

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

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

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

### **Neighborhood/Community Development**

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

**Policy 16.1:** 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;
- c) 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 16.7:** Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

**Policy 16.8:** The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.

**Policy 16.10:** Any density increase shall be compatible with existing, proposed, or planned surrounding development. 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.

**Policy 16.11:** Within residential projects, site planning techniques shall be encouraged to ensure a variety and variation of lot sizes, block faces, setbacks and housing types.

## **5.0 NEIGHBORHOOD LEVEL DESIGN**

### **5.1 COMPATIBILITY**

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

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

## **HOUSING SECTION**

### **Affordable Housing Density Bonus**

#### **Objective 1.3**

Density bonuses will be utilized as an incentive to encourage the development of more affordable housing.

#### **Policies:**

**1.3.1** The maximum level of residential density and/or the maximum retail commercial Floor Area Ratio (FAR) permitted in each land use category may be increased, with project specific approval by the Board of County Commissioners and without requiring a Comprehensive Plan amendment, when the purpose for the increase is to provide moderate, low, very low, or extremely low-income affordable housing. Such an increase in density and/or Floor Area Ratio shall be part of an official request to rezone the subject parcel.

TABLE 1 - TABLE OF ALLOWABLE DENSITY AND INTENSITY INCREASES FOR THE PROVISION OF AFFORDABLE HOUSING\*

Future Land Use Category	Base Max. DU/Acre	Base max. FAR	Density Bonus Max DU/Acre	FAR Bonus Max Far*
RES-4	4	.25	6	.35
RES-6	6	.25	9	.35
RES-9	9	.35	12	.50
RES-12	12	.35	16	.50
RES-16	16	.35	20	.50
RES-20	20	.35	35	.50
OC-20	20	.35	35	.75
NMU-4	4	.35	6	.35
SMU-6	6	.35	12	.50
CMU-12	12	.50	20	.75
RES-35	35	.75	50	1.00
UMU-20	20	1.0	35	2.00
RMU-35	35	2.0	50	n/a
ICMU-35	35	2.0	50	n/a

**1.3.2** *In order to qualify for use of the Affordable Housing Density Bonus, the project shall meet the following criteria:*

*A. The site shall be wholly located within the Urban Service Area.*

*B. The site shall be in one of the residential or commercial Future Land Use categories as indicated in Table 31: Allowable Densities and Intensities for the Provision of Affordable Housing. The density bonus does not change the Future Land Use Map designation.*

*C. The site shall be serviced by public water and sewer and have access to public streets.*

*D. The units shall remain affordable for a minimum of 30 years.*

*E. The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office.*

*F. For projects that are proposed to be a mix of market rate and affordable units: The affordable units must be developed within the same project site as any market rate units provided; the affordable units shall not be transferred to a different site.*

*G. Units shall be equitably and evenly distributed by location, type, and construction.*

*H. A minimum 20% of the total number of units proposed shall be deemed affordable to households making 100% or less Area Median Income. The distribution of affordable units shall be as follows for properties greater than one acre:*

- i. A minimum fifty percent (50%) of affordable units shall be set aside for incomes at 60% or below Area Median Income,*
- ii. The remaining affordable units not to exceed fifty percent (50%) shall be set aside for incomes at 100% or below Area Median Income.*

*I. To encourage residential infill and appropriate scale of transition, properties one acre or less may provide all required affordable units at or below 80% AMI.*

## **LIVABLE COMMUNITIES ELEMENT: SEFFNER-MANGO COMMUNITY PLAN**

*2. Goal: Enhance community character and ensure quality residential and nonresidential development.*

### *Strategies:*

- *Support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses.*



HILLSBOROUGH COUNTY  
FUTURE LAND USE

RZ PD 25-0145

<all other values>

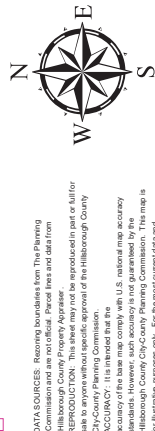
Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- WATER NATURAL LULC\_Wet\_Poly
- AGRICULTURAL MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.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 (.35 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)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCIAL)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



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