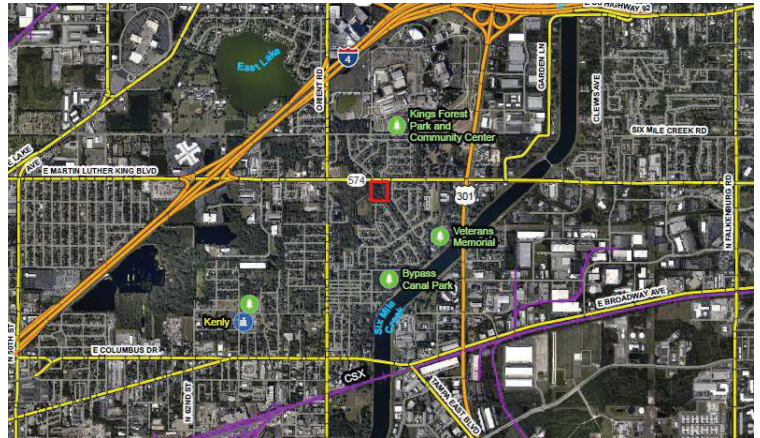




Rezoning Application: PD 21-0626
Zoning Hearing Master Date: December 13, 2021
BOCC Land Use Meeting Date: February 8, 2022

1.0 APPLICATION SUMMARY

Applicant: Francisco J. Otero-Cassio
FLU Category: RES-9 & OC-20
Service Area: Urban
Site Acreage: 6.38
Community Plan Area: East Lake/Orient Park
Overlay: None



Introduction Summary:

The applicant seeks to rezone the subject site from RSC-9 and PD (92-0056) to PD to allow for a 112 multi-family unit project with a flex of the OC-20 future land use category. The flex will cover the entire parcel.

Zoning:	Existing		Proposed
District(s)	RSC-9	PD 92-0056 ZC (partial)	PD 21-0626
Typical General Use(s)	Single-Family Residential (Conventional Only)	Multiple Residential and Non-Residential	Multi-Family Residential
Acreage	3.51 +/-	2.87 +/- (partial)	6.38
Density/Intensity	9 unit per acre	20 units per acre	17.5 units per acre
Mathematical Maximum*	10 units	57 units	112 units (with Flex Request)

*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	RSC-9	PD 92-0056 ZC (partial)	PD 21-0626
Lot Size / Lot Width	5,000 sf / 50'	Unspecified	N/A
Setbacks/Buffering and Screening	20' Front 20' Rear 5' Sides	Unspecified	20' Front 20' Rear (2:1 setbacks) 20' Sides (2:1 setbacks)
Height	35'	Unspecified	50'/ 4-stories (2:1 Setback)

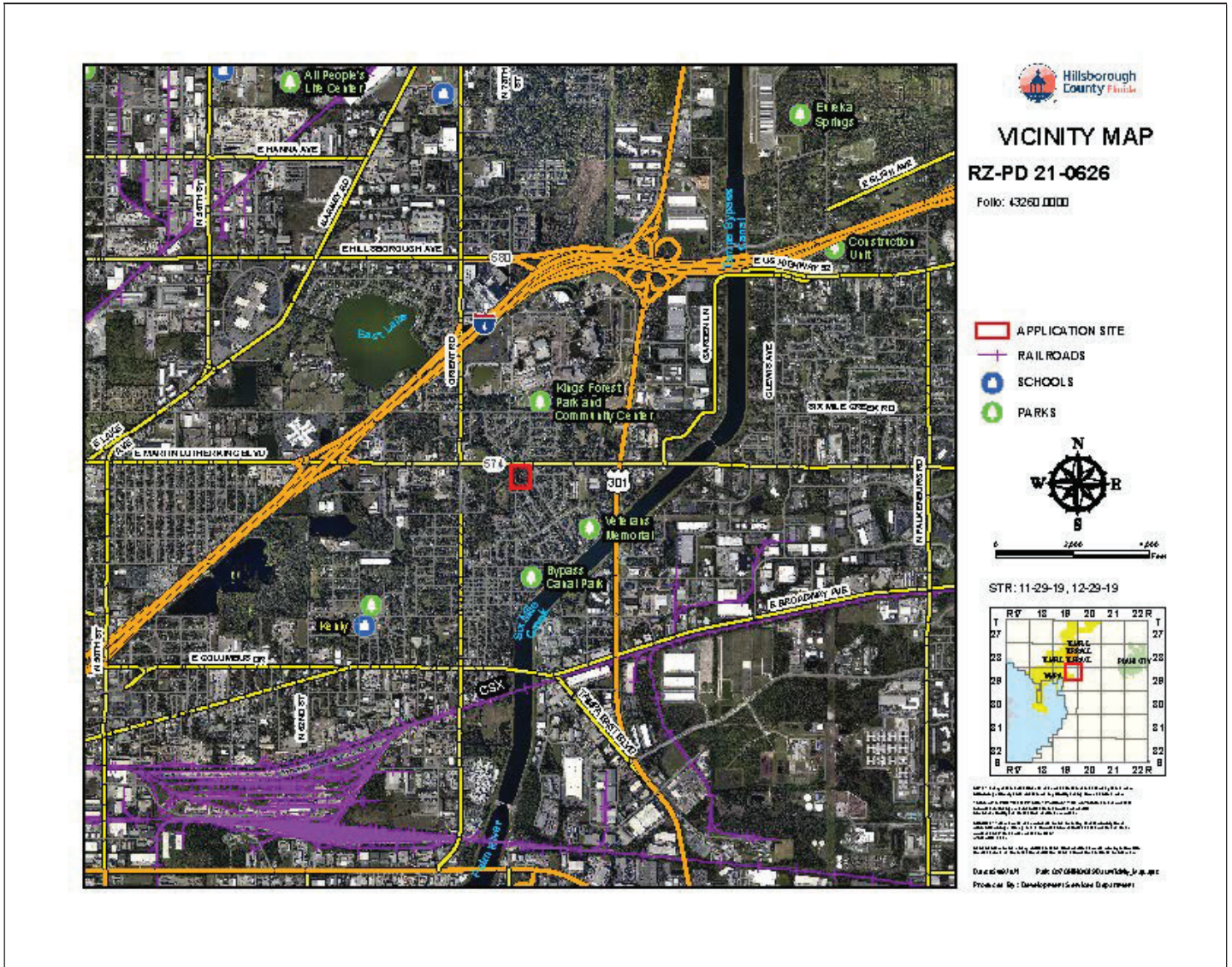
Additional Information:

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

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
--	---

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

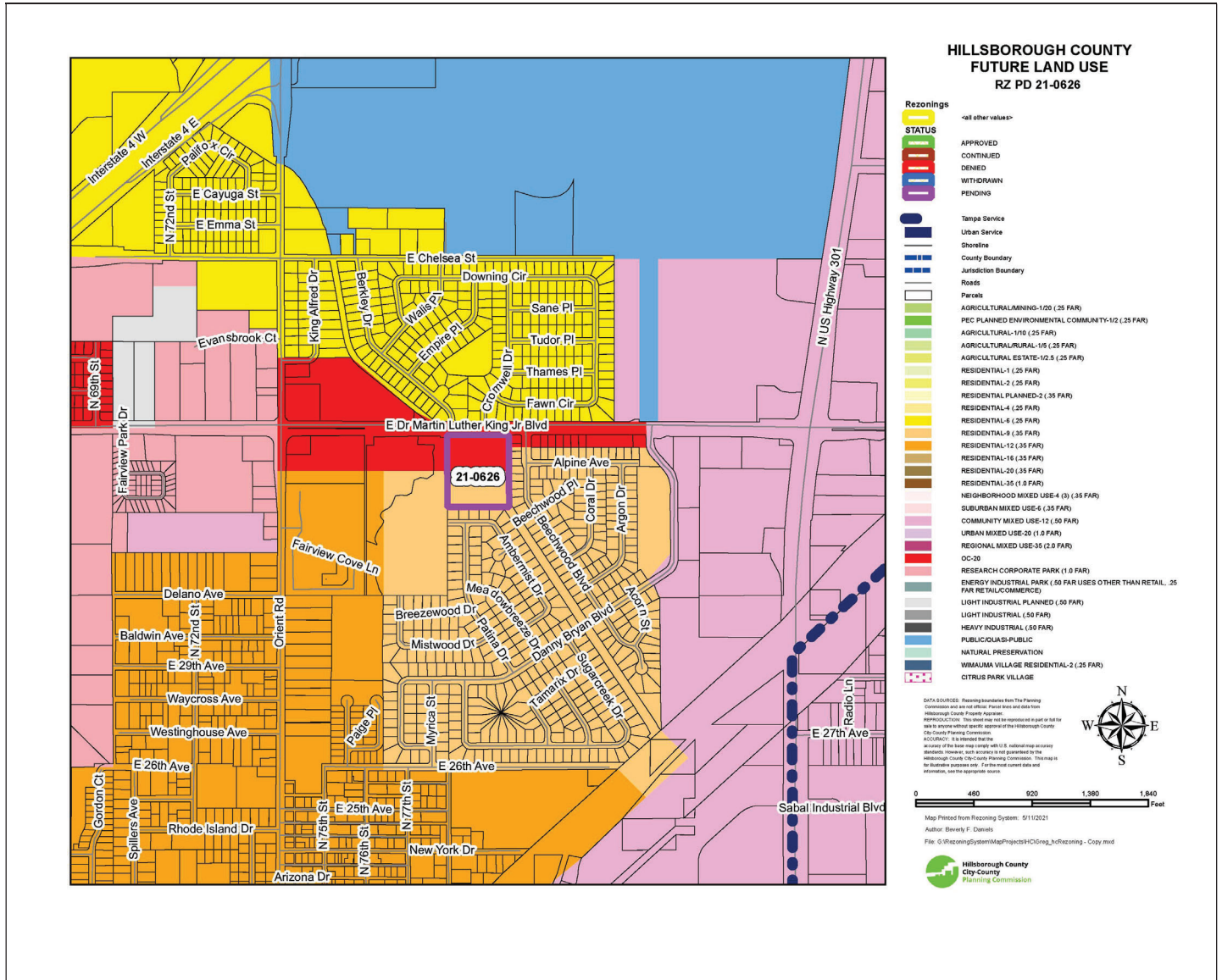


Context of Surrounding Area:

The site is located on the south side of Dr. Martin Luther King, Jr., Blvd, between I-4 to the west and US Highway 301 east. The general area is developed with residential (single-family and multi-family) and commercial uses within the East Lake/Orient Park community.

2.0 LAND USE MAP SET AND SUMMARY DATA

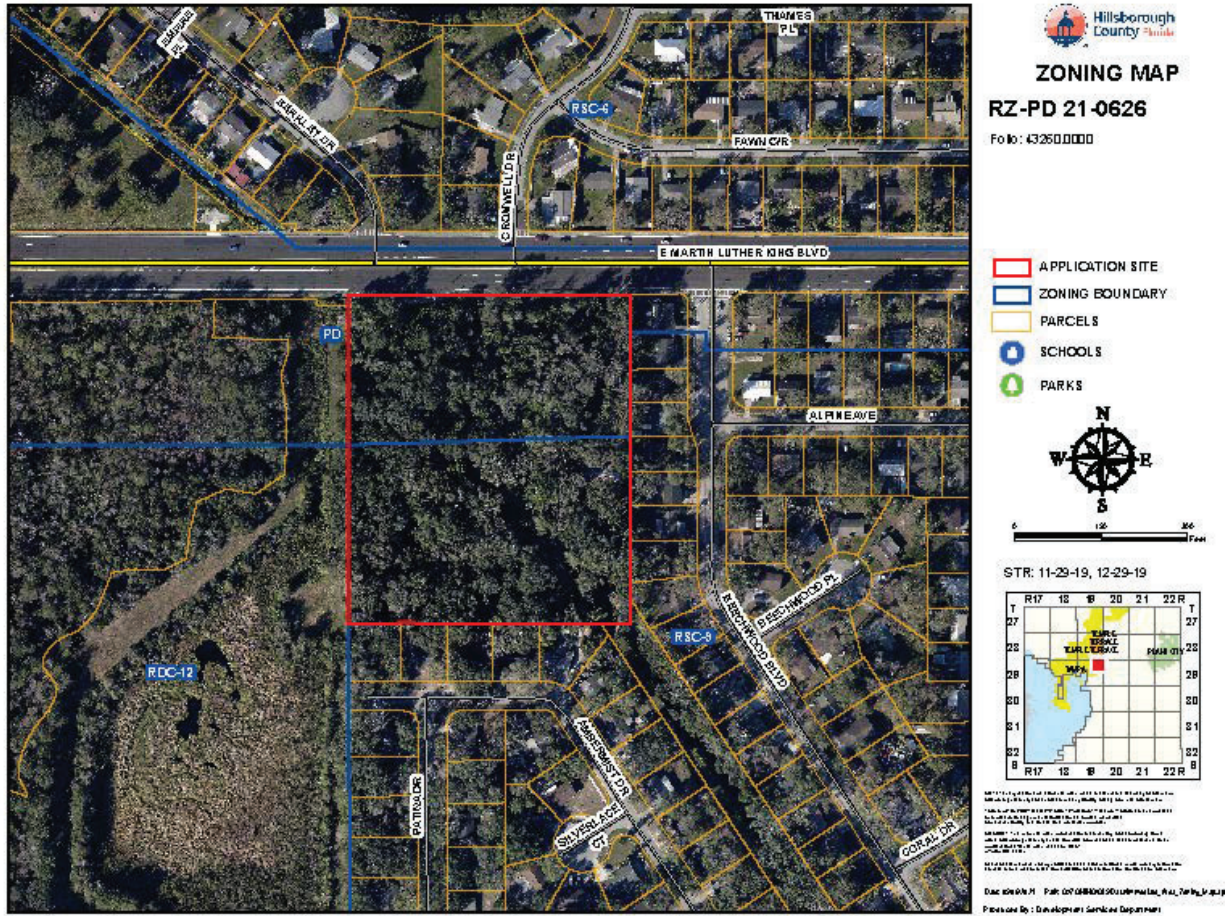
2.2 Future Land Use Map



Subject Site Future Land Use Category:	RES-9 and OC-20
Maximum Density/F.A.R.:	RES-9: 9 units per acre RES-20: 20 units per acre
Typical Uses:	RES-9: Residential, urban scale, neighborhood commercial, office uses, multi-purpose projects and mixed use development. RES-20: Residential, neighborhood commercial, office uses, multi-purpose projects and mixed use developments.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

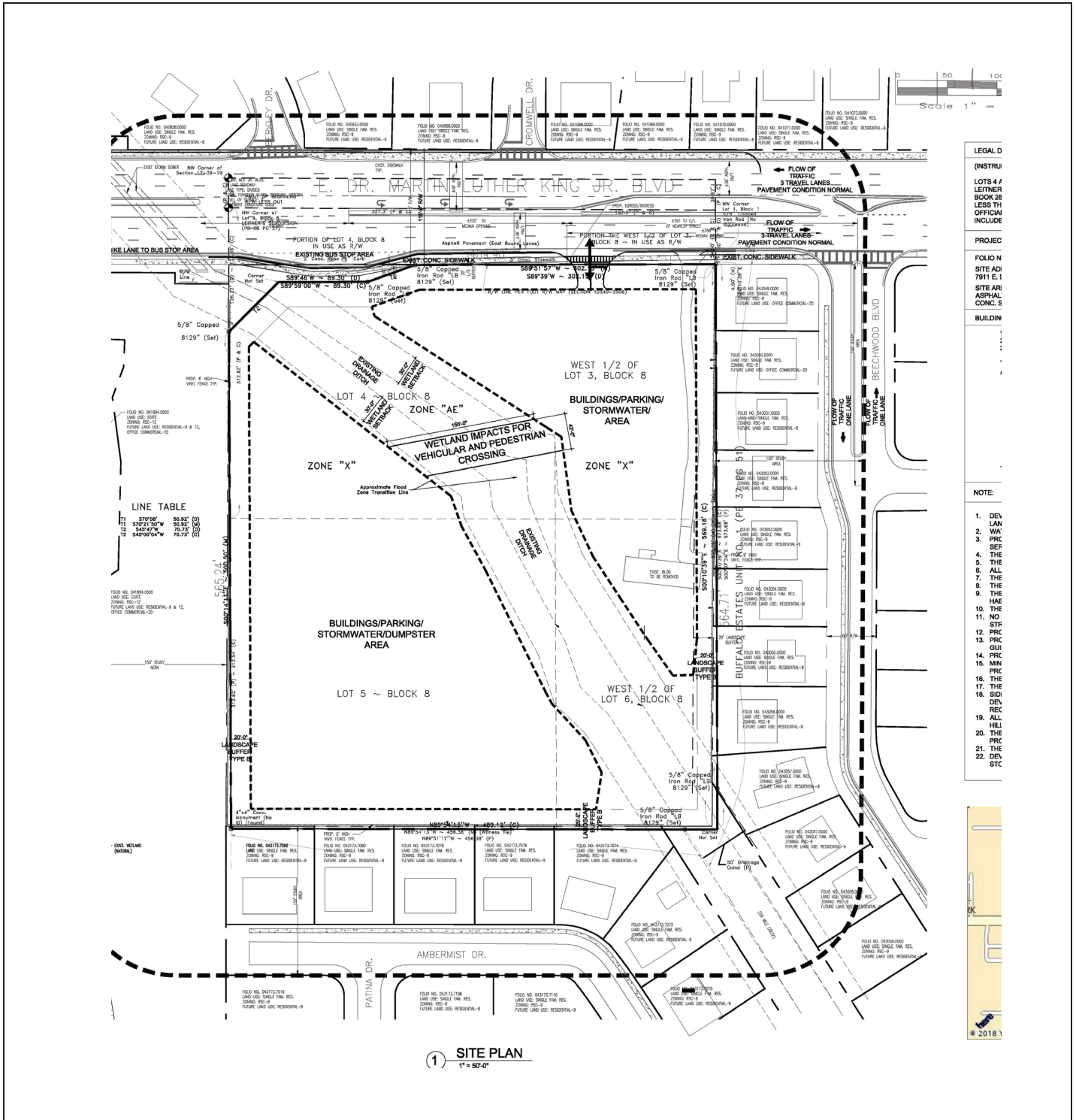


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	6 units per acre	Single-Family Residential	Single-Family Residential and roadway (MLK)
South	RSC-9	9 units per acre	Single-Family Residential	Single-Family Residential
East	RSC-9	9 units per acre	Single-Family Residential	Single-Family Residential
West	PD & RDC-12	PD: 20 units per acre RDC-12: 12 units per acre	PD: Various RDC-12: Single and Two-Family Residential	Government (stormwater)

2.0 LAND USE MAP SET AND SUMMARY DATA

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

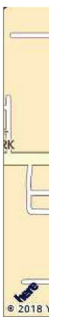


LINE TABLE

LINE NO.	START POINT	END POINT	LENGTH
11	5770'0"	5630'0"	140'0"
12	5770'0"	5630'0"	140'0"
13	5630'0"	5630'0"	0'0"
14	5630'0"	5630'0"	0'0"
15	5630'0"	5630'0"	0'0"
16	5630'0"	5630'0"	0'0"
17	5630'0"	5630'0"	0'0"
18	5630'0"	5630'0"	0'0"
19	5630'0"	5630'0"	0'0"
20	5630'0"	5630'0"	0'0"
21	5630'0"	5630'0"	0'0"
22	5630'0"	5630'0"	0'0"

- LEGAL D**
- INSTRUMENTS**
- LOTS 4 & 5
LETNER
BOOK 28
LESS TH
OFFICIA
INCLUDE
- PROJECT**
- FOLIO N
SITE ADI
7811 E-1
SITE ARE
ASPHAL
CONC. S
BUILDING
- NOTE:**
1. DEV. LAN.
 2. WA. PRC. SER.
 3. PRC. SER.
 4. THE ALL.
 5. THE THE.
 6. THE THE.
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 10. THE THE.
 11. NO. STI.
 12. PRC. STI.
 13. PRC. STI.
 14. PRC. STI.
 15. MIN. PRC.
 16. THE THE.
 17. THE THE.
 18. THE THE.
 19. ALL. HILL.
 20. THE THE.
 21. THE THE.
 22. DE. STI.

1 SITE PLAN 1" = 50'-0"



© 2018

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
Dr. Martin Luther King Jr. Blvd.	FDOT Principal Arterial - Urban	6 Lanes <input 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
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	620	45	59
Proposed	806	53	65
Difference (+/-)	(+) 186	(+) 8	(+) 6

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1.18 acres of wetlands (18.5% of site)
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input checked="" 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	
Hillsborough County School Board 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	
Impact/Mobility Fees (Fee estimate is based on a 1,200 square foot, 2 bedroom, Multi-Family Units 1-2 story) Mobility: \$5,329 * 112 units = \$596,848 Parks: \$1,316 * 112 units = \$147,392 School: \$3,891 * 112 units = \$435,792 Fire: \$249 * 112 units = \$ 27,888 Total Multi-Family (1-2 story) = \$1,207,920				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input checked="" type="checkbox"/> Minimum Density Met <input 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	OC-20 flex request to cover entire parcel

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The project proposes a multi-family project located within an area developed with residential uses. Properties to the south and east are developed with single-family residential homes at an approximate distance of 45 feet from the PD boundaries. The LDC required buffer width of 20 feet and Type B screening is proposed and the applicant will utilize a 6 foot high wall as the Type A component of the screening treatment. The applicant proposes a maximum building height of 50 feet / 4-stories. The comparable standard zoning district of RMC-20 allows a maximum height of 45 feet, which is 5 feet less than proposed. The project will provide an additional setback of 2 feet for every 1 foot over 20 feet in height along the eastern and southern PD boundaries (where adjacent to existing single-family residential). This will internalize the buildings as height is increased and/or limit the height to below the maximum proposed to achieve the desired density. Given that property to the west is used for an FDOT stormwater pond, no additional setback along that boundary is proposed. This will allow some degree of flexibility for the site, which will also allow the project to provide needed compatibility with the neighboring single-family residential along the other PD boundaries. The minimum setbacks proposed from the PD boundaries is 20 feet, which provides a greater side yard setback than required by the RMC-20 zoning district (10 feet). The proposed front yard setback of 20 feet is 5 feet less than required by the RMC-20 zoning district; however, this reduced front yard setback will provide development area which is lost by the centrally located wetlands. Additionally, this PD boundary is along a major divided roadway, providing approximately 85 feet of separation from the single-family residential existing to the north. Based upon these factors, staff has not identified compatibility concerns.

5.2 Recommendation

Approval, subject to conditions.

6.0 PROPOSED CONDITIONS

Requirements for Certification:


1. Modify note 12 such that it reads, "Project driveways shall be private and may be gated. If gated, project shall comply with TD-9 gate standards as shown in the Transportation Technical Manual (TTM).

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted November 23, 2019.

1. The project shall be limited to a maximum of 112 multi-family residential units.
2. Development shall be in compliance with the following:
Northern PD boundary minimum setback: 20 feet
Western PD boundary minimum setback: 20 feet
Eastern PD boundary minimum setback: 20 feet*
Southern PD boundary minimum setback: 20 feet*
Maximum building height: 50' / 4-stories
*An additional setback of 2 feet for every 1 foot over 20 feet in height shall be added to the minimum setback
3. A minimum 20 foot wide buffer with Type B screening shall be provided along the western, eastern and southern PD boundaries, as depicted on the site plan. A 6 foot high wall shall be utilized as the Type A component of the Type B screening treatment.
4. Building, parking and stormwater areas shall be developed where generally depicted on the site plan.
5. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
6. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
7. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
8. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
9. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.

- 10. The developer shall construct an internal sidewalk system which complies with LDC requirements and connects both sides of the project across the wetland (labeled as "existing drainage ditch" on the PD site plan").
- 11. The developer shall construct site access improvements, including:
 - a. An eastbound to southbound right turn lane on Dr. Martin Luther King Jr. Blvd. at the project driveway. Such turn lane will extend inside the existing bus bay, which will remain in place. The developer shall mark the remainder of the turn lane with right turn arrows.
 - b. Relocation of the existing drainage inlet, sidewalk and light poles as necessary. No light pole shall be relocated within the reconstructed sidewalk area. All sidewalks must maintain a minimum unobstructed width of 5 feet.
 - c. Design of the project entry such that a minimum 50-foot throat depth is maintained.
 - d. Mark the crosswalk across the project entry with high emphasis crosswalk markings.
- 12. Prior to or concurrent with the initial increment of development, the developer shall dedicate and convey an easement to FDOT, for public access and maintenance purposes, or otherwise dedicate the underlying fee of the corresponding area to FDOT, for any area where the existing or relocated sidewalk and lighting infrastructure along the project's Dr. Martin Luther King Jr. frontage encroaches within the subject property. Such easement or conveyance instrument shall be approved by the Florida Department of Transportation and recorded in the Official Records of Hillsborough County prior to the issuance of any Certificates of Occupancy (temporary or otherwise).
- 13. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

Zoning Administrator Sign Off:



J. Brian Grady
Mon Dec 6 2021 10:32:45

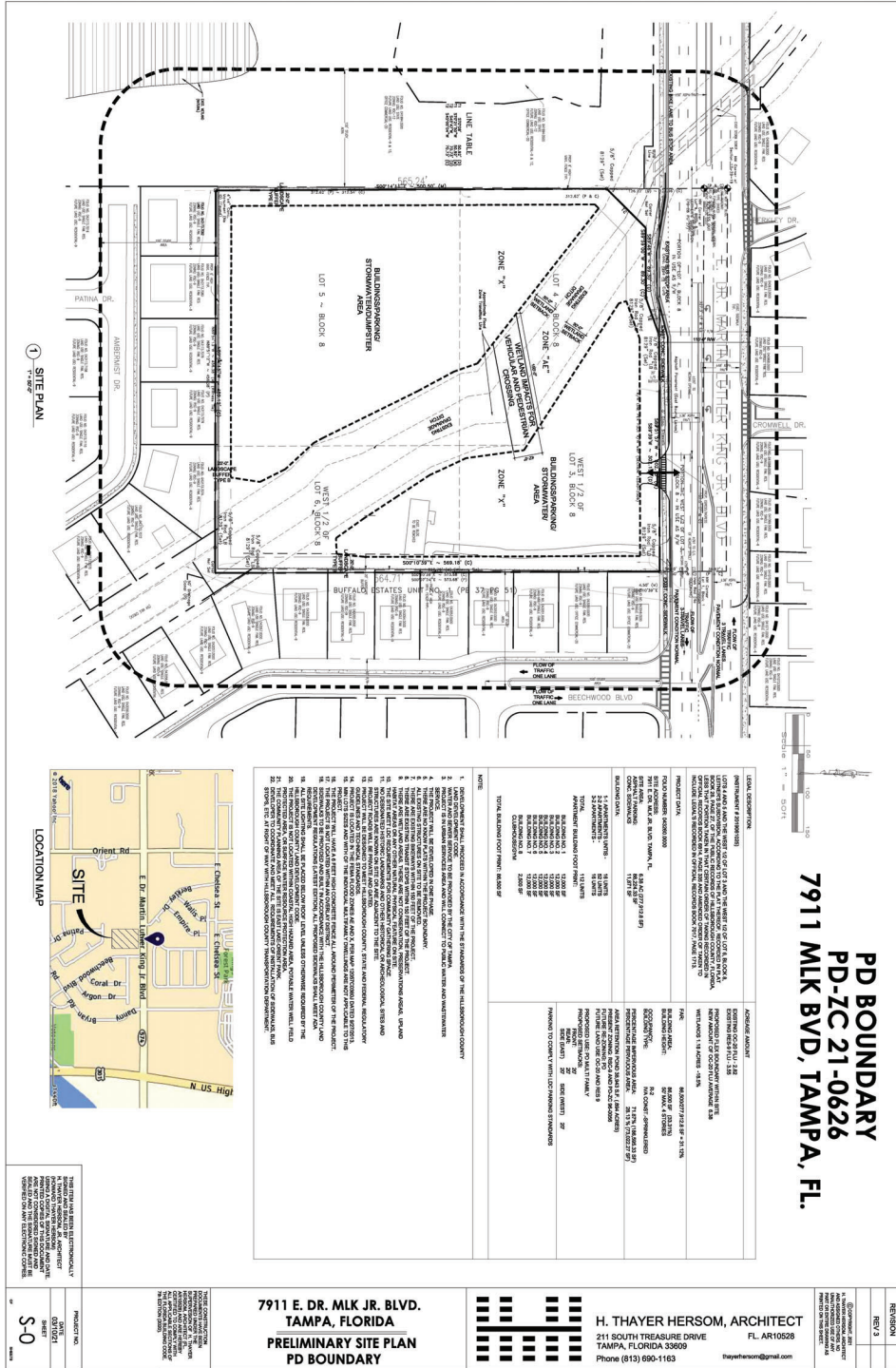
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

None.

8.0 PROPOSED SITE PLAN (FULL)



Received November 23, 2021
 Development Services

21-0626

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: James Ratliff, AICP, PTP
PLANNING AREA: ELOP

DATE: 12/6/2021
AGENCY/DEPT: Transportation
PETITION NO.: PD 21-0626

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

CONDITIONS OF APPROVAL

New Conditions

1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The developer shall construct an internal sidewalk system which complies with LDC requirements and connects both sides of the project across the wetland (labeled as “existing drainage ditch” on the PD site plan”).
3. The developer shall construct site access improvements, including:
 - a. An eastbound to southbound right turn lane on Dr. Martin Luther King Jr. Blvd. at the project driveway. Such turn lane will extend inside the existing bus bay, which will remain in place. The develop shall mark the remainder of the turn lane with right turn arrows.
 - b. Relocation of the existing drainage inlet, sidewalk and light poles as necessary. No light pole shall be relocated within the reconstructed sidewalk area. All sidewalks must maintain a minimum unobstructed width of 5 feet.
 - c. Design of the project entry such that a minimum 50-foot throat depth is maintained.
 - d. Mark the crosswalk across the project entry with high emphasis crosswalk markings.
4. Prior to or concurrent with the initial increment of development, the developer shall dedicate and convey an easement to FDOT, for public access and maintenance purposes, or otherwise dedicate the underlying fee of the corresponding area to FDOT, for any area where the existing or relocated sidewalk and lighting infrastructure along the project’s Dr. Martin Luther King Jr. frontage encroaches within the subject property. Such easement or conveyance instrument shall be approved by the Florida Department of Transportation and recorded in the Official Records of Hillsborough County prior to the issuance of any Certificates of Occupancy (temporary or otherwise).

Other Conditions

- Prior to PD Site Plan Certification, the developer shall revise the site plan to:
 - Modify note 12 such that it reads, “Project driveways shall be private and may be gated. If gated, project shall comply with TD-9 gate standards as shown in the Transportation Technical Manual (TTM).

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to a +/- 6.38 ac. parcel from Residential Single-Family Conventional - 9 (RSC-9) and Planned Development (PD) to PD. The proposed PD is seeking entitlements for up to 97 multi-family dwelling units.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the proposed project. Staff has prepared the below comparison of potential trip generation of the subject property based upon the existing and proposed zoning, utilized a generalized worst-case scenario. Data provided below is based on data from the 10th Edition of the Institute of Transportation Engineer’s Trip Generation Manual.

It should be noted that staff was unable to determine what the maximum existing entitlements could be, given that the portion of the site with an existing PD-ZC designation restricts development to single-family and mobile home uses only, but only to the extent that it doesn’t violate the underlying future land use designation of a subject parcel. It is highly unlikely that anyone could develop a viable single-family detached product at maximum density, within the OC-20 designate portions of the site, which would sell in the current market given that overall home size and footprint would likely be much smaller and taller than anything currently available in the market today if it were developed at 20 dwelling units to the acre. As such, Transportation Review Section staff assumed that a maximum of 9 units per acre would be a reasonable existing baseline.

Existing Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD-ZC 92-0056 and RSC-9, 57 Single-Family Detached Dwelling Units (ITE LUC 210)	620	45	59

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 112 Multi-family Dwelling Units (ITE LUC 220)	806	53	65

Difference:

	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
	(+) 186	(+) 8	(+) 6

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Dr. Martin Luther King Jr. Blvd. is a 6-lane, undivided, principal arterial roadway characterized by +/- 12-foot wide travel lanes in average condition. The roadway is owned and maintained by the Florida Department of Transportation (FDOT). The road lies within a variable width right-of-way along the

project’s frontage (between +/- 115 and +/- 127 feet). There are +/- 5 to 6-foot wide sidewalks along both sides of Dr. Martin Luther King Jr. Blvd. in the vicinity of the proposed project. There is a +/- 4-foot wide bicycle lane along the south side of Dr. Martin Luther King Jr. Blvd. west of the proposed project; however, there are no bicycle facilities east of the proposed project on the south side of Dr. Martin Luther King Jr. Blvd. nor along the north side in the vicinity of the proposed project.

The portion of Dr. Martin Luther King Jr. Blvd. along which the project fronts is not included within the Hillsborough County Corridor Preservation Plan.

There is an existing HART bus bay along the project’s frontage.

SITE ACCESS AND CONNECTIVITY

Access to the project will be via a single vehicular connection to Dr. Martin Luther King Jr. Blvd.

FDOT has reviewed the project and requested certain improvements and site development standards, the main elements of which staff has included as proposed conditions of approval hereinabove. Specifically, FDOT is requiring that the developer:

1. In order to mitigate for substandard driveway spacing, FDOT will require the developer construct an eastbound to southbound right turn lane which will extend inside the existing bus bay. FDOT notes that the bus bay will remain in place and the remainder of the turn lane will be required to be marked with right turn arrows.
2. Relocate the existing drainage inlet, sidewalk and light poles as necessary. FDOT notes that the light poles must not be relocated within the reconstructed sidewalk area.
3. Maintain a minimum 50-foot throat depth at the project access.
4. Construct the driveway with high emphasis crosswalk markings.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Data from the Hillsborough County 2020 Level of Service (LOS) Report for the adjacent roadway segment is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Dr. Martin Luther King Jr. Blvd.	I-4	US 301	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Dr. Martin Luther King Jr. Blvd.	FDOT Principal Arterial - Urban	6 Lanes <input 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
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	620	45	59
Proposed	806	53	65
Difference (+/-)	(+) 186	(+) 8	(+) 6

*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	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input 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	

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: RZ PD 21-0626

DATE OF HEARING: December 13, 2021

APPLICANT: Francisco J. Otero-Cossio

PETITION REQUEST: A request to rezone property from RSC-9 and PD to PD to permit 112 multi-family dwelling units

LOCATION: South side of the intersection of E. Dr. Martin Luther King Jr. Blvd. and Cromwell Dr.

SIZE OF PROPERTY: 6.38 acres, m.o.l.

EXISTING ZONING DISTRICT: RSC-9

FUTURE LAND USE CATEGORY: OC-20, RES-9

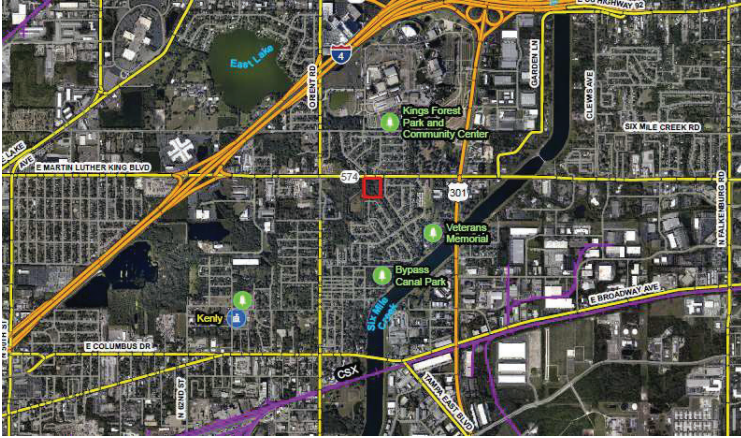
SERVICE AREA: Urban

COMMUNITY PLAN: Egypt Lake Orient Park

DEVELOPMENT REVIEW STAFF REPORT

***Note:** Formatting issues prevented the entire Development Services Department staff report from being copied into the Hearing Master's Recommendation. Therefore, please refer to the Development Services Department web site for the complete staff report.

1.0 APPLICATION SUMMARY



Applicant: Francisco J. Otero-Cassio

FLU Category: RES-9 & OC-20

Service Area: Urban

Site Acreage: 6.38

Community Plan Area: East Lake/Orient Park

Overlay: None

Introduction Summary:

The applicant seeks to rezone the subject site from RSC-9 and PD (92-0056) to PD to allow for a 112 multi-family unit project with a flex of the OC-20 future land use category. The flex will cover the entire parcel.

Zoning: Existing Proposed

District(s)	RSC-9	PD 92-0056 ZC (partial)	PD 21-0626
Typical General Use(s)	Single-Family Residential (Conventional Only)	Multiple Residential and Non-Residential	Multi-Family Residential
Acreage	3.51 +/-	2.87 +/- (partial)	6.38
Density/Intensity	9 unit per acre	20 units per acre	17.5 units per acre
Mathematical Maximum*	10 units	57 units	112 units (with Flex Request)

*number represents a pre-development approximation

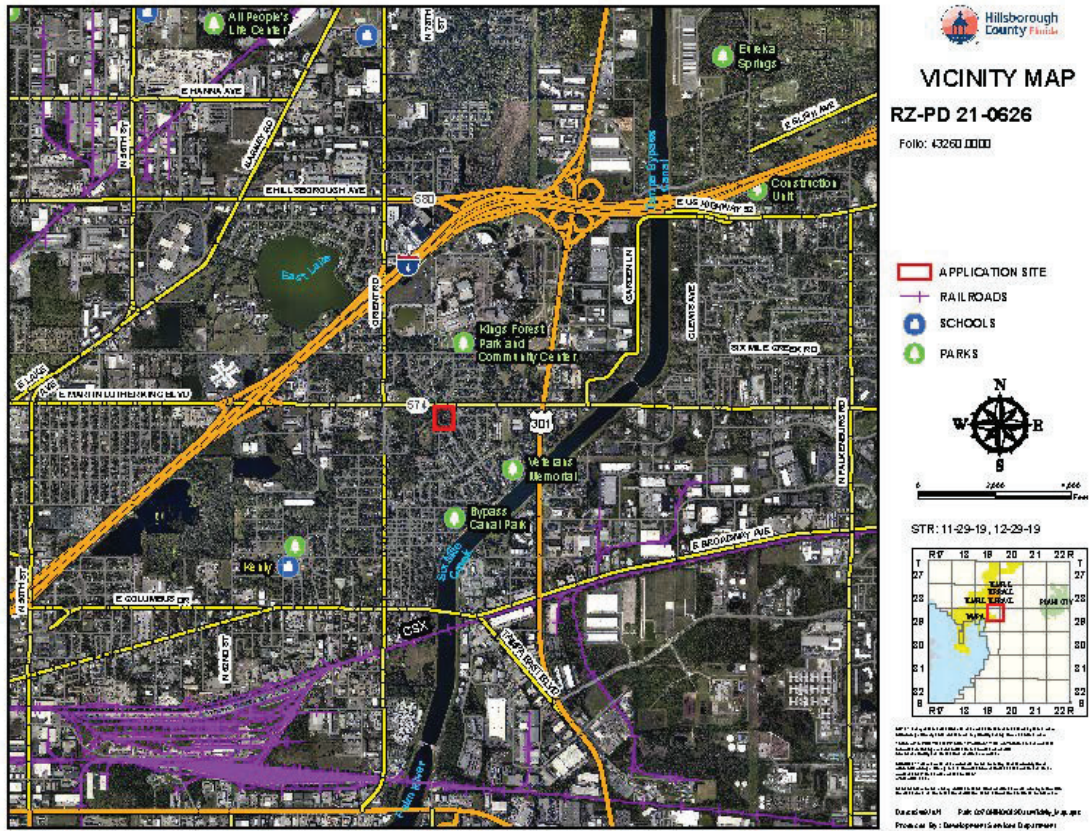
Development Standards: Existing Proposed

District(s)	RSC-9	PD 92-0056 ZC (partial)	PD 21-0626
Lot Size / Lot Width	5,000 sf / 50'	Unspecified	N/A
Setbacks/Buffering and Screening	20' Front 20' Rear 5' Sides	Unspecified	20' Front 20' Rear (2:1 setbacks) 20' Sides (2:1 setbacks)
Height	35'	Unspecified	50'/ 4-stories (2:1 Setback)

Additional Information:

PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested as part of this application
Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, subject to proposed conditions

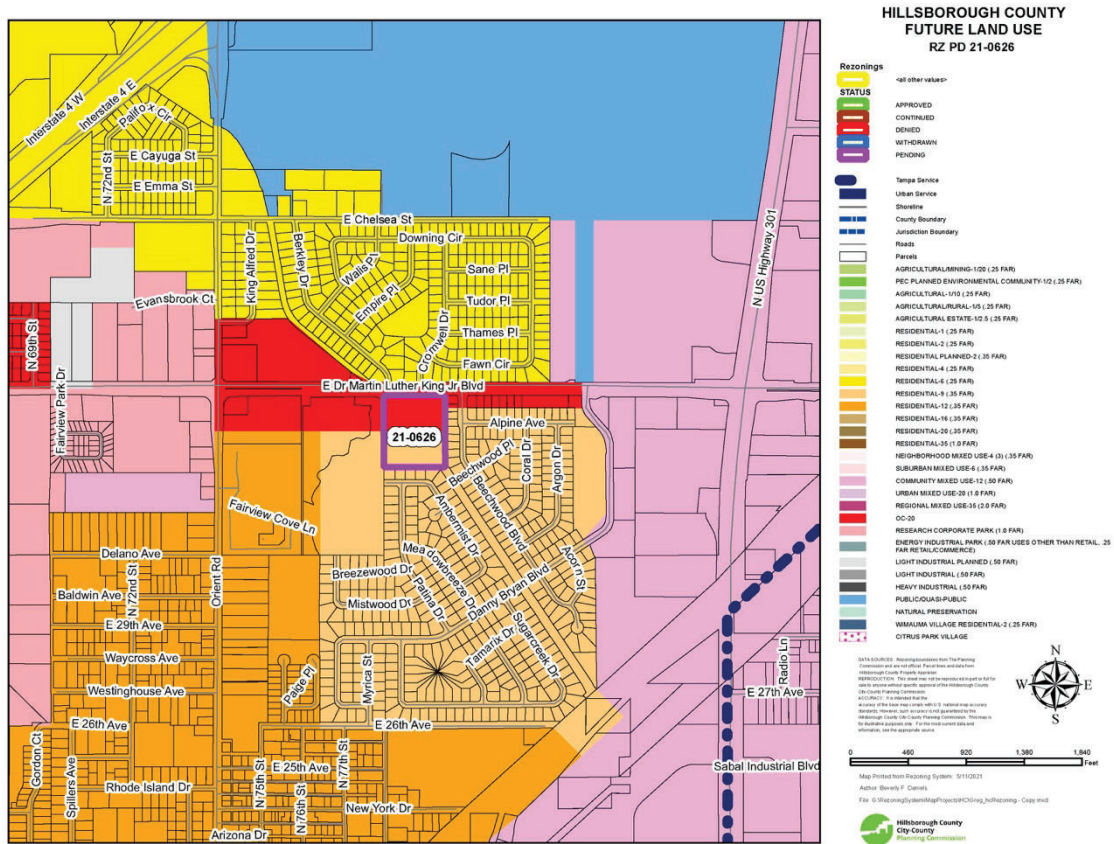
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

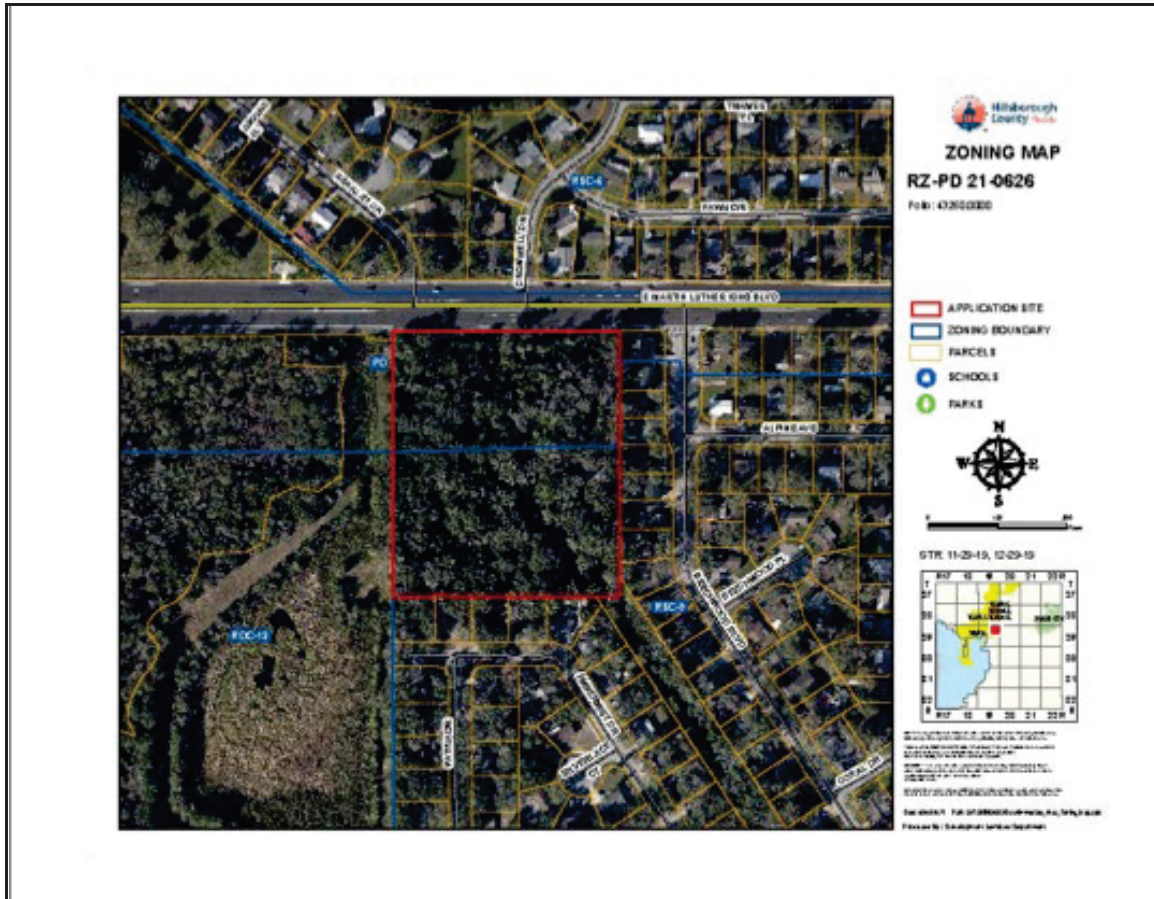
The site is located on the south side of Dr. Martin Luther King, Jr., Blvd, between I-4 to the west and US Highway 301 east. The general area is developed with residential (single-family and multi-family) and commercial uses within the East Lake/Orient Park community.

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



Subject Site Future Land Use Category:	RES-9 and OC-20
Maximum Density/F.A.R.:	RES-9: 9 units per acre RES-20: 20 units per acre
Typical Uses:	RES-9: Residential, urban scale, neighborhood commercial, office uses, multi-purpose projects and mixed use development. RES-20: Residential, neighborhood commercial, office uses, multi-purpose projects and mixed use developments.

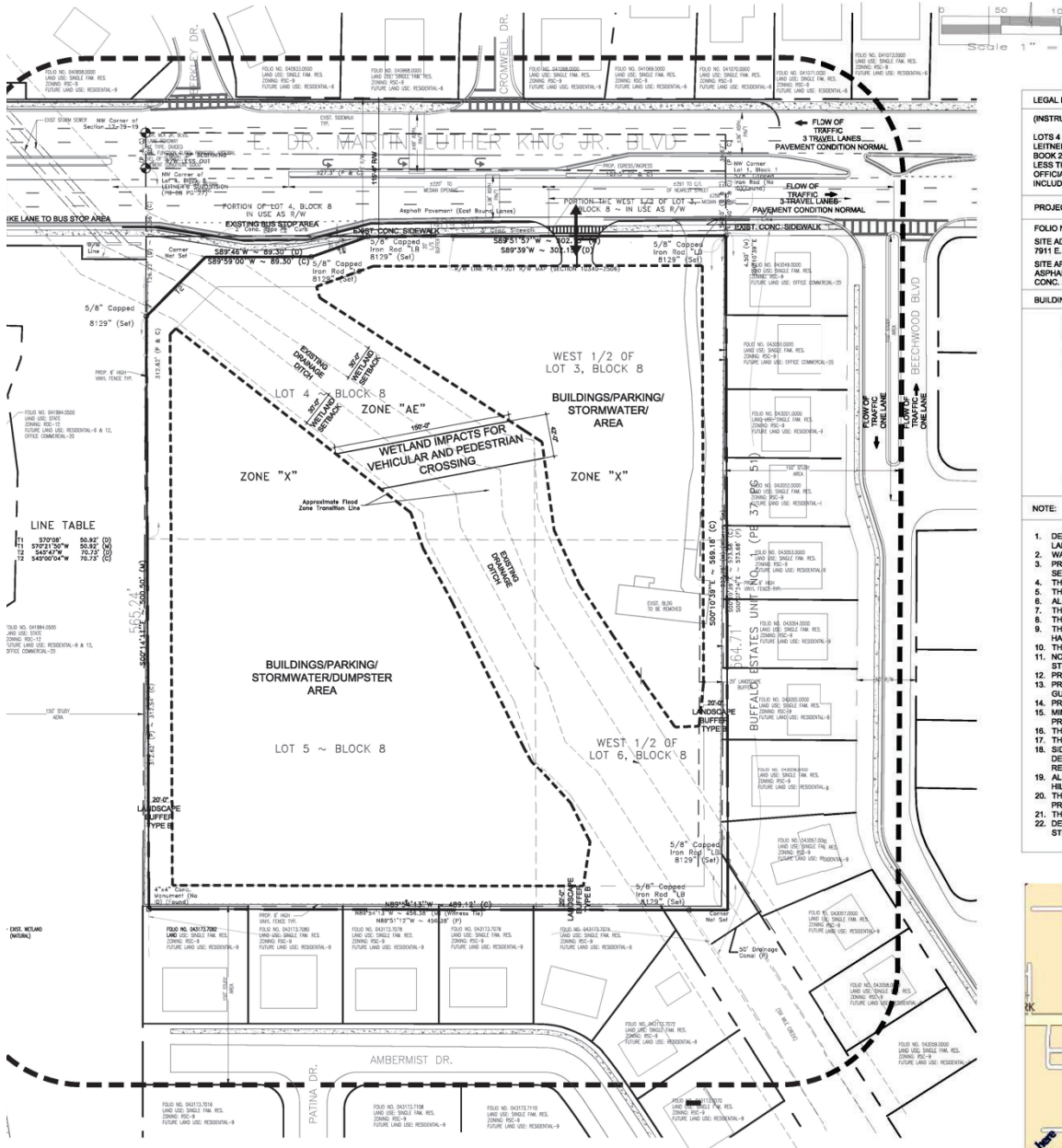
2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



Adjacent Zonings and Uses				
Location :	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	6 units per acre	Single-Family Residential	Single-Family Residential and roadway (MLK)
South	RSC-9	9 units per acre	Single-Family Residential	Single-Family Residential
East	RSC-9	9 units per acre	Single-Family Residential	Single-Family Residential
West	PD & RDC-12	PD: 20 units per acre RDC-12: 12 units per acre	PD: Various RDC-12: Single and Two- Family Residential	Government (stormwater)

2.0 LAND USE MAP SET AND SUMMARY DATA

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

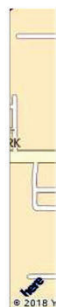


LINE TABLE

1	5700'	50.82'
2	5172.50'	50.82'
3	5467.47'	20.78'
4	5450.00'	70.72'

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(1) **SITE PLAN**
1" = 50'-0"



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
Dr. Martin Luther King Jr. Blvd.	FDOT Principal Arterial-Urban	6 Lanes <input 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
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	620	45	59
Proposed	806	53	65
Difference (+/-)	(+) 186	(+) 8	(+) 6

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1.18 acres of wetlands (18.5% of site)
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Check if Applicable:

Wetlands/Other Surface Waters

Use of Environmentally Sensitive Land Credit

Wellhead Protection Area

Surface Water Resource Protection Area

Potable Water Wellfield Protection Area Significant Wildlife Habitat
 Coastal High Hazard Area
 Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property
 Other _____

Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input checked="" 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	
Hillsborough County School Board 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	
Impact/Mobility Fees (Fee estimate is based on a 1,200 square foot, 2 bedroom, Multi-Family Units 1-2 story) Mobility: \$5,329 * 112 units = \$596,848 Parks: \$1,316 * 112 units School: \$3,891 * 112 units Fire: \$249 * 112 units Total Multi-Family (1-2 story) = \$1,207,920 = \$147,392 = \$435,792 = \$ 27,888				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments

Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input checked="" type="checkbox"/> Minimum Density Met <input 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	OC-20 flex request to cover entire parcel
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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The project proposes a multi-family project located within an area developed with residential uses. Properties to the south and east are developed with single-family residential homes at an approximate distance of 45 feet from the PD boundaries. The LDC required buffer width of 20 feet and Type B screening is proposed and the applicant will utilize a 6 foot high wall as the Type A component of the screening treatment. The applicant proposes a maximum building height of 50 feet / 4-stories. The comparable standard zoning district of RMC-20 allows a maximum height of 45 feet, which is 5 feet less than proposed. The project will provide an additional setback of 2 feet for every 1 foot over 20 feet in height along the eastern and southern PD boundaries (where adjacent to existing single-family residential). This will internalize the buildings as height is increased and/or limit the height to below the maximum proposed to achieve the desired density. Given that property to the west is used for an FDOT stormwater pond, no additional setback along that boundary is proposed. This will allow some degree of flexibility for the site, which will also allow the project to provide needed compatibility with the neighboring single-family residential along the other PD boundaries. The minimum setbacks proposed from the PD boundaries is 20 feet, which provides a greater side yard setback than required by the RMC-20 zoning district (10 feet). The proposed front yard setback of 20 feet is 5 feet less than required by the RMC-20 zoning district; however, this reduced front yard setback will provide development area which is lost by the centrally located wetlands. Additionally, this PD boundary is along a major divided roadway, providing approximately 85 feet of separation from the single-family residential existing to the north. Based upon these factors, staff has not identified compatibility concerns.

5.2 Recommendation

Approval, subject to conditions.

Zoning conditions, which were presented Zoning Hearing Master hearing, were reviewed and are incorporated by reference as a part of the Zoning Hearing Master recommendation.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on December 13, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Francisco J. Otero-Cossio 13014 North Dale Mabry Highway testified regarding the requested rezoning from RSC-9 to Planned Development to permit multi-family land uses. He stated that the site consists of 6.3 acres of which 1.18 acres are wetlands. The site has a split zoning of RSC-9 and PD and split land use categories of OC-20 and RES-9. The application includes a request to flex the OC-20 category over the entire parcel to maximum the number of dwelling units. The total number of units possible would be 127 however, the rezoning is requesting a maximum of 112 dwelling units with a clubhouse. The project will meet all required parking standards. Mr. Otero-Cossio described the project's consistency with the Comprehensive Plan and described particular policies and stated that the request meets the needs for housing in the area. He concluded his presentation by stating that the dwelling units would do some good in the community.

Hearing Master Finch asked Mr. Otero-Cossio to describe the connection between the two parcels across the existing drainage ditch and wetlands. Mr. Otero-Cossio replied that there will be a connector bridge for both cars and pedestrians.

Hearing Master Finch asked Mr. Otero-Cossio if the only access point for the project is to Dr. Martin Luther King Jr. Blvd. Mr. Otero-Cossio replied yes and added that a presubmittal meeting with FDOT and County transportation staff had occurred and the project was found consistent.

Hearing Officer Finch asked Mr. Otero-Cossio that if the wetland impacts and vehicular and pedestrian crossing are not approved by EPC, then is the western side of the project not accessible. Mr. Otero-Cossio replied yes.

Ms. Michelle Heinrich, Development Services Department testified regarding the County's staff report. Ms. Heinrich stated that the request is to rezone property from RSC-9 and PD to a new PD to allow 112 multi-family dwelling units. The request involves a flex of the OC-20 land use category which is partially on-site. Ms. Heinrich showed graphics to describe the flex request and stated that it would cover the entire parcel. She described the surrounding residential development and added that the maximum height of the buildings would be 50 feet and four stories and would comply with the required 2 to 1 setback for buildings over 20 feet. Ms. Heinrich concluded her presentation by stating that

staff supports the flex and the rezoning application.

Ms. Yeneka Mills of the Planning Commission staff testified that the property is within the Office Commercial-20 and Residential-9 Future Land Use category and located in the Urban Service Area and the East Lake Orient Park Community Planning Area. She stated that the request is consistent with Policy 1.2 regarding minimum density as well as Policy .,4 regarding the flex of the OC-20 land use category. She concluded her remarks by stating that the rezoning request is consistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application. None replied.

County staff did not have additional comments.

Mr. Otero-Cossio testified during the rebuttal period that the proposed density is 17 units per acre which is less than the maximum of 20 units per acre considering the OC-20 land use category.

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject site is 6.38 acres in size and is zoned Residential Single-Family Conventional-9 (RSC-9) and Planned Development (PD 92-0056 ZC). The property is designated Office Commercial-20 (OC-20) and Residential-9 (RES-9) by the Comprehensive Plan and located in the Urban Service Area and the East Lake Orient Park Community Planning Area.
2. The purpose of the rezoning from RSC-9 and PD to PD is to allow 112 multi-family dwelling units.

3. The existing Planned Development on-site currently permits a maximum of 57 dwelling units.
4. No Planned Development variations or waivers are requested as a part of the rezoning application.
5. The applicant is requesting a flex of the OC-20 Future Land Use category which is located on a portion of the subject property to cover the entire site.
6. The Planning Commission supports the requested flex of the OC-20 land use category as the requested density and multi-family residential development is consistent with the area. The Planning Commission stated that rezoning is consistent with the Future of Hillsborough Comprehensive Plan.
7. The maximum height of the multi-family buildings is limited to 50 feet/4 stories. The project will comply with the required 2-to-1 additional setback for buildings over 20 feet in height.
8. The applicant's representative testified that a connector bridge for both vehicular and pedestrian access is proposed to connect the western and eastern sides of the project across the wetland/drainage ditch. The applicant affirmed that all required EPC standards would be met.
9. Access to the project will be via one access point onto Dr. Martin Luther King Jr. Boulevard on the northeastern side of the development. The applicant's representative affirmed that if EPC does not approve the requested connector bridge impacts to the existing wetland/drainage ditch, access to the western side of the property would not be achievable.
4. The requested Planned Development zoning with the proposed flex of the OC-20 Future Land Use category to develop 112 multi-family dwelling units is consistent with the surrounding residential development pattern and character of the area.

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

The rezoning request is in compliance with and does further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested Planned Development rezoning is in

conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The request is to rezone 6.38 acres from RSC-9 and PD to PD to permit 112 multi-family dwelling units. The site has split Future Land Use categories of RES-9 and OC-20. The application requests to flex the OC-20 category over the entire property to increase the number of dwelling units to 112. The maximum height of the buildings will be 50 feet/4 stories. The project will comply with the required 2-to-1 additional setback for buildings over 20 feet in height.

No Planned Development variations or waivers are requested as a part of the rezoning application.

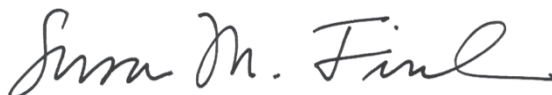
The applicant's representative testified that a connector bridge for both vehicular and pedestrian access is proposed to connect the western and eastern sides of the project across the wetland/drainage ditch. The applicant affirmed that all required EPC standards would be met.

The Planning Commission supports the requested flex of the OC-20 Future Land Use category and found the request to be consistent with the Future of Hillsborough Comprehensive Plan.

The requested rezoning for 112 multi-family dwelling units is consistent with the intent of the Land Development Code and the Comprehensive Plan and provides for a diverse housing type which is compatible with the surrounding area.

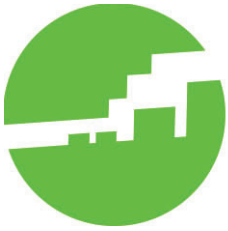
RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Planned Development rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



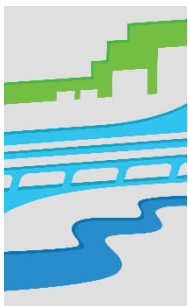
Susan M. Finch, AICP
Land Use Hearing Officer

Date January 05, 2022



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: December 13, 2021 Report Prepared: December 2, 2021	Petition: PD 21-0626 7911 East Martin Luther King Junior Drive <i>Within the southwest quadrant of the Dr. Martin Luther King Jr. Boulevard (CR 574) and Beechwood Boulevard intersection</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Office Commercial-20 (20 du/ac; 0.75 FAR) Residential-9 (9 du/ac; 0.50 FAR)
Service Area	Urban
Community Plan:	East Lake Orient Park
Rezoning Request:	Planned Development (PD) and Residential Single-Family Conventional-9 (RSC-9) to Planned Development allowing for 112 multi-family dwelling units utilizing the FLUE Policy 7.3 flex provision
Parcel Size (Approx.):	6.38 +/-acres
Street Functional Classification:	Dr. Martin Luther King Jr. Boulevard (CR 574) – Arterial Beechwood Boulevard – Local Roadway
Locational Criteria	N/A
Evacuation Zone	The subject property is located in Evacuation Zone C.



Context

- The subject property is located on approximately 6.38 acres within the southwest quadrant of the Dr. Martin Luther King Jr. Boulevard (CR 574) and Beechwood Boulevard intersection. The property is located within the limits of the East Lake Orient Park Community Plan and is in the Urban Service Area (USA).
- Typical uses within the Office Commercial-20 (OC-20) Future Land Use category include community commercial type uses, office uses, mixed use developments, and compatible residential uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- Typical uses within the Residential-9 (RES-9) Future land Use category include Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is designated OC-20 and RES-9 on the Future Land Use Map. OC-20 and RES-9 are located to the east and west of the subject property. Residential-6 (RES-6) is located to the north across Dr. Martin Luther King Jr. Boulevard (CR 574). RES-9 is located to the south of the subject property.
- According to the Hillsborough County Property Appraiser, the subject property is currently comprised of a single single-family lot with Planned Development (PD) and RSC-9 zoning. The property is surrounded by predominately single-family lots to the north, east and south. The public/quasi-public property to the west is owned by the Florida Department of Transportation. PD and RSC-9 zoning is located to the east. Residential Duplex Conventional-12 (RDC-12) and PD zoning is located to the west. RSC-9 is located to the south of the property. Residential Single-Family Conventional-6 (RSC-6) is located to the north.
- The applicant requests to rezone the subject property from Planned Development (PD) and Residential Single-Family Conventional-9 (RSC-9) to Planned Development allowing for 112 multi-family dwelling units utilizing the flex provision.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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.

Policy 1.7: The County will create incentives to make development within the USA desirable and cost affordable. Such incentives may include but are not limited to expedited review processes, retrofitting existing development, increased density bonuses, tax incentives, impact fee structuring and pre-zoning of vacant, underutilized lands to achieve planned densities.

Relationship to the Future Land Use Map

Objective 7: The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.

Policy 7.1: The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text.

Policy 7.2: All land use category boundaries on the Future Land Use Map coinciding with and delineated by man-made or natural features, such as but not limited to roads, section lines, property boundaries, surface utility rights-of-way, railroad tracks, rivers, streams or other water bodies or wetlands are precise lines.

Policy 7.3: The land use category boundaries may be considered for interpretation as flexible boundaries in accordance with the Flex Provision as follows:

- Through application of the flex provision, the land use category boundaries shall be deemed to extend beyond the precise line to include property adjoining or separated by a man made or natural feature from the existing boundary line.
- The line may be relocated a maximum of 500 feet from the existing land use boundary of the adopted Land Use Plan Map. Right-of-Way is not included in the measurement of the 500 foot flex.
- No new flexes can be extended from an existing flexed area.
- All flexes must be parallel to the land use category line.
- Flexes are not permitted in the Rural Area or in areas specified in Community Plans. Flexes are also not permitted from the Urban Service Area into the Rural Area. All

flexes in the Rural Area approved prior to July 2007 are recognized and are not to be considered non-conforming.

- *Flexes to increase residential density are not permitted in the Coastal High Hazard Area.*
- *Flexes are not permitted from a municipality into the unincorporated county.*
- *A flex must be requested as part of planned development or site plan oriented rezoning application. Major Modification to approved zoning that changes the intensity, density or the range of uses will require that the previous flex request be re-evaluated for consistency and a new flex request may be required.*
- *Applicants requesting a flex must provide written justification that they meet the criteria for a flex as outlined below.*
- *The Board of County Commissioners may flex the plan category boundary to recognize or grant a zoning district which is not permitted in the land use category but lies within the distance of a conforming land use category, as described above. Prior to the determination by the Board of County Commissioner, the staff of the Planning Commission shall make a recommendation on the consistency of the request with the Comprehensive Plan.*

Policy 7.4: *The criteria for consideration of a flex request are as follows:*

- *The availability and adequacy of public facilities to serve the proposed development accommodated by the flex;*
- *The compatibility with surrounding land uses and their density and intensity;*
- *The utilization of the flex furthers other goals, objectives and policies of the Future Land Use Element.*

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:*

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

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

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

- the creation of like uses; or*
- creation of complementary uses; or*
- mitigation of adverse impacts; and*
- 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 16.13: Medium and high density residential and mixed use development is encouraged to be located along transit emphasis corridors, potential transit corridors on the MPO 2050 Transit Concept Map and collector and arterial roadways within the Urban Service Area.

CONSERVATION AND AQUIFER RECHARGE ELEMENT

Wetlands and Floodplain Resources

Objective 4: The County shall continue to apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and other surface waters authorized for projects in Hillsborough County, consistent with the Uniform Mitigation Assessment Method. The County shall work with the Environmental Protection Commission, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Tampa Bay Estuary Program to achieve a measurable annual increase in ecological values provided by the functions performed by wetlands and other surface waters. It shall be the County's intent to maintain optimum wetland functions as well as acreage.

Policy 4.1: The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration.

Policy 4.3: The County shall, through the land planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to prohibit unmitigated encroachment into wetlands.

Policy 4.12: Priority shall be given to avoiding the disturbance of wetlands in the County and to encourage their use only for purposes which are compatible with their natural functions and environmental benefits.

Policy 4.13: Development which impacts wetlands may be deemed appropriate only as a last resort; where:

1. reasonable use of the property is otherwise unavailable and/or onsite preservation of a functioning wetland system is deemed unsustainable;
2. the adverse impact is offset by the benefit of the development to the public such that it is reasonable, in the public interest and an acceptable mitigation plan is proposed.

This determination shall be made by Hillsborough County and/or the Environmental Protection Commission of Hillsborough County.

Policy 4.14: The development review process, part of a comprehensive program for the protection of wetlands, shall make every effort to maintain natural undisturbed wetlands by way of a sequential review process that first evaluates all means of avoiding wetland impacts in regard to a particular

project; if necessary, secondly, evaluates and requires measures to minimize wetland impacts; and if necessary, thirdly, evaluates and requires the mitigation of wetland impacts.

Objective 5: *The County shall continue to prevent net loss of 100-year floodplain storage volume in Hillsborough County. The County shall continue to protect and conserve natural wildlife habitat attributes where they exist within the 100-year floodplains of major rivers and streams.*

LIVABLE COMMUNITIES ELEMENT

East Lake Orient Park

Housing – Create housing opportunities.

- *East Lake-Orient Park is experiencing problems with poorly managed apartment complexes and rental properties. East Lake-Orient Park seeks annual inspections of rental units for compliance with the health and housing codes.*
- *New residential developments that provide home ownership are preferred.*
- *Support affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership.*
- *Create a neighborhood redevelopment and rehabilitation program to revitalize the area south of US 92 in the vicinity of Falkenburg Road.*
- *Evaluate land uses along Orient Road to allow higher density quality residential dwelling units.*

Staff Analysis of Goals, Objectives, and Policies:

The subject property is located on approximately 6.38 acres within the southwest quadrant of the Dr. Martin Luther King Jr. Boulevard (CR 574) and Beechwood Boulevard intersection. The property is located within the limits of the East Lake Orient Community Plan and is in the Urban Service Area (USA). The applicant seeks to Planned Development (PD) and Residential Single-Family Conventional-9 (RSC-9) to Planned Development allowing for 112 multi-family dwelling units utilizing the flex provision.

The subject property is located within the Urban Service Area. Per Policy 1.2 (FLUE), the site must satisfy minimum density requirements. The maximum allowable density on the subject site with the flex of the OC-20 is 127 dwelling units and the minimum allowable density is 95 dwelling units. The application requests 112 multi-family units and satisfies Policy 1.2 (FLUE).

The subject property is designated Office Commercial-20 (OC-20) and Residential-9 (RES-9) on the Future Land Use Map. The intent of the OC-20 Future Land Use category is to recognize existing commercial and office centers and provide for future development opportunities. New retail development should be part of a mixed-use development or be clustered at the intersections of major roadways. Retail uses should be discouraged outside of these nodes.

The applicant seeks to utilize the flex provision as outlined in Policy 7.4 in the Future Land Use Element (FLUE) to flex the OC-20 portion of the subject site to the entire parcel for greater density. According to the application the flex request is justified because the subject site is within the Urban Service Area and compatible with surrounding land uses as it provides adequate and affordable housing. Providing housing in this area provides

revitalization as there are opportunities employment as the uses to the south and east of the subject site are primarily industrial and manufacturing in nature. The site is well serviced by transit as a bus stop is located in front of the parcel. The applicant contends that the flex furthers Policy 1.7 of the FLUE as an incentive to provide greater density on an underutilized parcel of land to create desirable and cost-affordable housing within the Urban Service Area. Planning Commission Staff have reviewed the flex request and concur with the applicant that they meet the justification criteria for the flex and advise the BOCC to grant approval of the flex request.

The intent of the RES-9 Future Land Use category is to designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments when in compliance with the Goals, Objectives, and Policies of the Land Use Element and applicable development regulations and locational criteria for specific land uses. The proposed density and residential development would allow for uses that are compatible with the surrounding development pattern and satisfies the intent of Objective 16 and Policies 16.1, 16.2, 16.3 and 16.8. The application proposes a full access to Dr. Martin Luther King Jr. Boulevard (CR 574) which is an arterial road and therefore meets the intent of Policy 16.13 that encourages higher density residential to locate along arterial or collector roads. The application has demonstrated sufficient internal and external connectivity to nearby neighborhoods, satisfying the intent of Policy 16.7. The flex request and the proposed residential development are also consistent with the OC-20 and RES-9 Future Land Use categories.

The property is located within the limits of the East Lake Orient Park Community Plan. The Community Plan supports affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership. The proposed residential development will provide additional housing opportunities within East Lake Orient Park. The request is consistent with the East Lake Orient Park Community Plan.

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

Overall, staff finds that the proposed modification is consistent with Urban Service Area policies and supports the vision of the East Lake Orient Park Community Plan. The request is compatible with the existing development pattern in the area. The request would allow for a development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed Planned Development **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to conditions proposed by the Development Services Department.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 21-0626

Rezonings
STATUS

- <all other values>
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

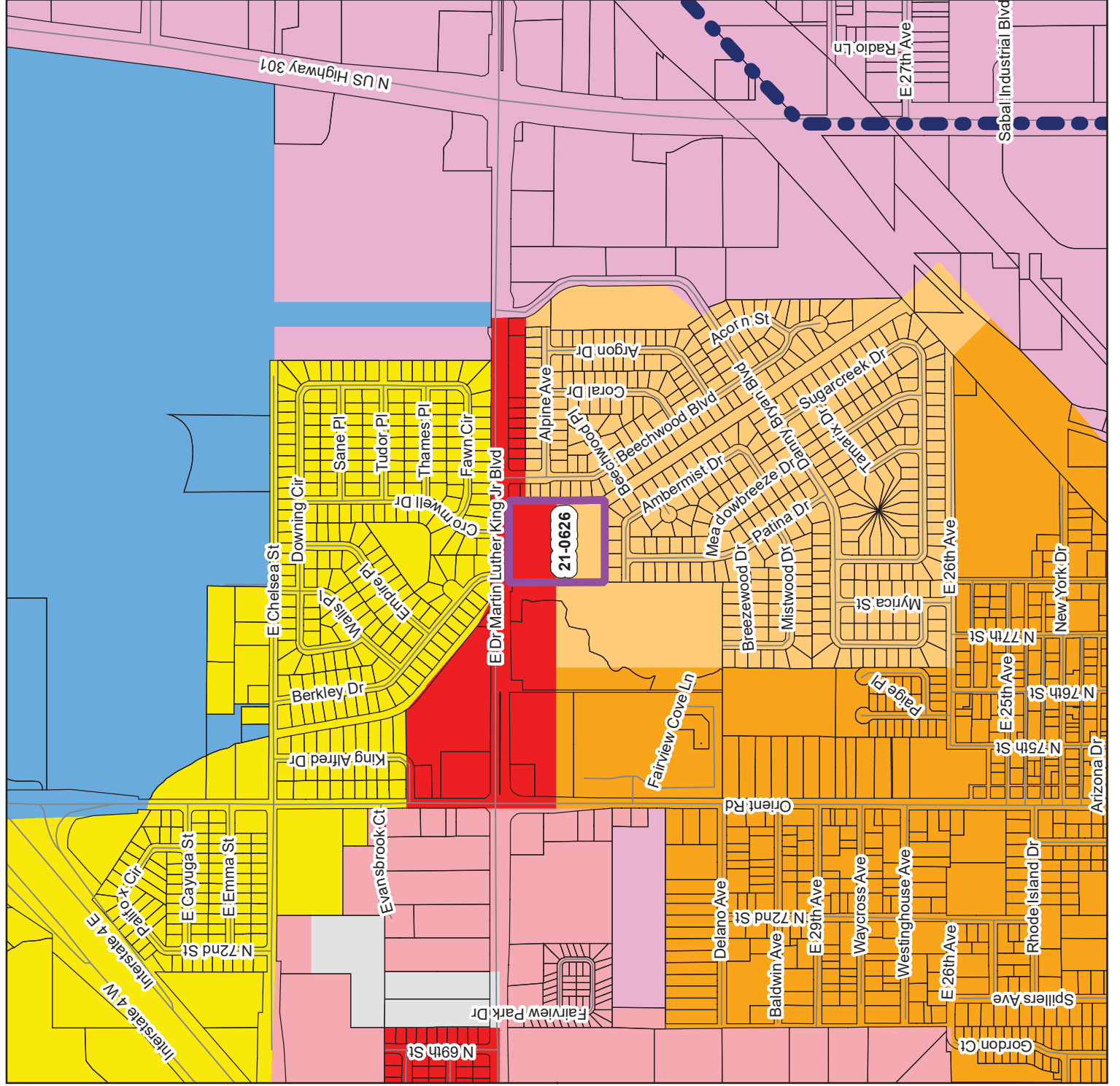
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

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

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the City/County Planning Commission. ACCURACY: It is intended that the information on this map is for informational purposes only. The most current data and information, use the appropriate source.



Map Printed from Rezoning System: 5/11/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Reg_H\Rezoning - Copy.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



**Hillsborough
County Florida**

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

Gwendolyn "Gwen" Myers
Kimberly Overman
Mariella Smith
Stacy R. White

COUNTY ADMINISTRATOR

Bonnie M. Wise

COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: 7911 MLK Apartments

Zoning File: RZ-PD (21-0626) Modification: None

Atlas Page: None Submitted: 01/20/22

To Planner for Review: 01/20/22 Date Due: ASAP

Contact Person: Francisco J. Otero-Cossio Phone: 813-517-6828/ fotero.oc@gmail.com

Right-Of-Way or Land Required for Dedication: Yes No

The Development Services Department HAS NO OBJECTION to this General Site Plan.

The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: Michelle Heinrich Date: 1/20/22

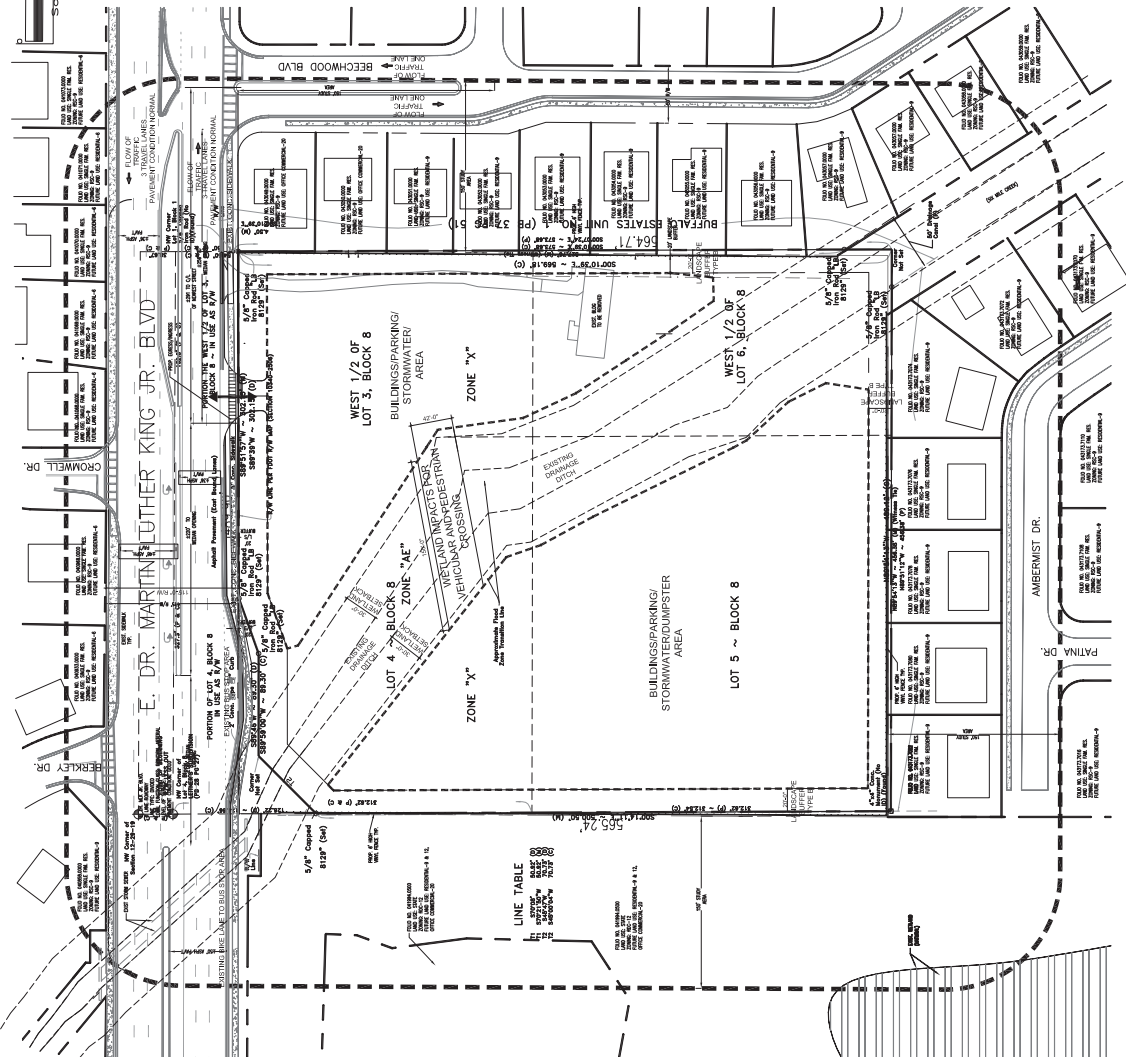
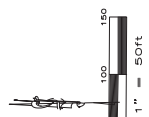
Date Agent/Owner notified of Disapproval: _____

**PD BOUNDARY
PD-ZC 21-0626
7911 MLK BVD, TAMPA, FL.**

REVISION
REVISED SHEET 3

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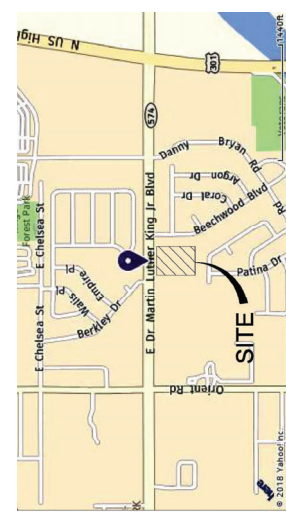
H. THAYER HERSCOV, ARCHITECT
FL, AR10528
211 SOUTH TREASURER DRIVE
TAMPA, FLORIDA 33609
Phone (813) 690-1163
thayerh@htharc.com



LEGAL DESCRIPTION: PARCELS 210808005 SECTION 27, T28S, R18E, S18, 1/2 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LETHERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT OFFICIAL RECORDS BOOK 864, PAGE 330 AND AMENDED ORDER OF TAKEN TO INCLUDE LEGALS RECORDED IN OFFICIAL RECORDS BOOK 7017, PAGE 1714.	ACRESAGE AMOUNT EXISTING PDZC PLU - 2.55 PROPOSED FLEX BOUNDARY WITHIN SITE NEW AMOUNT OF PDZC PLU AVERAGE 1.38 WETLANDS 1.18 ACRES - 14.5%
PROJECT DATA: FOID NUMBER: 043061000 SITE ADDRESS: 7911 E. DR. MLK JR. BLVD, TAMPA, FL. SITE AREA: 0.38 AC (177,912.8 SF)	PAR: 46.500777912.8 SF = 11.15% BUILDING HEIGHT: 35 FT. (10.67 M) MA CONC. SPRINKLERED %2 CONC. SPRINKLERED %2 CONC. SPRINKLERED PERCENTAGE IMPERVIOUS AREA: 71.87% (186,963.3 SF) PERCENTAGE PERVIOUS AREA: 28.13% (69,227.27 SF) FUTURE ZONINGS: PD, AND REE S FUTURE ZONINGS: PD AND REE S PROPOSED USE: PD MULTIFAMILY
BUILDING DATA: TOTAL: 152 UNITS	PROPOSED SETBACKS: REAR: 20' SIDE (EAST): 20' SIDE (WEST): 20'
NOTE: 1. DEVELOPMENT SHALL PROCEED IN ACCORDANCE WITH THE STANDARDS OF THE HILLSBOROUGH COUNTY WATER AND SEWER SERVICE TO BE PROVIDED BY THE CITY OF TAMPA. 2. WATER AND SEWER SERVICE ARE TO BE PROVIDED BY THE CITY OF TAMPA. 3. THERE ARE NO EXISTING UTILITIES UNDER OR OVER THE PROJECT. 4. THERE ARE NO EXISTING UTILITIES UNDER OR OVER THE PROJECT. 5. ALL EXISTING UTILITIES UNDER OR OVER THE PROJECT SHALL BE REMOVED. 6. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 7. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 8. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 9. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 10. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 11. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 12. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 13. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 14. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 15. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 16. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 17. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 18. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 19. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 20. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 21. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT. 22. THERE ARE EXISTING TRUNK STOPS WITHIN 150 FEET OF THE PROJECT.	

PARKING TO COMPLY WITH LDC PARKING STANDARDS

**PRELIMINARY SITE PLAN
TAMPA, FLORIDA**
7911 E. DR. MLK JR. BLVD.
PD BOUNDARY



LOCATION MAP

THESE CONSENT FROM DOCUMENTS HAVE BEEN REVIEWED AND FOUND TO BE TRUE AND CORRECT. THESE DOCUMENTS ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF H. THAYER HERSCOV, ARCHITECT. THE FUTURE RELEASE OF THESE DOCUMENTS IS THE SOLE RESPONSIBILITY OF THE USER.

PROJECT NO.
0210021
SHEET
S-0

1 SITE PLAN
T-10027



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: James Ratliff, AICP, PTP
PLANNING AREA: ELOP

DATE: 12/6/2021
AGENCY/DEPT: Transportation
PETITION NO.: PD 21-0626

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

CONDITIONS OF APPROVAL

New Conditions

1. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The developer shall construct an internal sidewalk system which complies with LDC requirements and connects both sides of the project across the wetland (labeled as “existing drainage ditch” on the PD site plan”).
3. The developer shall construct site access improvements, including:
 - a. An eastbound to southbound right turn lane on Dr. Martin Luther King Jr. Blvd. at the project driveway. Such turn lane will extend inside the existing bus bay, which will remain in place. The develop shall mark the remainder of the turn lane with right turn arrows.
 - b. Relocation of the existing drainage inlet, sidewalk and light poles as necessary. No light pole shall be relocated within the reconstructed sidewalk area. All sidewalks must maintain a minimum unobstructed width of 5 feet.
 - c. Design of the project entry such that a minimum 50-foot throat depth is maintained.
 - d. Mark the crosswalk across the project entry with high emphasis crosswalk markings.
4. Prior to or concurrent with the initial increment of development, the developer shall dedicate and convey an easement to FDOT, for public access and maintenance purposes, or otherwise dedicate the underlying fee of the corresponding area to FDOT, for any area where the existing or relocated sidewalk and lighting infrastructure along the project’s Dr. Martin Luther King Jr. frontage encroaches within the subject property. Such easement or conveyance instrument shall be approved by the Florida Department of Transportation and recorded in the Official Records of Hillsborough County prior to the issuance of any Certificates of Occupancy (temporary or otherwise).

Other Conditions

- Prior to PD Site Plan Certification, the developer shall revise the site plan to:
 - Modify note 12 such that it reads, “Project driveways shall be private and may be gated. If gated, project shall comply with TD-9 gate standards as shown in the Transportation Technical Manual (TTM).

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to a +/- 6.38 ac. parcel from Residential Single-Family Conventional - 9 (RSC-9) and Planned Development (PD) to PD. The proposed PD is seeking entitlements for up to 97 multi-family dwelling units.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the proposed project. Staff has prepared the below comparison of potential trip generation of the subject property based upon the existing and proposed zoning, utilized a generalized worst-case scenario. Data provided below is based on data from the 10th Edition of the Institute of Transportation Engineer’s Trip Generation Manual.

It should be noted that staff was unable to determine what the maximum existing entitlements could be, given that the portion of the site with an existing PD-ZC designation restricts development to single-family and mobile home uses only, but only to the extent that it doesn’t violate the underlying future land use designation of a subject parcel. It is highly unlikely that anyone could develop a viable single-family detached product at maximum density, within the OC-20 designate portions of the site, which would sell in the current market given that overall home size and footprint would likely be much smaller and taller than anything currently available in the market today if it were developed at 20 dwelling units to the acre. As such, Transportation Review Section staff assumed that a maximum of 9 units per acre would be a reasonable existing baseline.

Existing Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD-ZC 92-0056 and RSC-9, 57 Single-Family Detached Dwelling Units (ITE LUC 210)	620	45	59

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 112 Multi-family Dwelling Units (ITE LUC 220)	806	53	65

Difference:

	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
	(+) 186	(+) 8	(+) 6

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Dr. Martin Luther King Jr. Blvd. is a 6-lane, undivided, principal arterial roadway characterized by +/- 12-foot wide travel lanes in average condition. The roadway is owned and maintained by the Florida Department of Transportation (FDOT). The road lies within a variable width right-of-way along the

project’s frontage (between +/- 115 and +/- 127 feet). There are +/- 5 to 6-foot wide sidewalks along both sides of Dr. Martin Luther King Jr. Blvd. in the vicinity of the proposed project. There is a +/- 4-foot wide bicycle lane along the south side of Dr. Martin Luther King Jr. Blvd. west of the proposed project; however, there are no bicycle facilities east of the proposed project on the south side of Dr. Martin Luther King Jr. Blvd. nor along the north side in the vicinity of the proposed project.

The portion of Dr. Martin Luther King Jr. Blvd. along which the project fronts is not included within the Hillsborough County Corridor Preservation Plan.

There is an existing HART bus bay along the project’s frontage.

SITE ACCESS AND CONNECTIVITY

Access to the project will be via a single vehicular connection to Dr. Martin Luther King Jr. Blvd.

FDOT has reviewed the project and requested certain improvements and site development standards, the main elements of which staff has included as proposed conditions of approval hereinabove. Specifically, FDOT is requiring that the developer:

1. In order to mitigate for substandard driveway spacing, FDOT will require the developer construct an eastbound to southbound right turn lane which will extend inside the existing bus bay. FDOT notes that the bus bay will remain in place and the remainder of the turn lane will be required to be marked with right turn arrows.
2. Relocate the existing drainage inlet, sidewalk and light poles as necessary. FDOT notes that the light poles must not be relocated within the reconstructed sidewalk area.
3. Maintain a minimum 50-foot throat depth at the project access.
4. Construct the driveway with high emphasis crosswalk markings.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Data from the Hillsborough County 2020 Level of Service (LOS) Report for the adjacent roadway segment is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Dr. Martin Luther King Jr. Blvd.	I-4	US 301	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Dr. Martin Luther King Jr. Blvd.	FDOT Principal Arterial - Urban	6 Lanes <input 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
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	620	45	59
Proposed	806	53	65
Difference (+/-)	(+) 186	(+) 8	(+) 6

*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	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input 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	



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33619

KEVIN J. THIBAUT, P.E.
SECRETARY

May 25, 2021

**THIS DOCUMENT IS NOT A PERMIT APPROVAL.
THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASIS FOR PERMIT APPROVAL AFTER
11/25/2021.**

Re: PRE-APPLICATION REVIEW FOR ACCESS CONNECTION PERMIT REQUEST

Date: May 25, 2021	State Road#: 574
Time: 10:30 AM	Section ID #: 10 340 000
Applicant: Franco Otero	Mile Post: 8.37
Project: Apartments @ 7911 MLK Blvd.	Road Class: 5
Location: 7911 MLK Blvd.	MPH: 50 MPH
County: Hillsborough	DW/Sig Spacing: 440' 2640'
Folio#: 43260	Median Spacing: 660' 2640'

Dear Mr. Otero

The Pre-application review of the subject project was conducted by your request. The purpose of the Pre-application review is to educate both the applicant and the Department of the project, the scope of work being proposed, and the requirements to obtain a permit for allowed development or modification to connections within the state Right of Way. After discussing the project and doing a thorough review of the documentation presented, the following comments are to be considered in the final design and we have determined that

- We disapprove the concept as presented with the following considerations.
- We approve the concept as presented with the following conditions/considerations.
- We approve of the concept as submitted and we invite you to submit a permit application package to the Permit Office with engineering drawings that reflect the concept proposed in this meeting.
- We are prepared to continue the review of the concept with the District Variance Committee.
- We are prepared to continue the review of the concept as presented with the following considerations.

Conditions and Comments:

This project proposes modifying access to SR 574, a class 5 roadway, with a posted speed limit of 50 MPH. Florida Administrative Code, Rule Chapter 14-97, requires 440' driveway spacing, 660' directional, 2640' full median opening spacing, and 2640' signal spacing requirements. Therefore, connections would be considered non-conforming in accordance with the rule chapters 1996/97 for connection spacing.

FDOT Recommendations,

1. Proposing to build 112 unit with approximately 610 trips.
2. Subject property has an existing drainage easement that discharges into bypass canal. FDOT stormwater from MLK discharges into the canal.
3. Proposed right-in/right-out.
4. Extend the existing bus bay as a right turn lane into the driveway. The bus bay will remain in place and remainder of the lane will be marked with right turn arrows.
5. TSM&O recommended converting Berkley Drive EB left turn and removing WB U-turn; these recommendations were made without considering development of proposed site. The Department is agreeable with keeping the median as it is currently configured and continue to allow U-turn movement.
6. Proposed driveway location is acceptable.
7. Turn lane construction from Note 4 will be required to mitigate the non-conforming driveway distance from Beechwood Blvd.
8. Light poles will need to be relocated to back of sidewalk. NOT in the sidewalk. Existing and relocated locations both need to be labeled on the plans.
9. Existing drainage inlet will also need to be relocated; therefore, a drainage permit will also be required.
10. FPID 427158-1 shows existing pipe into the bypass canal.
11. All FDOT drainage pipe and structures need to be shown in plans.
12. Show flood stage of creek after additional project stormwater is included.
13. ADA compliant sidewalk routes need to be provided throughout the site and tie into a connection to the state road.
14. Minimum driveway radius of 35'. Minimum throat depth from EOTL (of the thru lane, not the turn lane) to first parking space is 50'.
15. Driveway width a minimum of 24' wide, up to 30' wide.
16. Remove all other existing driveways and restore the existing curb line.
17. Maintain 20' pedestrian sight triangles and draw the triangles on the plans to show there are no obstructions taller than 24" within the triangles. (See example below)
18. All typical driveway details to be placed properly:
 - a. 6' wide, high emphasis, ladder style crosswalk straddling the (RED) detectable warning mats.
 - b. 24" thermoplastic white stop bar equal to the lane width placed 4' behind crosswalk.
 - c. 36" stop sign mounted on a 3" round post, aligned with the stop bar.
 - d. If applicable, a "right turn only" sign mounted below the stop sign (FTP-55R-06 or FTP-52-06).



- e. Double yellow 6" lane separation lines.
 - f. Directional arrow(s) 25' behind the stop bar.
 - g. Warning mats to be red in color unless specified otherwise.
 - h. All markings on concrete are to be high contrast (white with black border).
 - i. All striping within and approaching FDOT R/W shall be thermoplastic.
19. **Make a note in the plans** stating that vegetation control, maintenance and restoration is the responsibility of the UAO or Contractor for the duration of the work being done in the ROW for six months after work is complete or until restored vegetation is well established.
20. **Include a copy of this letter in the application submittal.**
21. **Plans shall be per the current Standard Plans and FDM.**
22. **Lighting of sidewalks and/or shared paths must be to current standards** (FDM section 231). Newly implemented FDOT Context classifications updated the required sidewalk widths (FDM section 222.2.1.1). Where sidewalk is being added and/or widened, the lighting will be analyzed to ensure sidewalks are properly lighted per FDOT FDM standards. Reference the following link for details: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf_2
23. Any relocation of utilities, utility poles, signs, or other agency owned objects must be coordinated with the Department and the **existing and proposed location** must be clearly labeled on the plans. Contact the Permits Department for more details and contact information.
24. Any project that falls within the limit of a FDOT project must contact project manager, provide a work schedule, and coordinate construction activities prior to permit approval. Contact the Permits Department for more details and contact information.
25. **All the following project identification information must be on the Cover Sheet of the plans:**
- a. **All Associated FDOT Permit #'s)**
 - b. **SR # (& Local Road Name) and Road Section ID #**
 - c. **Mile Post # and Lt or Rt Roadway**
 - d. **Roadway Classification # and Speed Limit (MPH)**
26. All Plans and Documents submitted in OSP need to be **signed and sealed**.
27. The following FDOT Permits may additionally be required:
- a. Access Permit / Construction Agreement
 - b. Drainage Permit or Exemption
 - c. Utility Permit – for any utility connections within the FDOT R/W (Except those that are exempt from permitting by the 2017 FDOT Utility Accommodation Manual).
 - d. Temporary Driveway Permit

If you do not have access to a computer, and are unable to apply through our One Stop Permitting website, you must submit your application to,

**Florida Department of Transportation
2822 Leslie Rd.
Tampa, Fl. 33619
Attn: Mecale' Roth**

Favorable review of the proposed generally means that you may develop plans that comply with the review comments and submit them with a permit application, within six months, to the Department for permit processing and further review. The Pre-application is for the applicant to discuss, with Department staff, the proposed site design for compliance and constructability in relation to the Standard Plans, and look at options, potential obstacles, or unforeseen issues. The review findings are not binding and are subject to change. The applicant's Engineer of Record is responsible for the technical accuracy of the plans. In keeping with the intent of the Rule, the Department will attempt to abide with the review comments to the extent that necessary judgment is available to the Permits Engineer. Unfavorable review generally means that a permit application, based on the design proposal, would likely be denied.

If you do not agree with Pre-Application meeting results and would like to schedule an AMRC meeting, contact Traffic Ops, David Ayala at 813-975-6717.

For any other questions or assistance, please feel free to contact me.

Sincerely,

Mecale' Roth

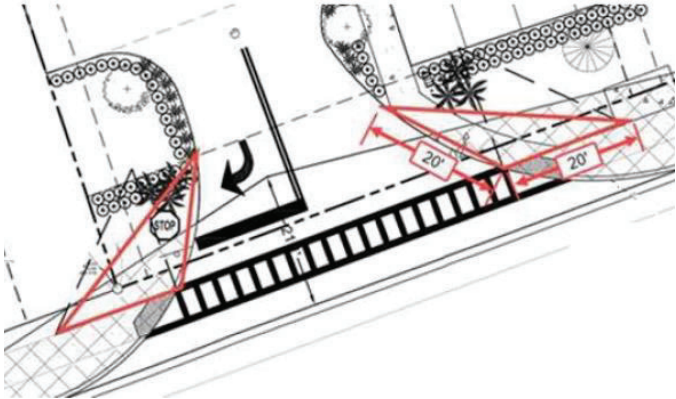
Permit Coordinator II
Tampa Operations
Office - 813-612-3237
Cell- 813-460-1121

Meeting Attendees:

- Guests-** Juan Quinones jcdesign06@gmail.com
Richard Perez PerezRL@hillsboroughcounty.org
- FDOT-** Matt Campbell matthew.campbell@dot.state.fl.us
Todd Crosby douglas.crosby@dot.state.fl.us
Mecale' Roth mecale.roth@dot.state.fl.us
Joel Provenzano joel.provenzano@dot.state.fl.us
Ryan Bogan ryan.bogan@dot.state.fl.us
Lindsey Mineer lindsey.miner@dot.state.fl.us
Dan Santos daniel.santos@dot.state.fl.us
Antonius Lebrun antonius.lebrun@dot.state.fl.us
Amanda Serra amanda.serra@dot.state.fl.us

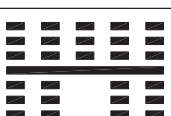
Pedestrian Sight Triangle Example:

Driveways leading onto state roads need to have min. 20' x 20' clear 'pedestrian sight triangles' on each side of the driveway, at the edge of the sidewalk. It should be measured as 20' up the sidewalk and 20' up the driveway from the point at which the sidewalk meets the driveway. Nothing above 2' in height from the pavement elevation (except for the stop sign post) should be placed in these triangles. Also, no parking spaces should be in these triangles, not even partially. Please draw in and label these 'pedestrian sight triangles' on the plans. Here is an example of what these triangles look like and how they are positioned (see red triangles in the attached example)



MLK TSM&O recommended converting median opening to EB directional and remove WB u-turn.





7911 E. DR. MLK JR. BLVD.
TAMPA, FLORIDA
PRELIMINARY SITE PLAN
PD BOUNDARY

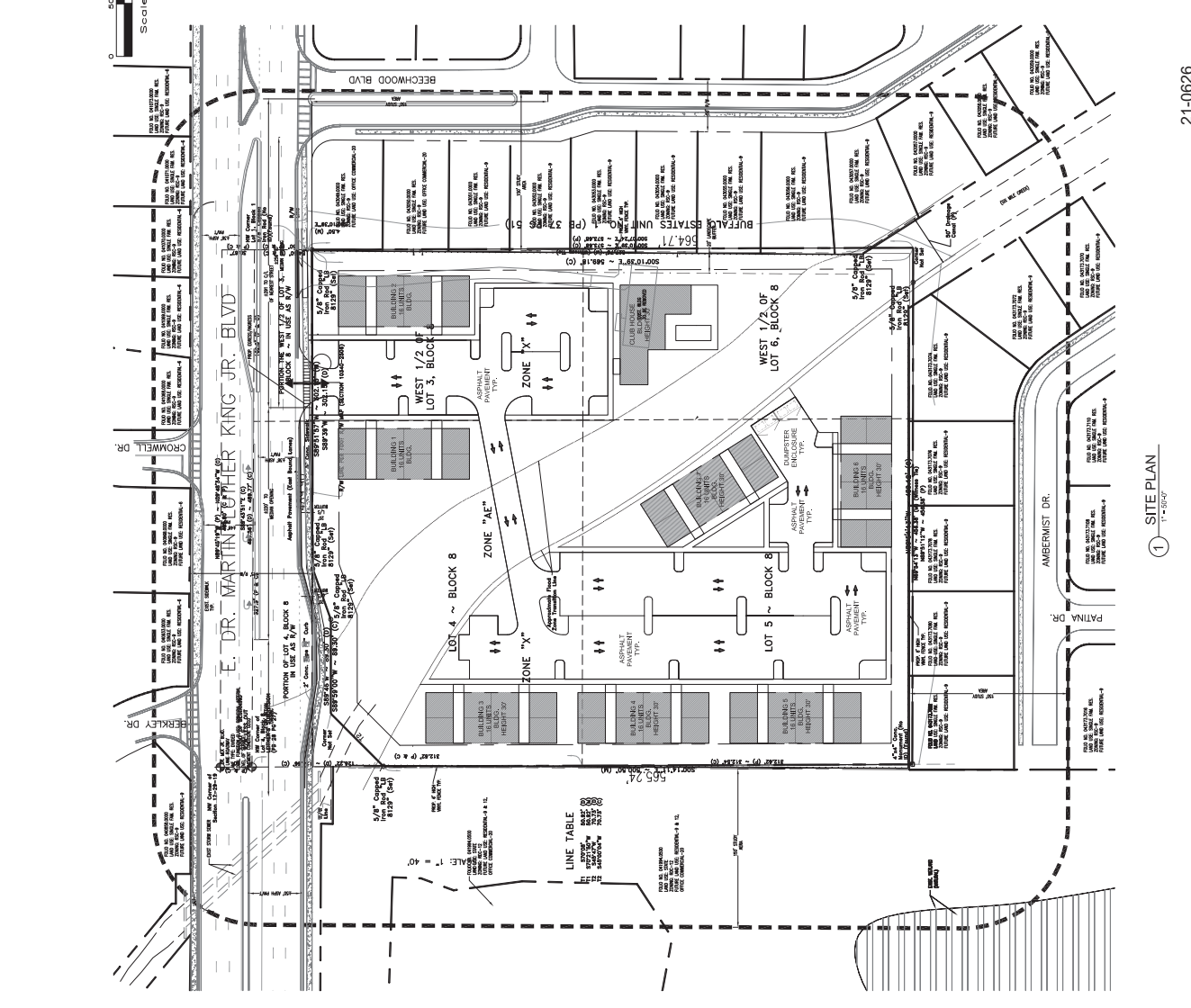
THESE CONSTRUCTION PERMITS ARE PREPARED UNDER THE AUTHORITY OF THE H. THAYER HERSON ARCHITECT AND SHALL BE VOID WITHOUT THE SIGNATURE OF THE ARCHITECT. THE ENGINEERING CODE, THE BUILDING CODE, THE FIRE CODE, AND THE PLUMBING CODE SHALL APPLY TO THIS PROJECT.

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY H. THAYER HERSON (HOWARD THAYER HERSON). PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. VERIFIED ON ANY ELECTRONIC COPIES.

LEGAL DESCRIPTION:
(INSTRUMENT # 2018061023)
LOTS 5 AND 6 AND THE WEST 1/2 OF LOT 3 AND THE WEST 1/2 OF LOT 4, BLOCK 8, BUILDING 1/2 OF LOT 3, BLOCK 8, WEST 1/2 OF LOT 4, BLOCK 8, WEST 1/2 OF LOT 5, BLOCK 8, WEST 1/2 OF LOT 6, BLOCK 8, BECHWOOD BLVD, CITY OF TAMPA, HILLSBOROUGH COUNTY, FLORIDA. LESS THAT PORTION THEREIN THAT CERTAIN OTHERS OF RECORD HAVE CLAIMED TO INCLUDE LEGALS AS RECORDED IN OFFICIAL RECORDS BOOK 7017, PAGE 1713.

PROJECT DATA:	PAR: 46.500298777 ± 33.7%
FOLD NUMBER: 1403000000	BUILDING HEIGHT: 60' MAX. (33.7%)
SITE AREA: 5.96 AC (259,677.6 SF)	OCCUPANCY: R2
CONC. SUBDIVISIONS: 11,871.35 SF	BUILDING TYPE: RMA CONST. SPRINKLERED
BUILDING DATA:	PERCENTAGE IMPERVIOUS AREA: 71.87% (186,063.33 SF)
1-4 APARTMENTS UNITS - 16 UNITS	PERCENTAGE PERVIOUS AREA: 28.13 % (70,614.27 SF)
2-4 APARTMENTS - 4 UNITS	AREA RETENTION POND: 38,843 S.F. (1.84 ACRES)
APARTMENT BUILDING FOOTPRINT: 12,000 SF	PRESENT ZONING: RSC-26
BUILDING NO. 1: 12,000 SF	PROPOSED USE: PD MULTIFAMILY
BUILDING NO. 2: 12,000 SF	PROPOSED SETBACKS:
BUILDING NO. 3: 12,000 SF	FRONT: 20'
BUILDING NO. 4: 12,000 SF	SIDE (WEST): 35'
BUILDING NO. 5: 12,000 SF	SIDE (EAST): 20'
BUILDING NO. 6: 12,000 SF	REAR: 20'
BUILDING NO. 7: 12,000 SF	CLUBHOUSE REQUIRED: 2500(1000) X 4 x 8 (1) PARKING SPACES
BUILDING NO. 8: 2,500 SF	TOTAL REQUIRED: 224 + 10 = 234 PARKING SPACES
CLUBHOUSE/STVM	RESIDENTIAL TOTAL PARKING PROVIDED: 234 PARKING SPACES
TOTAL BUILDING FOOTPRINT: 60,000 SF	INCLUDED ADA PARKING: 10 SPACES

- NOTE:
- DEVELOPMENT SHALL PROCEED IN ACCORDANCE WITH THE STANDARDS OF THE HILLSBOROUGH COUNTY
 - WATER AND SEWER SERVICE TO BE PROVIDED BY THE CITY OF TAMPA
 - IF IN URBAN SERVICES AREA AND WILL CONNECT TO PUBLIC WATER AND WASTEWATER SERVICE.
 - IF IN URBAN SERVICES AREA AND WILL NOT CONNECT TO PUBLIC WATER AND WASTEWATER SERVICE.
 - THERE ARE NO KNOWN PLASMA SURFACES ON THE PROJECT BOUNDARY.
 - ALL EXISTING STRUCTURES ON SITE TO BE REMOVED.
 - THERE ARE EXISTING TRASH STOPS WITHIN 100 FEET OF THE PROJECT BOUNDARY.
 - THE PROJECT IS NOT LOCATED WITHIN A HISTORIC PRESERVATION AREA, URBAN HABITAT AREA OR ANY OTHER NATURAL PHYSICAL FEATURE ON SITE.
 - THE PROJECT IS NOT LOCATED WITHIN A HISTORIC PRESERVATION AREA, URBAN HABITAT AREA OR ANY OTHER NATURAL PHYSICAL FEATURE ON SITE.
 - NO UNDESIRABLE LANDSCAPES AND OTHER HISTORICAL OR GEOLOGICAL SITES AND STRUCTURES ARE KNOWN ON SITE OR ARE ADJACENT TO THE SITE.
 - THE PROJECT IS NOT LOCATED WITHIN A HISTORIC PRESERVATION AREA, URBAN HABITAT AREA OR ANY OTHER NATURAL PHYSICAL FEATURE ON SITE.
 - PROJECT WILL BE DESIGNED TO MEET HILLSBOROUGH COUNTY, STATE AND FEDERAL REGULATORY REQUIREMENTS.
 - PROJECT IS LOCATED IN THE FEMA FLOOD ZONES AE AND X PER MAP 19070308M DATED 9/27/2013.
 - PROJECT IS LOCATED WITHIN A HIGH HAZARD AREA UNLESS OTHERWISE REQUIRED BY THE REGULATIONS LATEST EDITION. ALL PROPOSED SIEWALKS SHALL MEET ADA REQUIREMENTS.
 - ALL SIEWALKS SHALL BE LOCATED BELOW FLOOD LEVEL UNLESS OTHERWISE REQUIRED BY THE REGULATIONS LATEST EDITION.
 - THE PROJECT IS NOT LOCATED WITHIN A HIGH HAZARD AREA UNLESS OTHERWISE REQUIRED BY THE REGULATIONS LATEST EDITION.
 - PROTECTED TREE OR SURFACE WATER RESOURCE PROTECTION AREA.



LOCATION MAP
© 2018 Valuel Inc.



PLANNED DEVELOPMENT REZONING APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:
You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 7911 MARTIN LUTHER KING JR. TAMPA, FL TWN-RN-SEC: 12-29-19
Folio(s): 043260-0000 Zoning: RSO-9 PD, ZC Future Land Use: OC-20189 Property Size: 6.38

Property Owner Information

Name: SAMIA ASSET MANAGEMENT LLC Daytime Phone: 813-690-7589
Address: 13318 WALDEN SHEFFIELD RD City/State/Zip: DOVER, FL 33527-5546
Email: Atig69@hotmail.com FAX Number: _____

Applicant Information

Name: FRANCISCO J. OTERO-CASSIO Daytime Phone: 813-517-6828
Address: 13014 N. DALE MABEY HWY #628 City/State/Zip: TAMPA, FL 33618
Email: F.OTERO.OC@gmail.com FAX Number: _____

Applicant's Representative (if different than above)

Name: SAME AS ABOVE Application INFO Daytime Phone: _____
Address: _____ City / State/Zip: _____

Email: _____ FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND I AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

[Signature]
Signature of Applicant
FRANCISCO J. OTERO-CASSIO
Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE INTENTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Type or Print Name

Office Use Only

Intake Staff Signature: _____ Intake Date: _____
Case Number: _____ Public Hearing Date: _____ Receipt Number: _____
Type of Application: _____

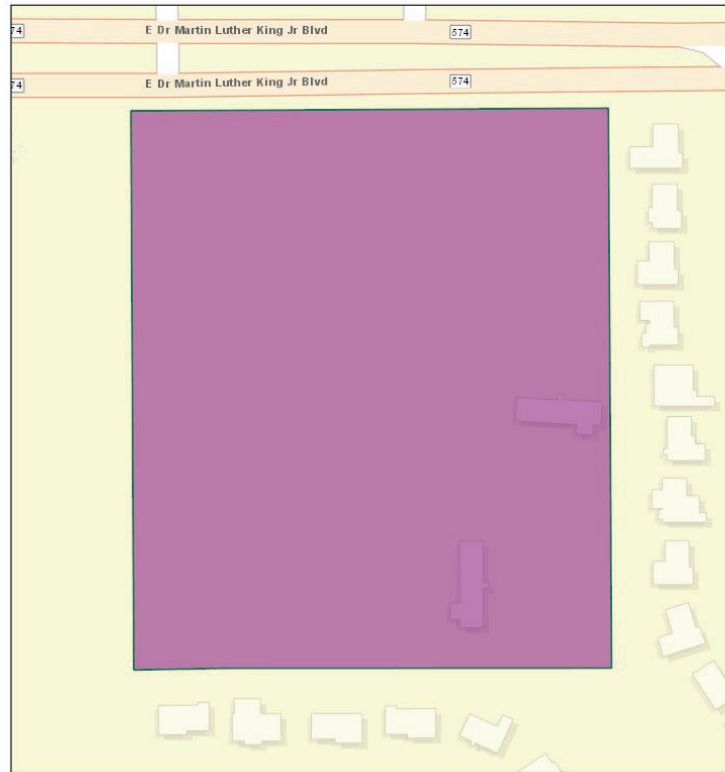
Development Services, 601 E. Kennedy Blvd. 19th Floor



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-9
Description	Residential - Single-Family Conventional
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	ZC
ZC	92-0056
Flood Zone:AE	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0380J
FIRM Panel	12057C0380J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120376C
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park Area
Planned Development	PD
Re-zoning	null
Major Modifications	02-0212,02-0204,00-0840, 06-1472,15-1097, 19-0309
Personal Appearances	11-0708, 16-0941, 18-1304
Census Data	Tract: 012002 Block: 1000
Census Data	Tract: 012002 Block: 2005
Future Landuse	R-9
Future Landuse	OC-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	110' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 43260.0000



April 2, 2021

1:1,179
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

Hillsborough County Florida

Folio: 43260.0000
PIN: U-12-29-19-1NX-000008-00003.1
SAMIA ASSET MANAGEMENT LLC

Mailing Address:
13318 WALDEN SHEFFIELD RD
DOVER, FL 33527-5546

Site Address:
7911 E DR MARTIN LUTHER KING JR BLVD
TAMPA, FL 33619

SEC-TWN-RNG: 12-29-19

Acreage: 6.37670994

Market Value: \$314,810.00

Landuse Code: 0200 MOBILE HOMES

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

Or

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

21-0626

PLANNED DEVELOPMENT APPLICATION SUBMITTAL CHECKLIST

The checklist below includes items and information that must accompany all Planned Development rezoning requests. The applicant must fill out the checklist by placing a checkmark in each box indicating the information has been provided and sign below certifying that the application is complete. Failure to submit accurate data may require the application to be continued to a later public hearing date.

Incomplete applications will not be accepted.

- Application Fee - Check made payable to Hillsborough County Board of County Commissioners**
- Completed and signed PD rezoning application (page 1) and Affidavit to Authorize Agent, if applicable.
- If property owner is a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit. This can be obtained at <http://sunbiz.org/>
- Completed Project Narrative
- Completed Variation for Site Design and Variation Criteria Response Form, if applicable.
- Completed and signed PD General Site Plan Minimum Requirements with 7 folded copies of the plan minimum sheet size 24 x 36 (See Exhibit B for layout example)
- Detailed Transportation Analysis or letter documenting the project does not warrant study based upon the established criteria (See Attachment A)
- Signed Pre-submittal conference form (See Attachment B)
- Adjacent Property Owners List. The list must be obtained from the Property Appraisers Office located on the 1st floor of the County Center Bldg (601 E. Kennedy Boulevard). Do not retype the list.

If your property has an Agricultural Future Land Use Designation or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within 500 feet of the subject property. For all other Future Land Use Categories you must obtain a list of all property owners within 300 feet of the subject property. **NOTE: you will receive a list of Affected Neighborhood Organizations or Civic Associations from staff at the time you file the application.**
- Recorded Deed for the Subject Property. This can be obtained from the Clerk of the Circuit Court Recording Library located at 419 Pierce Street, (813) 276-8100 ext 4367.

Applicant Signature:


I certify that I have completed the application and have included all material checked above.

21-0626

Heinrich, Michelle

From: Holland, Kelly <HollandK@epchc.org>
Sent: Wednesday, November 3, 2021 4:00 PM
To: Heinrich, Michelle
Cc: Ratliff, James
Subject: RE: PD 21-0626

Follow Up Flag: Follow up
Flag Status: Flagged

External email: Use caution when clicking on links and attachments from outside sources.

Michelle,

Thanks for the opportunity to comment. As long as we are still limiting the plan to one crossing and it is at a narrower portion of the wetland (as it is now), it should not be an issue. The wetland line is pretty much the top of bank of the flowway.

Please do not hesitate to contact me if you have any questions or need further assistance. Thank you,

Kelly M. Holland

Environmental Scientist III
Wetlands Division
(813) 627-2600 ext. 1222 | www.epchc.org

Environmental Protection Commission

3629 Queen Palm Drive, Tampa, FL 33619
Our mission is *"to protect our natural resources, environment, and quality of life in Hillsborough County."*
Follow us on: [Twitter](#) | [Facebook](#) | [YouTube](#)
[Track Permit Applications](#)

From: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Sent: Wednesday, November 3, 2021 1:49 PM
To: Holland, Kelly <HollandK@epchc.org>
Cc: Ratliff, James <RatliffJa@hillsboroughcounty.org>
Subject: PD 21-0626

Good afternoon Kelly! I have a rezoning which you have reviewed for EPC and issued no objections (see attached). As you saw, there is a wetland which runs diagonally thru the site and is proposed to be crossed. If the level of detail on both sides of this crossing is removed (creating more of a "bubble" plan – yet still showing a crossing in the location shown), will that cause any concern for EPC as you evaluate the impact to this wetland? The reason I ask is because some setback requirements may cause this depicted layout to change once he's done with the rezoning and I'm trying to avoid him having to come back should the parking lot circulation change, or exact location of a building. If it will be problematic, then I don't want to recommend that to the applicant and he'll just need to stick to a layout he shows at the rezoning.

Thanks,

Michelle Heinrich, AICP (she/her)

Principal Planner

Development Services Department

P: (813) 276-2167

E: heinrichm@HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

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

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 Gwendolyn “Gwen” W. Myers
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 Andy Schipfer, P.E. WETLANDS DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: July 26, 2021</p> <p>PETITION NO.: 21-0626</p> <p>EPC REVIEWER: Kelly M. Holland</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1222</p> <p>EMAIL: hollandk@epchc.org</p>	<p>COMMENT DATE: May 19, 2021</p> <p>PROPERTY ADDRESS: 7911 East Dr. Martin Luther King Boulevard</p> <p>FOLIO #: 0432600000</p> <p>STR: 12-29S-19E</p>
<p>REQUESTED ZONING: Rezoning to a Planned Development</p>	
FINDINGS	
<p>WETLANDS PRESENT</p> <p>SITE INSPECTION DATE</p> <p>WETLAND LINE VALIDITY</p> <p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>YES</p> <p>05/14/2021</p> <p>NA</p> <p>Running diagonally across the parcel from southeast corner through the parcel to the northwest corner</p>
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> • Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. • The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. 	

Environmental Excellence in a Changing World

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

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

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

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

Adequate Facilities Analysis: Rezoning

Date: 8/16/2021

Acreage: 5.96 (+/- acres)

Jurisdiction: Hillsborough County

Proposed Zoning: Planned Development

Case Number: RZ 21-0626

Future Land Use: RES-9

HCPS #: RZ-394

Maximum Residential Units: 112 Units

Address: 7911 E. Dr. Martin Luther King Jr. Blvd., Tampa, 33619

Residential Type: Multifamily

Parcel Folio Number(s): 043260.0000

School Data	Kenly Elementary	Mann Middle	Blake High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	731	1335	1705
2020-21 Enrollment K-12 enrollment on 2020-21 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	382	781	1616
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	52%	59%	95%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 8/16/2021	29	53	89
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	13	5	6
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	58%	63%	100%

Notes: Kenly Elementary and Mann Middle currently have adequate capacity for the proposed project. Although Blake High is projected to be at 100 percent capacity, state law requires the school district to consider whether capacity exists in adjacent concurrency service areas (i.e., school attendance boundaries). At this time, service areas adjacent to Blake High have adequate capacity for the proposed project.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.



Matthew Pleasant
Department Manager, Planning & Siting
Growth Management Department
Hillsborough County Public Schools
E: matthew.pleasant@hcps.net
P: 813.272.4429



NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO: Zoning Review, Development Services

DATE: 11/10/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Francisco J Otero-Cossio

PETITION NO: 21-0626

LOCATION: 7911 Dr MLK Dr

FOLIO NO: 043260.0000

Estimated Fees:

(Fee estimate is based on a 1,200 square foot, 2 bedroom, Multi-Family Units 1-2 story)

Mobility: \$5,329 * 112 units = \$596,848

Parks: \$1,316 * 112 units = \$147,392

School: \$3,891 * 112 units = \$435,792

Fire: \$249 * 112 units = \$ 27,888

Total Multi-Family (1-2 story) = \$1,207,920

Project Summary/Description:

Urban Mobility, Northeast Park/Fire - 112 Multi-Family Units



AVIATION AUTHORITY LAND USE REVIEW

Hillsborough County - OPTIX

DATE: November 21, 2021

PROPOSED USE INFORMATION:

Case No.: 21-0626 Reviewer: Tony Mantegna

Location: 7911 E. Martin Luther King Jr. Blvd

Folio: 43260.0000

Current use of Land: vacant

Zoning: PD & RSC-9

REQUEST: PD to allow for multi-family.

COMMENTS:

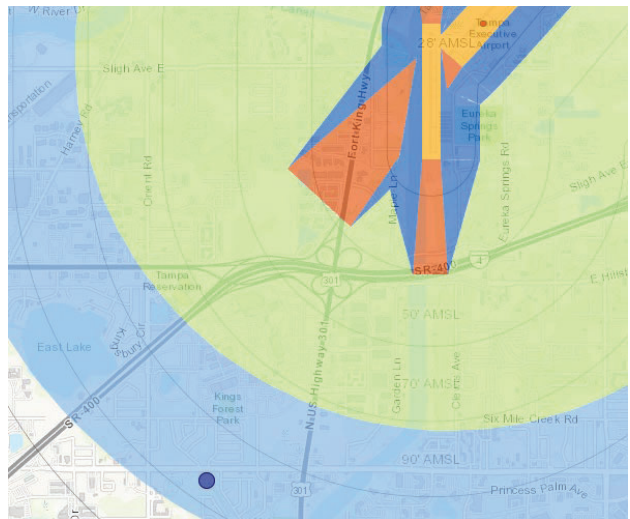
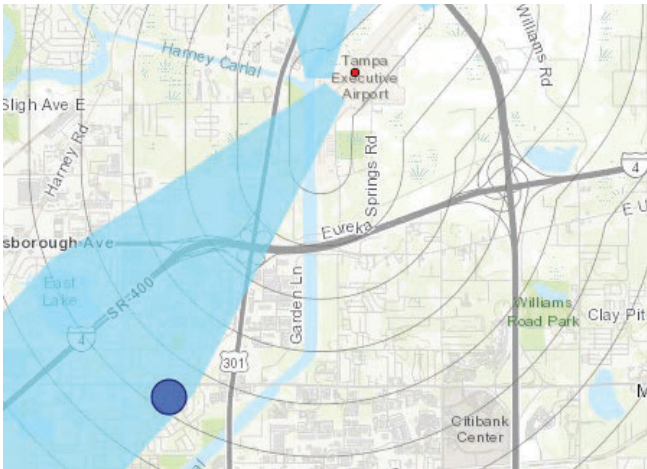
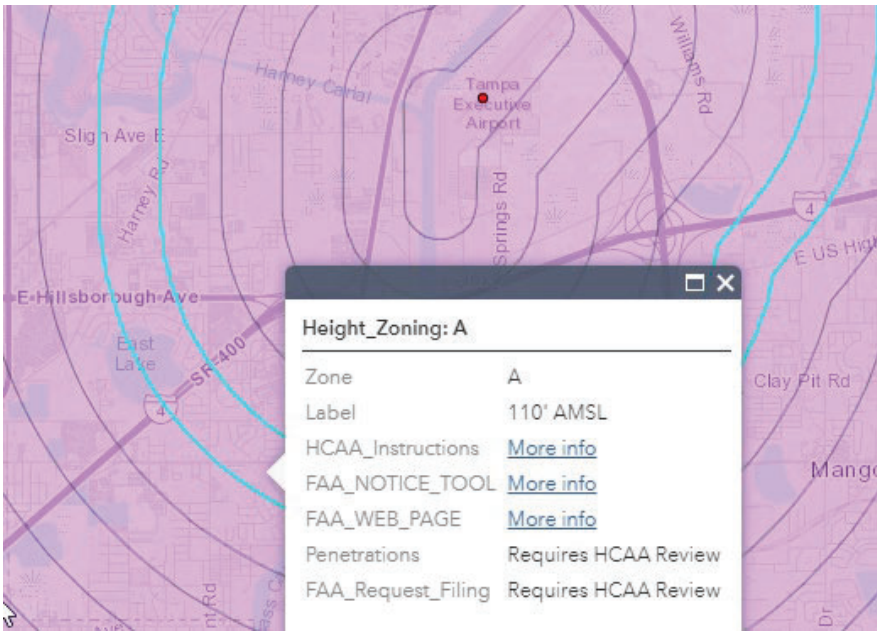
The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 110 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - _____

Not compatible (comments) - _____

Compatible with conditions (see comments above) – Potential buyers should be informed this location is in close proximity to Tampa Executive Airport and may be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

cc: Aviation Authority Zoning Director/Legal/Records Management/Central Records



AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 26 May 2021

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

APPLICANT: Francisco Oteri

PETITION NO: RZ-PD 21-0626

LOCATION: 7911 E. Dr. Martin Luther King, Jr. Blvd, Tampa, FL 33619

FOLIO NO: 43260.0000

SEC: 12 TWN: 29 RNG: 19

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

COMMENTS: _____.

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

PETITION NO.: PD21-0626

REVIEWED BY: Randy Rochelle

DATE: 05/07/2021

FOLIO NO.: 43260.0000

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

WATER

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

No Hillsborough County water line of adequate capacity is presently available.

A ___ inch water main exists (adjacent to the site), (approximately ___ feet from the site) _____.

Water distribution improvements may be needed prior to connection to the County's water system.

No CIP water line is planned that may provide service to the proposed development.

The nearest CIP water main (___ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is _____.

WASTEWATER

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

No Hillsborough County wastewater line of adequate capacity is presently available.

A ___ inch wastewater main exists (adjacent to the site), (approximately ___ feet from the site) _____.

Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.

No CIP wastewater line is planned that may provide service to the proposed development.

The nearest CIP wastewater main (___ inches), will be located (adjacent to the site), (feet from the site at ____). Expected completion date is _____.

COMMENTS: This site is located within the City of Tampa Water and Wastewater Service Area. The applicant should contact the City of Tampa's Water and Wastewater Departments to determine the availability of Water and/or Wastewater Service and for their Comments.



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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IN RE: )
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ZONE HEARING MASTER )
HEARINGS )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, December 13, 2021

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

PLACE: Cisco Webex

Reported By:

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

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

D1:
Application Number: RZ-PD 21-0626
Applicant: Francisco J. Otero-Cossio
Location: S side of E. Martin Luther King
Blvd. & Cromwell Dr.
intersection
Folio Number: 043260.0000
Acreage: 6.38 acres, more or less
Comprehensive Plan: OC-20, R-9
Service Area: Urban
Existing Zoning: RSC-9 & PD
Request: Rezone to Planned Development

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

1 MR. GRADY: The next item is agenda item
2 D-1, Rezoning-PD 21-0626. The applicant is
3 Francisco J. Otero-Cossio. The request is to
4 rezone from RSC-9 and PD to Planned Development.

5 Michelle Heinrich will provide staff
6 recommendation after the presentation by the
7 applicant.

8 HEARING MASTER FINCH: Good evening.

9 MR. OTER-COSSIO: Good evening. Francisco
10 J. Otero-Cossio. 13014 North Dale Mabry Highway.

11 We are proposing to rezone the property
12 located at 7911 East Martin Luther King Jr.
13 Boulevard from current zoning of PD to RSC-9 to
14 allow for multifamily.

15 The site consists of a total of 6.3 acres of
16 which 1.18 acres are wetland. Less than 25 percent
17 of the site are wetland. The site has a split
18 zoning of RSC-9 and PD. The split zoning lot has a
19 dual Future Land Use of OC-20 and R-9.

20 We are requesting to utilize the flex of the
21 OC-20 area to the entire parcel to maximize the
22 number of units potential. This utilization of the
23 flex will allow a maximum of 127 units. The
24 proposed development will consist of seven
25 buildings with a total of only 112 units with a

1 clubhouse and meet all required parking
2 regulations.

3 The proposed project is in the Urban Service
4 Area and will be connecting to public water and
5 wastewater services. Objective 16 of the Future
6 Land Use of Hillsborough County pertains to
7 neighborhood protection.

8 It reads, The neighborhood is a functional
9 unit of community development. There is a need to
10 protect existing neighborhoods, communities, and
11 those that will emerge in the future.

12 Our proposed rezoning and future development
13 would adhere to this Objective 16. We will be
14 providing the necessary buffering between uses. We
15 will fully comply with FDOT guidelines,
16 right-of-way access, and meet the Development Code
17 of Hillsborough County of construction.

18 Objective 16 continues to preserve, protect,
19 and enhance neighborhoods and communities; all new
20 development must conform to the following policies:
21 Policy 16.1 established and planned neighborhoods
22 and communities shall be protected by restricting
23 incompatible land uses due to mechanisms such as
24 Hillsborough County Future Land Use.

25 A, Locational criteria for placement of

1 nonresidential uses as identified in this plan; B,
2 limiting commercial development and residential
3 land use categories to neighborhood scale; and C,
4 requiring buffer areas and screening devices
5 between unlike land uses.

6 Our proposed request will limit commercial
7 development and residential land use in that we
8 will not be requesting any commercial for our
9 project. Strictly multifamily residential. The
10 proposed request will provide required buffer areas
11 and screened devices between alike and unlike uses.

12 Policy 16.2, gradual transitions of
13 intensities between different land uses shall be
14 provided for as new development is proposed and
15 approved through the use of professional site
16 planning, buffering, and screening techniques and
17 control specific land uses.

18 Our request will have a gradual transition
19 between intensities in that we will incorporate
20 professionals, plan engineers, and landscape
21 architects through the permitting process and
22 requiring the building permit once zoning is
23 approved.

24 Buffering and screening techniques, again,
25 will be incorporated and highlighted throughout our

1 project. Policy 16.3, development and
2 redevelopment shall be integrated with the adjacent
3 land uses through, A, decoration of like uses; E,
4 creation of complementary uses; C, mitigation of
5 adverse impacts; and D, transportation and
6 pedestrian connections.

7 In relation to Policy 16.2, our request is
8 taken into consideration all points A through D.
9 Our request will create a complementary use to the
10 existing single-family neighborhood by providing
11 affordable multifamily accommodations.

12 We feel our request will meet a strong
13 demand for housing. We will mitigate all adverse
14 impacts by working with the proper agencies to
15 limit adverse impacts and meeting and exceeding
16 their guidelines and recommendations.

17 In relation to transportation and pedestrian
18 connections, the project will meet or exceed all
19 applicable Hillsborough County and FDOT guidelines
20 during permitting process.

21 Policy 16.4 -- one more thing. We realized
22 there are wetlands on the site, and we would be
23 working with EPC to acquire the proper permits.

24 Policy 16.4 to prevent the bisecting of the
25 established communities, the impact a major roadway

1 and similar corridor projects on existing
2 communities shall be validated by citizens and
3 other affected parties to inclusion and the
4 predesign evaluation of alternates, including rough
5 selection.

6 We have been working, again, with FDOT and
7 have been addressing comments. Transportation
8 department -- and the transportation department
9 through our request will incorporate into our site
10 plan and design and fully comply with all
11 applicable and recommendations during permitting.

12 Policy 16.5, development of higher
13 intensity, nonresidential land uses that are
14 adjacent to established neighborhoods shall be
15 restricted to collectors and arterials and to
16 locations external to established and developing
17 neighborhoods.

18 Our site is on East Dr. Martin Luther King
19 Jr. Boulevard, which is major collateral arterial.
20 We feel our site is greatly situated for our
21 proposed development.

22 Our request -- in our request, our
23 justification to the flex OC-20 throughout the
24 site, we feel the site meets the intent of the
25 Hillsborough County Land Development Code and

1 Future Land Use Element.

2 We are requesting to rezone the subject
3 parcel from Planned Development and Residential
4 Single-Family Conventional, RSC-9, to Planned
5 Development to allow for 112 multifamily units
6 utilizing the flex provision.

7 The subject parcel is on a major collateral.
8 There is no density on the adjacent land to the
9 west of our parcel. The adjacent parcel directly
10 west to our parcel is mostly conservation area
11 and/or wetland with Future Land Use of OC-20.

12 Our subject parcel is located, again, in the
13 Urban Service Area. Future Land Use Element
14 Objective 1 states importantly, Hillsborough County
15 shall proactively direct new growth into the Urban
16 Service Area with the goal that at least 80 percent
17 of all population growth will occur within the
18 Urban Service Area.

19 Our subject parcel is located on
20 approximately 6.3 acres, again, within the
21 southwest quadrant of East Dr. Martin Luther King
22 Jr. Boulevard.

23 Future Land Use Policy 1.7 states, The
24 County will create incentives to make development
25 within the Urban Service Area desirable and cost

1 affordable. Such incentives may include but are
2 not limited to expedite of review processes,
3 retrofitting existing development, increased
4 density bonuses, tax incentives, impact fee
5 structuring, and rezoning of vacant underutilized
6 land use on planned densities.

7 Based on the criteria of Policy 1.7, we feel
8 our request and site meets them. Our site is
9 directly in the Urban Service Area, and the
10 rezoning of this vacant underutilized parcel will
11 meet the criteria of Policy 1.7 of the Future Land
12 Use of Hillsborough County.

13 Future Land Use Policy 7.4 states that the
14 criteria for consideration of the flex request are
15 as follows:

16 The availability -- the availability and
17 adequacy of public facilities to serve the proposed
18 development accommodated by the flex. The
19 compatibility with surrounding land uses and their
20 density and intensity, the utilization of the flex
21 further other goals, objectives, and policies of
22 the Future Land Use Element.

23 The southern parcel, again, is in the Urban
24 Service Area and as stated at various times
25 throughout this narrative is on a major corridor.

1 Future Land Use Objective 12 states, All new
2 development (unintelligible) shall be serviced with
3 transportation systems that meet or exceed the
4 adopted levels of service established in
5 Hillsborough County.

6 The subject parcel is directly serviced by
7 public transportation, HARTline service
8 Hillsborough County. There is an existing bus
9 route directly in the front of our parcel.

10 As for the utilization of the flex to
11 further our goals, in addition to the Future Land
12 Use Element policies already mentioned,
13 specifically 16 and policy No. 16.1, 16.2, 16.3,
14 16.4, and 16.5 Future Land goal -- future -- I'm
15 sorry. You go one state, efficiency -- efficient
16 utilized land of optimized economic benefits while
17 ensuring a choice of lifestyles and protecting
18 Natural Resources.

19 Our request and subject parcel meets Goal
20 No. 1. We are proposing a development that will
21 give economic benefits and provide a lifestyle
22 choice. The neighborhood provides single-family
23 residency and housing. Now we will be providing a
24 much needed choice of multifamily.

25 Our proposed development will provide

1 families and will service the industrial
2 manufacturing area to the south. The choice to
3 live in an affordable and self-sufficient
4 multifamily community with public transportation
5 and conservation area they can enjoy.

6 The project is in the Urban Service Area and
7 will provide much needed service to the area. We
8 have received from -- County Zoning transportation
9 and the Planning Commission has found our petition
10 consistent with conditions which we are fully aware
11 of and agree to.

12 In conclusion, I've been involved with many
13 projects rezonings throughout the year, and this
14 one I'm very excited about. And it would do some
15 good in the community and provide a much needed
16 need. Thank you.

17 HEARING MASTER FINCH: I have just a couple
18 of questions.

19 MR. OTER-COSSIO: Okay.

20 HEARING MASTER FINCH: I understand the
21 wetland impacts is the jurisdiction of EPC and that
22 is a subsequent review --

23 MR. OTER-COSSIO: Yes, ma'am.

24 HEARING MASTER FINCH: -- past this point,
25 but I just want to understand as the site plan is

1 laid out, there's a connection between the two
2 parcels across that existing drainage ditch and the
3 wetlands. Correct?

4 MR. OTER-COSSIO: Yes.

5 HEARING MASTER FINCH: Is that a bridge?
6 What is that?

7 MR. OTER-COSSIO: As of right now, we've
8 been working with the transportation department and
9 we -- we are -- that's going to be actually the
10 only impact to that wetland. It's going to be a
11 connector bridge. Yes.

12 HEARING MASTER FINCH: Okay. For both cars
13 and pedestrians?

14 MR. OTER-COSSIO: Yes. And we're going to
15 ask -- and this was -- we had a virtual meeting
16 with transportation and, basically, that was
17 brought up. And it must include cars and
18 pedestrians. So we're going to incorporate, you
19 know, a pedestrian-friendly bridge and cars. Yes.

20 HEARING MASTER FINCH: All right. And so
21 the only access point is to -- is that the north, I
22 believe -- to Dr. Martin Luther King Boulevard.
23 Correct?

24 MR. OTER-COSSIO: Yes. And I do -- and we
25 went through a presubmittal through FDOT and also

1 been working with Mr. Ratliff, transportation, and
2 there -- they found our petition consistent, but
3 that question, they have conditions based on that
4 approval.

5 HEARING MASTER FINCH: Okay. So if the --
6 if the wetland impacts and the vehicular and
7 pedestrian crossing are not approved by EPC, that
8 whole western side is not accessible. Correct?

9 Am I looking at this plan correct --
10 correctly that one side of your project you have to
11 cross the wetland to get to the access to MLK; is
12 that correct?

13 MR. OTER-COSSIO: That's correct.

14 HEARING MASTER FINCH: Okay. So that's how
15 it's intended, through that single access. All
16 right. That was my only question. Thank you so
17 much. If you could please sign in.

18 Development Services, please.

19 MS. HEINRICH: Hi. Good evening. This is
20 Michelle Heinrich, Development Services. I am
21 going to share my screen. And are you able to see
22 that, Ms. Finch?

23 HEARING MASTER FINCH: I am.

24 MS. HEINRICH: Okay. Great. Let me just
25 hit play. And as you heard, this is PD Application

1 21-0626. It is a request from the present zoning
2 of RSC-9 and PD to a new PD to allow for a 112
3 multifamily units. It does involve a flex request
4 of the OC-20 Future Land Use Category, which is
5 partially within the site.

6 The site itself is slightly over 6 acres in
7 size. It's located in the East Lake Orient Park
8 Community, and as you heard, it was located on the
9 south side of Dr. MLK Jr. Boulevard west of U.S.
10 Highway 301.

11 As I stated, the property does have two
12 Future Land Use categories on it. On the map here,
13 you'll see in the bright red that is OC-20 Future
14 Land Use Category and to the south of that in the
15 lighter orange is the RES-9 Future Land Use
16 category.

17 These are suburban and urban categories.
18 They allow for both residential and nonresidential
19 uses and, of course, different densities in the
20 RES-9. You have the maximum of nine units per
21 acre, and in the OC-20, the maximum of 20 units per
22 acre.

23 With the flex request, it will cover the
24 entire parcel. So the density that's being
25 requested reflex as if the whole parcel was in the

1 OC-20 Future Land Use Category.

2 As the applicant stated, the area is
3 surrounded by residential development. To the
4 north is RSC-6 zoning developed with single-family
5 residential. That's also found to the south and
6 east. A bit more intense in the RSC-9 zoning
7 district.

8 To the west is zoning PD and RDC-12, which
9 just outside of this picture, there is some duplex
10 development. The area that is directly adjacent to
11 them is used by FDOT. So that's currently vacant.

12 Here on this slide, we have a zoomed-in view
13 of the proposed site plan, and as stated, the
14 applicant is proposing a maximum of 112 units,
15 which will be 17 units per acre, which is below the
16 20 units per acre Future Land Use flex.

17 The applicant is proposing that all
18 buildings be at least 20 feet from all PD
19 boundaries, and this is comparable to the RMC-20
20 zoning district standards.

21 The applicant has requested a maximum height
22 of 50 feet 4 stories, and the buildings will comply
23 with the 2-to-1 setback along the south and east
24 due to the presence of the single-family
25 residential.

1 This is slightly taller than the RMC-20
2 zoning district standard, which require or has a
3 maximum building height of 45 feet. Lastly, the
4 applicant is going to provide a 20-foot buffer with
5 Type B screening, and that will include a
6 6-foot-high wall along the western, southern, and
7 eastern PD boundaries, and this does exceed the LDC
8 requirements.

9 Based on all of these factors, the support of
10 the OC-20 Future Land Use flex at that density, the
11 compatibility due to the layout and development
12 standards proposed and the fact that we received no
13 objections from reviewing agencies, we do find this
14 approvable subject to conditions, and I'm available
15 if you have any questions.

16 HEARING MASTER FINCH: No questions at this
17 time, but thank you.

18 Planning Commission.

19 MS. MILLS: Yeneka Mills, Planning
20 Commission staff.

21 The subject parcel is located within the
22 Office Commercial-20 and Residential-9 Future Land
23 Use classifications. Also located within the Urban
24 Service Area and the East Lake Orient Community --
25 Park Community Planning area.

1 The subject property is located with --
2 again within the Urban Service Area and meets --
3 and as per Policy 1.2 of the Future Land Use
4 Element, the site must satisfy minimum density
5 requirements. The request meets Policy 1.2.

6 As outlined in Policy 7.4 in the Future Land
7 Use Element, the applicant is seeking a request --
8 excuse me, a flex request of the Office
9 Commercial-20 portion of the subject site over the
10 entire parcel for greater density.

11 According to the application, the flex
12 request is justified because the subject site is
13 located within the Urban Service Area and is
14 compatible with the surrounding development
15 pattern.

16 Providing housing in this area provides
17 revitalization as there is -- there are
18 opportunities -- employment as -- excuse me,
19 providing housing in this area provides for
20 revitalization as there are opportunities for
21 employment as the uses to the south and east of the
22 subject site are primarily industrial as well as
23 manufacturing in nature.

24 The site is well serviced by transit bus
25 stop located near the site. The applicant contends

1 that the flex furthers Policy 1.7 of the Future
2 Land Use Element as an incentive to provide greater
3 density to an underutilized parcel of land to
4 create desirable and cost affordable housing within
5 the Urban Service Area.

6 Planning Commission staff had reviewed the
7 flex request and concurred that the applicant that
8 they meet justification requirement for the flex
9 request and advise that the Board of County
10 Commissioners approve the flex request.

11 The proposed density and residential
12 development would allow for uses that are
13 compatible with the surrounding development pattern
14 meeting Objective 16, Policy 16.1, 16.2, and 16.3.

15 The application proposes a full access onto
16 Dr. Martin Luther King Boulevard, which is an
17 arterial road and therefore, meets the intent of
18 Policy 16.3 of the Future Land Use Element.

19 The application has demonstrated sufficient
20 internal and -- excuse me. The property is located
21 within the limits of the East Lake Orient Park
22 Community Plan. The community plan supports
23 affordable housing and, therefore, is consistent
24 with the request.

25 Wetlands are located on the subject parcel.

1 The EPC wetlands division has reviewed the proposed
2 rezoning, and the site plan's current configuration
3 or resubmittal is not necessary.

4 And based on those considerations, Planning
5 Commission staff found the proposed Planned
6 Development consistent with the Future of
7 Hillsborough Comprehensive Plan subject to
8 conditions proposed by Development Services
9 Department. Thank you.

10 HEARING MASTER FINCH: Thank you.

11 All right. Is there anyone in the room or
12 online that would like to speak in support? Anyone
13 in favor?

14 Seeing no one, anyone in opposition to this
15 request? No one.

16 All right. Development Services, anything
17 else?

18 MR. GRADY: Nothing further.

19 HEARING MASTER FINCH: All right. We'll go
20 back to the applicant. You have five minutes for
21 rebuttal if you so choose.

22 MR. OTER-COSSIO: Thank you. Yeah. Going
23 back to the wetland mitigation again, you know,
24 we -- we were up on this request allowed 20 units
25 per acre. We decided to go down to 17 per acre to,

1 you know, have the less impact. You know, we want
2 to have the less impact on the wetland as possible.

3 So, again, we've been working with EPC in
4 the design of our project, and they found our
5 design consistent. But we still realize that even
6 with the approval of this zoning application, we
7 still have to go through the proper permitting,
8 which we're aware of, and we feel confident. We
9 request your approval.

10 HEARING MASTER FINCH: All right. Thank you
11 so much. I appreciate it.

12 Then with that, we'll close Rezoning-PD
13 21-0626 and go to the next case.

14 MR. GRADY: Madam Hearing Officer, we
15 usually take a break around 8:00 o'clock.

16 HEARING MASTER FINCH: It is 8:00 o'clock.
17 All right. Then thank you for that, and we'll take
18 a break for five minutes and so we'll come back
19 about 8:05.

20 (Recess taken at 8:00 p.m.)

21 (Recess concluded at 8:07 p.m.)

22 HEARING MASTER FINCH: Welcome back to the
23 December 13th, 2021, Zoning Hearing Master Hearing.
24 We are back and, Mr. Grady, we are ready to call
25 the next case.

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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HEARINGS)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Monday, November 15, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 9:16 p.m.

PLACE: Cisco Webex

Reported By:

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

1 December 13th, 2021, Zoning Hearing Master Hearing.

2 Item A-2, Rezoning-PD 20-1253. This
3 application is being continued by staff to the
4 December 13, 2021, Zoning Hearing Master Hearing.

5 Item A-3, Rezoning-PD 21-0222. This
6 application is being continued by the applicant to
7 the December 13th, 2021, Zoning Hearing Master
8 Hearing.

9 Item A-4, Rezoning-PD 21-0626. This
10 application is out of order to be heard and is
11 being continued to the December 13, 2021, Zoning
12 Hearing Master Hearing.

13 Item A-5, Rezoning-PD 21-0647. As I noted,
14 this item is out of order to be heard and is being
15 continued to December 13, 2021, Zoning Hearing
16 Master Hearing.

17 As noted in the changes to item A-6, PD
18 21-0650 has been withdrawn.

19 Item A-7, Rezoning-PD 21-0701. This
20 application is out of order to be heard and is
21 being continued to the December 13, 2021, Zoning
22 Hearing Master Hearing.

23 Item A-8, Rezoning-PD 21-0744. This
24 application is being continued by the applicant to
25 the December 13, 2021, Zoning Hearing Master

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY and SUSAN FINCH
 Land Use Hearing Master

DATE: Monday, October 18, 2021

TIME: Commencing at 6:00 p.m.
 Concluding at 10:33 p.m.

PLACE: Cisco Webex

Reported By:

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

1 This application is being withdrawn from the -- by
2 the Zoning Administrator in accordance with LDC
3 Section 10.03.02.C.2.

4 Item A-4, Rezoning-PD 21-0626. This
5 application is out of order to be order and is
6 being continued to the November 15, 2021, Zoning
7 Hearing Master Hearing.

8 Item A-5, Rezoning-PD 21-0647. This
9 application is out of order to be heard and is
10 being continued to the November 15, 2021, Zoning
11 Hearing Master Hearing.

12 Item A-6, Rezoning-PD 21-0650. This
13 application is out of order to be heard and is
14 being continued to the November 15, 2021, Zoning
15 Hearing Master Hearing.

16 Item A-7, Rezoning 21-0701. This
17 application is being continued by the applicant to
18 the November 15, 2021, Zoning Hearing Master
19 Hearing.

20 Item A-8, Rezoning-PD 21-0745. This
21 application is being continued by the applicant to
22 the November 15, 2021, Zoning Hearing Master
23 Hearing.

24 Item A-9, Rezoning-PD 21-0748. This
25 application is being continued by staff to the

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
 Land Use Hearing Master

DATE: Monday, September 13, 2021

TIME: Commencing at 6:00 p.m.
 Concluding at 10:36 p.m.

PLACE: Cisco Webex

Reported By:

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

Executive Reporting Service

1 being continued to the October 18, 2021, Zoning
2 Hearing Master Hearing.

3 Item A-4, Major Mod Application 21-0310.
4 This application is being withdrawn from the Zoning
5 Hearing Master process.

6 Item A-5, Major Mod Application 21-0313.
7 This application is being continued by the
8 applicant to the October 18, 2021, Zoning Hearing
9 Master Hearing.

10 Item A-6, Major Mod Application 21-0316.
11 This application is out of order to be heard and is
12 being continued to the October 18, 2021, Zoning
13 Hearing Master Hearing.

14 Item A-7, Rezoning-PD 21-0626. This
15 application is out of order to be heard and is
16 being continued to the October 18, 2021, Zoning
17 Hearing Master Hearing.

18 Item A-8, Rezoning-PD 21-0647. This
19 application is out of order to be heard and is
20 being continued to the October 18, 2021, Zoning
21 Hearing Master Hearing.

22 Item A-9, Rezoning-PD 21-0650. This
23 application is out of order to be heard and is
24 being continued to the October 18, 2021, Zoning
25 Hearing Master Hearing.

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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IN RE: )
)
ZONING HEARING MASTER (ZHM) )
HEARING )
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)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Zoning Hearing Master

DATE: Monday, August 16, 2021

TIME: Commencing at 6:00 p.m.
Concluding 8/17/21 at 12:04 a.m.

PLACE: Hybrid Meeting/Cisco Webex
R.W. Saunders Sr. Public Library
Ada T. Payne Community Room
1505 Nebraska Avenue
Tampa, Florida

Andrew Mayes
Executive Reporting Service
Ulmerton Business Center, Suite 130
Clearwater, FL 33762

1 Item A.7., major mod application 21-0316.
2 This application is out of order to be heard and
3 is being continued to the September 13, 2021,
4 Zoning Hearing Master hearing.

5 Item A.8., major mod application 21-0556.
6 This application is being continued by the
7 applicant to the September 13, 2021, Zoning
8 Hearing Master hearing.

9 Item A.9., rezoning PD 21-0560. This
10 application is being continued by the applicant to
11 the September 13, 2021, Zoning Hearing Master
12 hearing.

13 Item A.10., rezoning PD 21-0592. This
14 application is out of order to be heard and is
15 being continued to the September 13, 2021, Zoning
16 Hearing Master hearing.

17 Item A.11., rezoning PD 21-0626. This
18 application is out of order to be heard and is
19 being continued to the September 13, 2021, Zoning
20 Hearing Master hearing.

21 Item A.12., rezoning PD 21-0647. This
22 application is out of order to be heard and is
23 being continued to the September 13, 2021, Zoning
24 Hearing Master hearing.

25 Item A.13., rezoning PD 21-0650. This

1 August 16, 2021, Zoning Hearing Master Hearing.

2 Item A-17, Rezoning-PD 21-0592. This
3 application is out of order to be heard and is
4 being continued to the August 16, 2021, Zoning
5 Hearing Master Hearing.

6 Item A-18, Rezoning-PD 21-0626. This
7 application is out of order to be heard and is
8 being continued to the August 16, 2021, Zoning
9 Hearing Master Hearing.

10 Item A-19, Rezoning-PD 21-0647. This
11 application is out of order to be heard and is
12 being continued to the August 16, 2021, Zoning
13 Hearing Master Hearing.

14 Item A-20, Rezoning-PD 21-0650. This
15 application is out of order to be heard and is
16 being continued to the August 16, 2021, Zoning
17 Hearing Master Hearing.

18 Item A-21, Rezoning-PD 21-0701. This
19 application is out of order to be heard and is
20 being continued to the August 16, 2021, Zoning
21 Hearing Master Hearing.

22 Item A-22, Rezoning-PD 21-0742. This
23 application is being continued by staff to the
24 August 16, 2021, Zoning Hearing Master Hearing.

25 Item A-23, Rezoning-PD 21-0744. This



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE