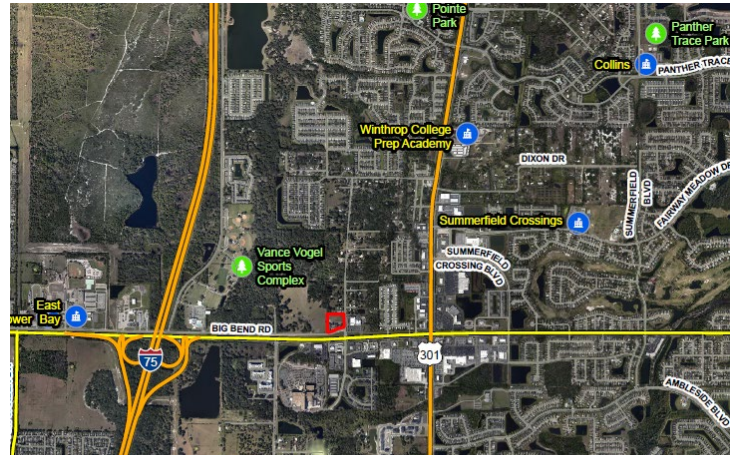


Rezoning Application: PD 22-0567
Zoning Hearing Master Date: December 12, 2022
BOCC Land Use Meeting Date: February 14, 2023

1.0 APPLICATION SUMMARY

Applicant: Landmark Engineering & Surveying Corporation
FLU Category: UMU-20
Service Area: Urban
Site Acreage: 3.9 +/-
Community Plan Area: Riverview
Overlay: None



Introduction Summary:

The applicant seeks to rezone three parcels to Planned Development (PD) to allow two development options: (1) sit-down restaurant uses totaling 14,500 sf within two buildings; or, (2) sit-down restaurant, bank and/or retail uses totaling 12,000 sf within two buildings.

Zoning:	Existing		Proposed	
District(s)	ASC-1	RSC-2	PD (Option 1)	PD (Option 2)
Typical General Use(s)	Single-Family Residential/Agricultural	Single-Family Residential/Agricultural	Restaurant	Restaurant, Bank, and Retail
Acreage	3.15	0.75	3.9	3.9
Density/Intensity	1 unit per acre	2 units per acre	0.08 FAR	0.07 FAR
Mathematical Maximum*	3 units	2 unit	14,500 sf	12,000 sf

*number represents a pre-development approximation

Development Standards:	Existing		Proposed	
District(s)	ASC-1	RSC-2	PD (Option 1)	PD (Option 2)
Lot Size / Lot Width	1 acre / 150'	21,780 sf / 100'	n/a	n/a
Setbacks/Buffering and Screening	50' Front Yard 50' Rear Yard 15' Side Yards No buffer/screening	25' Front Yard 25' Rear Yard 10' Side Yards No buffer/screening	60' Front Yard 160' Rear Yard 70' West Side Yard 85' East Side Yard 20' buffer/Type B	60' Front Yard 160' Rear Yard 70' West Side Yard 85' East Side Yard 20' buffer/Type B
Height	50'	35'	35'	35'

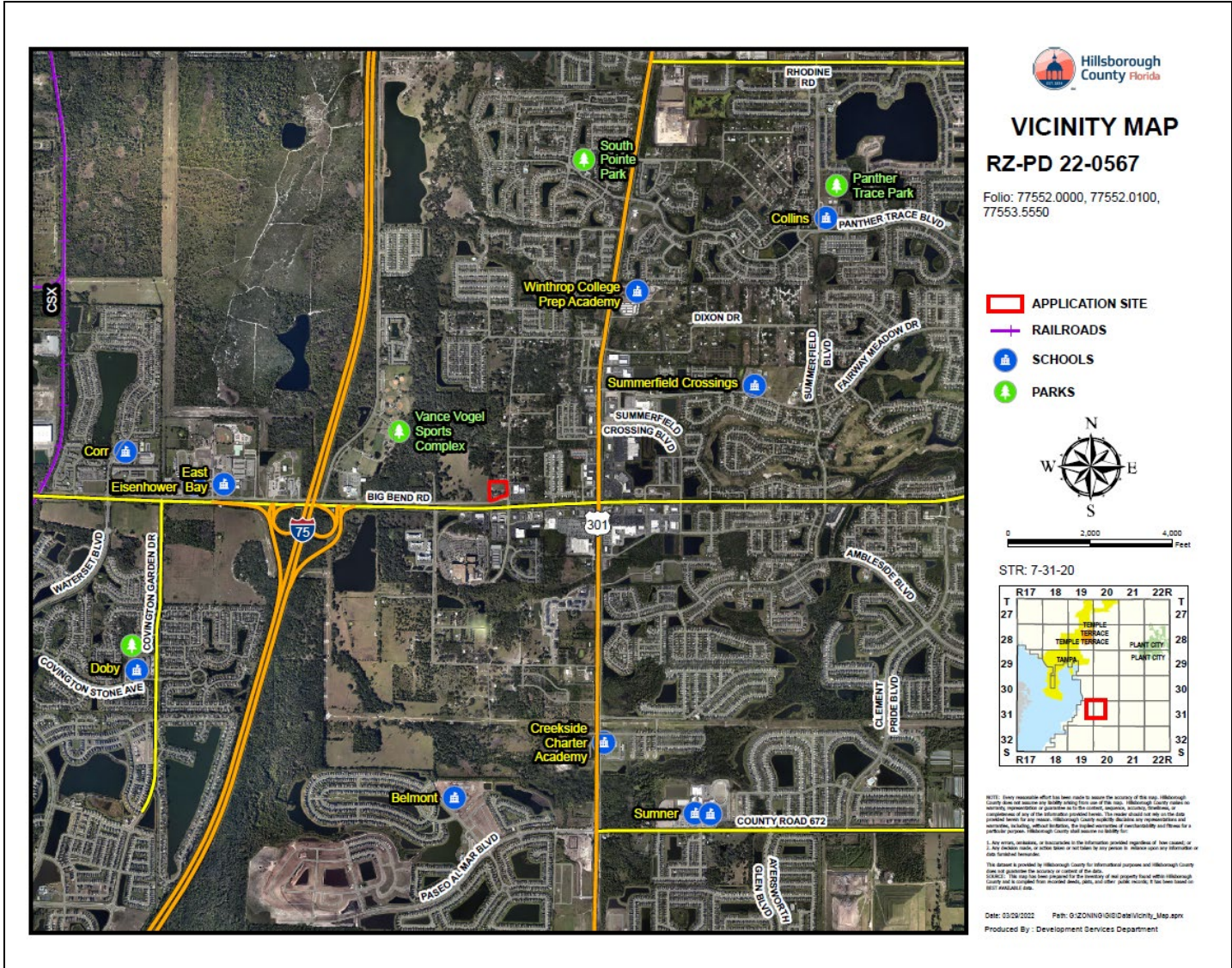
Additional Information:

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

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Not Supported
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

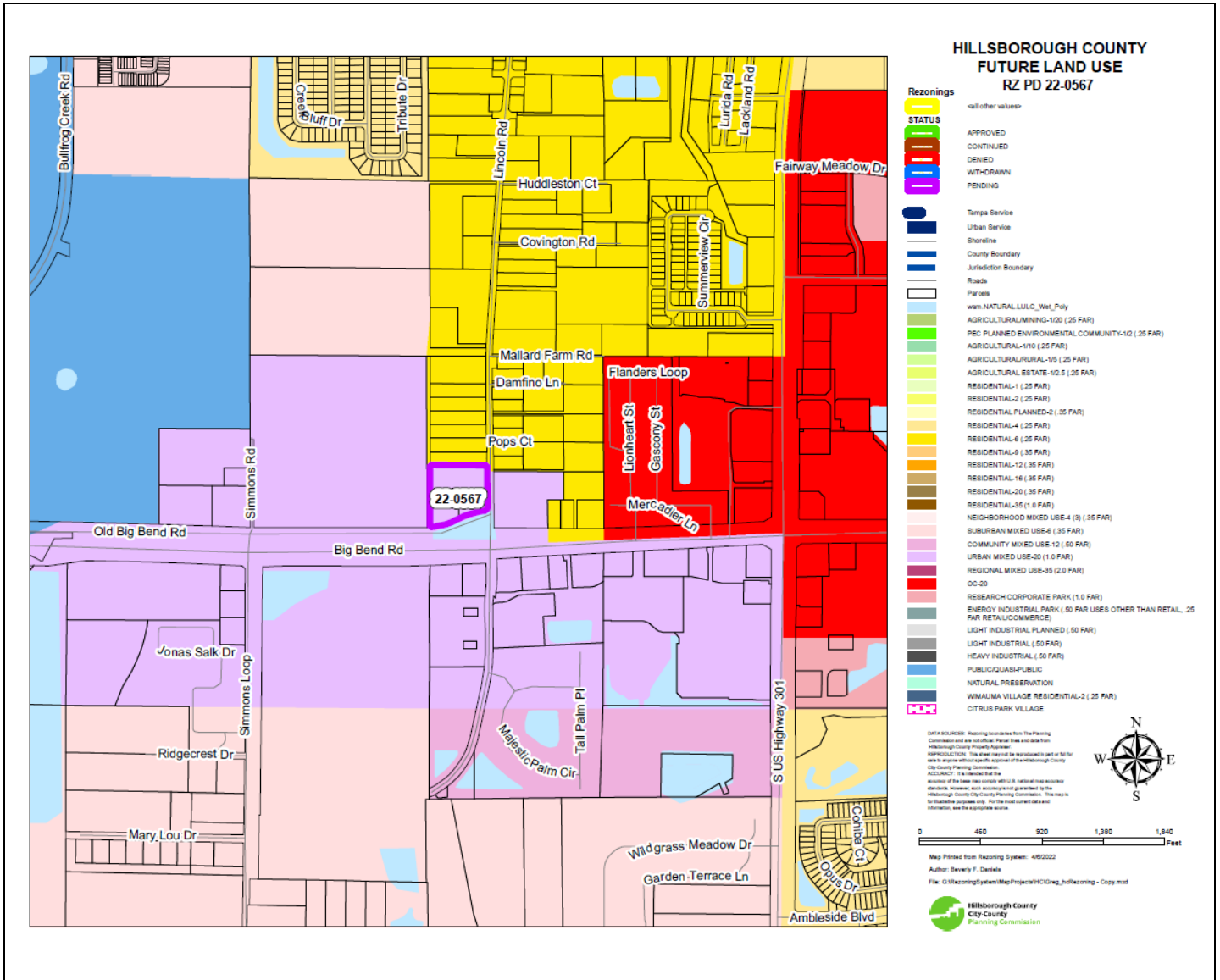


Context of Surrounding Area:

The site is located on the northside of Big Bend Road, west of Lincoln Road, in the Riverview community. The area serves as a primary commercial corridor for the community with direct access to I-75 to the west. Sites with direct proximity to Big Bend Road have been developed with non-commercial uses, such as a grocery store, hospital, and shopping center. Areas to the north of the corridor consist of established residential neighborhoods.

2.0 LAND USE MAP SET AND SUMMARY DATA

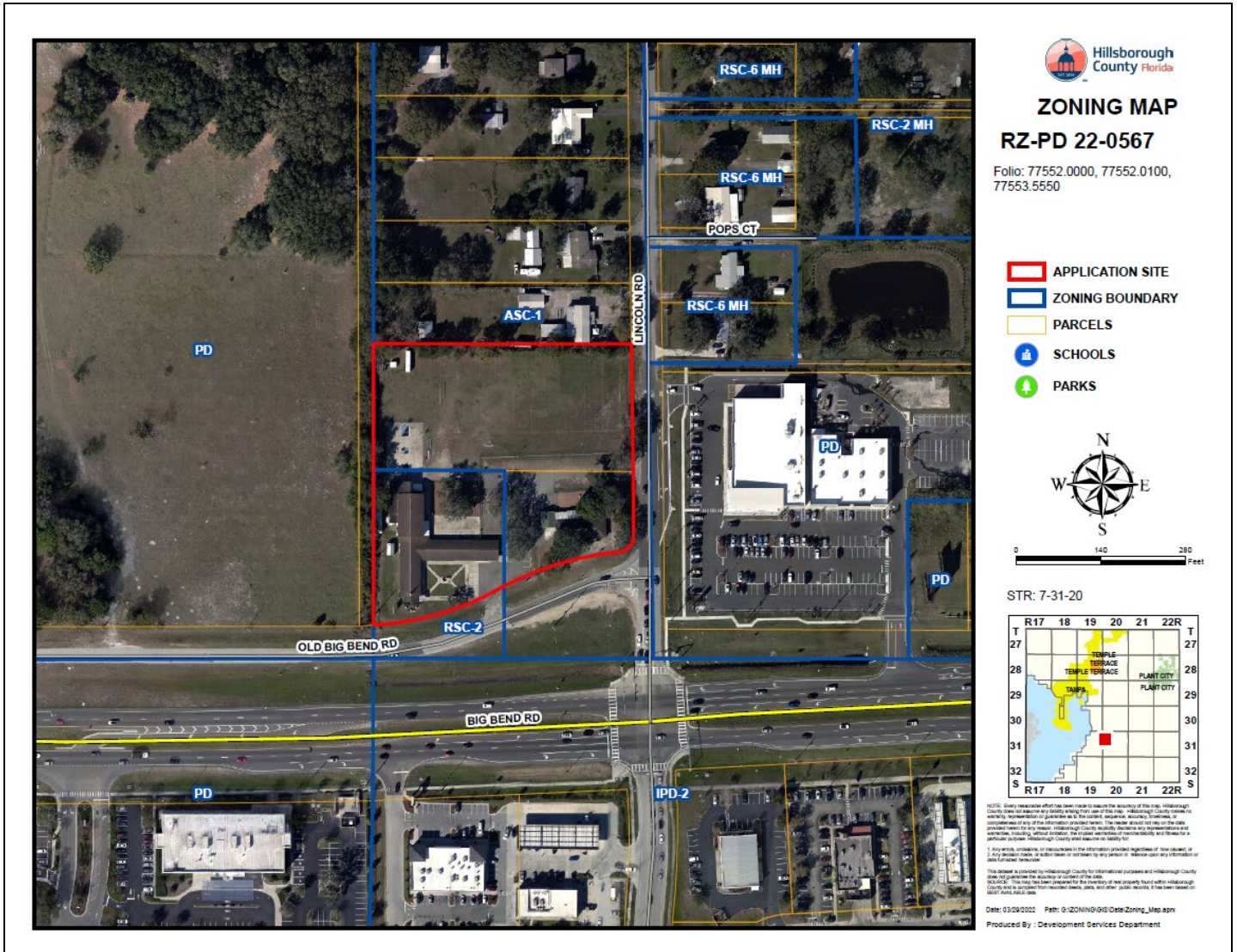
2.2 Future Land Use Map



Subject Site Future Land Use Category:	UMU-20 (Urban Mixed Use 20)
Maximum Density/F.A.R.:	20 units per acre / 1.0 FAR
Typical Uses:	Residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

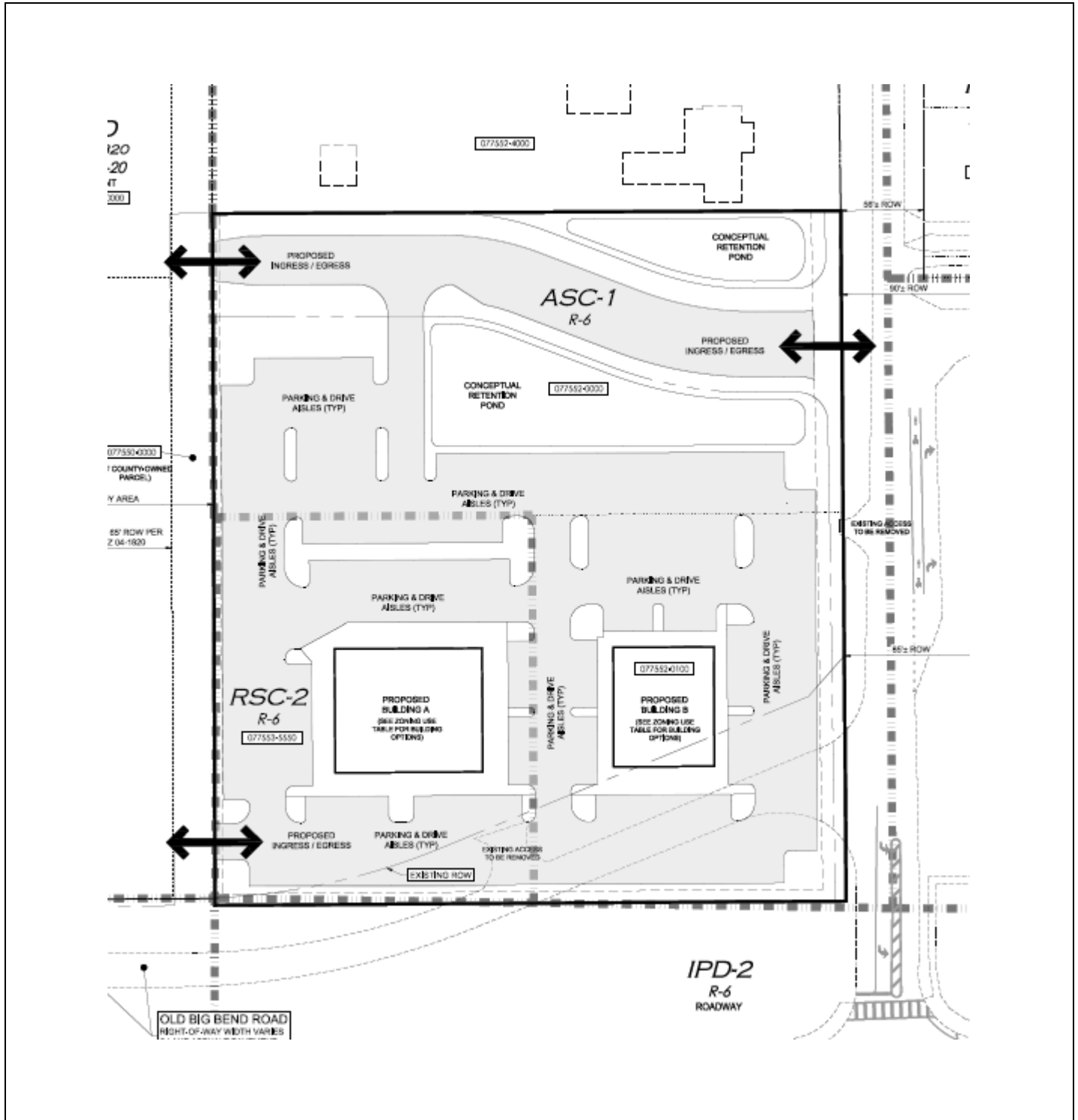


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 unit per acre	Single-Family Residential/Agriculture	Single-Family Residential
South	IPD-2	0.50	Multi-Family, Commercial and Office	Multi-Family and Commercial
East	PD	0.25	Grocery Store and Commercial	Grocery Store
West	PD	0.50	Hospital and Medical Office	Vacant

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Big Bend Rd.	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width TBD	<input checked="" type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Old Big Bend Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other
Lincoln Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width TBD	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other TBD
	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	129	7	10
Proposed	Unknown	Unknown	Unknown
Difference (+/-)	Unknown	Unknown	Unknown

*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		Future Vehicular & Pedestrian Possible	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes: Future vehicular and pedestrian connectivity to the north possible by presumed dedicated of right-of-way adjacent to northern project boundary, although site plan is not adequately labeled, and additional information is needed. Additional information needed to determine whether crossing of County owned property at southwest corner of the project can be conceptually supported, and what types of agreements may be required.

Design Exception/Administrative Variance <input 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: Design Exceptions requests were required but none were received. Additional Design Exception or Section 6.04.02.B. Variances may be needed, but until the applicant has sufficiently addressed substandard road issues this cannot be definitively determined.

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 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 type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water distribution system improvements required
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees (Various use types allowed. Estimates are a sample of potential development)				
Industrial (Per 1,000 s.f.) Mobility: \$3,807 Fire: \$57	Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$12,206 Fire: \$313	Warehouse (Per 1,000 s.f.) Mobility: \$1,239 Fire: \$34		
Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$18,549 Fire: \$313	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$94,045 Fire: \$313	Mini-Warehouse (Per 1,000 s.f.) Mobility: \$653 Fire: \$32		
Urban Mobility, South Fire - Mixed Use Commercial, unspecified				

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 type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located at the intersection of Lincoln Road and Old Big Bend/Big Bend Road, which is developed with commercial uses. Residential uses are located to the north of the site, which front Lincoln Road. Residential property to the immediate north will abut a 50-foot wide newly constructed public right of way and stormwater pond. Project uses are located within the southern portion of the PD, which is the farthest point from existing residential.

The recommendations below highlight potential compatibility concerns.

5.2 Recommendation

Not supported.

Staff does not support the request based upon the following:

- The most recently submitted site plan depicts an east-west drive along the northern PD boundary with notations of “ingress and egress.” Note #19 states that drive aisles will be public, and that “re-routed Old Big Bend Road” shall be dedicated to Hillsborough County.” Previous direction from staff was to clearly label this area separately from the internal internal access drive and labeled as “Old Big Bend Rd. Realignment.” The extent of of the areas to be dedicated were to be labeled “Approximate Limits of Right-of-Way Dedication and Conveyance Area – see conditions of approval.” Lastly, access points for this new roadway were to be labeled “Access for Old Big Bend Rd. Realignment.” Lack of these items on the plan does not provide staff with the adequate information review and does not clearly inform adjacent property owners of the new right-of-way proposal. The site plan was submitted on the revised site plan deadline, providing no ability to revise the plan while meeting Land Development Code requirements for public notice.
- The southeast portion of the PD area is currently County-owned right-of-way. The site plan notes this area as “existing ROW.” Note #9 also states there are existing rights-of-way within the project. This area is not noted as an area to be vacated, as required by the Development Review Procedures Manual (DRPM). Previous plans noted this correctly; however, the most recently submitted plan did not. This area is within vacating petition V22-0012 and consists of approximately 0.5 acres.
- The area subject to vacating petition V22-0012 has not been vacated and thus is not allowed to be rezoned without approval of Hillsborough County. A vacating petition is permitted to run concurrently with the rezoning. In such circumstances, the vacating petition needs to supported by the County and expected to be finalized in time to be heard concurrently with the rezoning application at the same BOCC Land Use Meeting. At the time of filing this staff report, multiple objections to the vacating petition have been filed. Therefore, there is no certainty at the time of this staff report filing that the vacating petition is supportable. The legal description of the area to be rezoned does not appear to include the ROW area and would need to be amended should the vacating petition be approved by the BOCC and such area fall within the rezoning of PD 22-0567.
- The original site plan requested “commercial” uses with an accompanying narrative requesting “mixed-use commercial development.” The applicant was asked to elaborate on what was proposed both on a revised site plan and a revised narrative, and at what intensity (neighborhood, general, intensive commercial). No revised narrative has been submitted at the time of filing this staff report. On September 9, 2022, the applicant was advised of a recent Board direction that would no longer accept broad category requests – such as all CG zoning district uses. Specified uses with a corresponding traffic study would be needed. The applicant’s most recent site plan submittal on November 22, 2022 updated the proposed uses to sit-down restaurant, bank, restaurant space and other. Staff was uncertain of what “restaurant space” and “other” was intending to permit, and these are not use terms found in the Land Development Code. Via email with the applicant subsequent to the site plan submittal, staff was advised the restaurant space is intended to mean sit-down restaurant and other was


intended to request retail uses. These clarifications are unable to be made on the site plan given the date it was submitted. Additionally, this did not provide staff with adequate time to review the full range of retail to assess compatibility or compare to the the transportation analysis.

- Transportation staff has reviewed the application and has filed an objection. Some issues highlighted in their report are also a concern of Zoning staff. The applicant was previously advised of multiple actions needing to occur as part of this application – vacating of existing ROW, submittal of a transportation analysis related to the ROW vacating request, permission to construct improvements over County owned property and ROW dedication for a new east-west roadway through the project. These actions have either not been completed and/or have not been documented to staff in accordance with DRPM minimum site plan requirements. The applicant has initiated the vacating of ROW along the southeast portion of the site. At the time of filing this staff report, transportation staff objects to the application. Lincoln Road is a substandard roadway and the applicant has not submitted a Design Exception, Administrative Variance or advised staff that roadway improvements will be done. The PD to the west of the subject PD is approved in phases, with accesses and roadways which may or may not occur due to the improvements required by each party. The applicant’s site plan does not contemplate how it will be developed should adjacent roadway improvements not occur. Per the applicant’s project trip generation, a westbound right turn lane to the western PD is necessary. However, the applicant has not provided any documentation as to if sufficient ROW is available. Lastly, various site plan notation issues are also identified regarding ROW dedication, sidewalks and roadway improvements that need to be corrected to meet minimum site plan requirements and/or clarify the request.

6.0 PROPOSED CONDITIONS

N/A

Zoning Administrator Sign Off:



J. Brian Grady
Mon Dec 5 2022 12:53:39

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.

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 12/04/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RV/ South

PETITION NO: RZ 22-0567

- 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.

RATIONALE FOR OBJECTION

1. Transportation Review Section staff emailed the applicant multiple times, including on 4/27/2022, 7/19/2022, 8/22/2022, 9/15/2022, 10/4/2022, 10/24/2022, 11/29/2022, as well as having held multiple meeting during the course of the application to discuss multiple problems and issues with the application and proposal, including a lack of required supporting documentation and explanations, missing requested Administrative Variances and/or Design Exceptions, which are included in the list of issues below. In many cases no formal responses were received, or the applicant failed to provide responsive information into the record. As such, staff cannot conduct its review and recommends denial of this request.
2. The PD site plan does not meet minimum requirements pursuant to the Development Review Procedures Manual (DRPM). The site plan needs to be revised to include the minimum required information necessary to aid staff in its review and effectively communicate the intent of the project to surrounding citizens and reviewing agencies.
3. As staff understands the applicant's intent for the proposal, the project includes a complicated set of proposals which involve the vacation of existing County rights-of-way, permission to construct private improvements across other County owned property, dedication of new right-of-way, and collaboration between property owners who are not a part of this PD request. The project narrative contains a one sentence explanation of the intent of the project, which is inadequate to communicate the intent of the project, applicant's intentions with respect to the above referenced proposals, amount of type of right-of-way to be dedicated, type of improvements proposed, nor status of coordination with the adjacent property owners (including the County) whose compliance is required to construct the project as the County believes the applicant intends.
4. The applicant's site plan does not show the exact limits of proposed right-of-way vacation or adequate label same on the site plan. Right-of-way vacation petition V22-0012, filed by the applicant, has outstanding objections from a multiple internal and external reviewing agencies and utilities with physical assets and/or easement interest within the subject area. Development Services objected to the vacating petition, as the applicant's proposal including vacating right-of-way up to the edge of the travel lane, which would not provide enough right-of-way necessary safely accommodate area traffic, adequately maintain the facility, and since there was no information on the record as to the ultimate configuration of necessary at the Lincoln Rd. and Big Bend Rd. intersection.

Staff informed the applicant that the County would require a transportation analysis examining future needs at the intersection based upon buildout of the project and other area traffic (e.g. via examination of project impacts and future model volumes) in order to ensure that the staff is not authorizing vacation of land (without compensation to taxpayers) that may otherwise be needed by the County to accommodate future improvements (which it would then have to turn around and reacquire through the eminent domain process at great expense to taxpayers). Staff informed the applicant that a layout showing the geometry from an acceptable analysis would be needed to identify the right-of-way needed to accommodate site access impacts as well as these future improvements (if any). While the applicant provided a transportation analysis, the applicant was unable to provide an explanation as to why such requested typical section and available/needed right-of-way analysis/typical sections/sketches were not provided.

5. Since staff cannot support the vacating petition as was initially proposed, and since no agreement as to the ultimate limits of what right-of-way vacation can be supported has been reached, the record does not accurately reflect the area to be vacated, and the applicant is therefore very likely proposing to rezone land which is not owned by the applicant and is likely to be retained by the County. Staff notes that the County is not a party to the rezoning application. As such, it is improper to allow the applicant to rezone land owned by another party without their consent, no matter how large or small the area. Staff notes that such rezoning would also put the remaining areas in conflict with the ultimate future purpose and configuration of these retained areas in conflict with the proposed zoning.
6. No details are shown regarding the project to the east (PD 22-0087). That project has a full access in a specific location. The project's southernmost connection must align with that access (assuming the developer wishes to have a full access connection to 15th St. SE. If no full access connection is desired, the applicant should eliminate the southernmost project access (in which case no AV will be needed for the issue raised in No. 2, above).
7. Lincoln Rd. is a substandard collector roadway. As such, the applicant is required to improve the roadway network (between the project driveway and Big Bend Rd.) to the applicable Typical Section standard. Alternatively, if the applicant believes the roadway(s) is/are safe in its/their existing configuration, the applicant may seek roadway Section 6.04.02.B. Administrative Variance(s) from the Section 6.04.03.L. requirement. When an applicant is proposing some improvement to the road(s) but to something less than the full applicable Typical Section (TS), then the applicant may pursue a Design Exception (DE) in accordance with Section 1.7.2. and other applicable sections of the TTM. Pursuant to current policies and procedures, most transportation related AVs and DEs must be processed concurrently with PD modification requests, and requests can take up to 30 days for staff review and issuance of findings by the County Engineer (whose findings are due on or before the revised plan deadline for the hearing date being targeted.) The applicant has not made any commitments with respect to transportation infrastructure nor submitted any such AVs/DEs requests, despite being informed that either a commitment to improve the road to current County standards or approval through one of the two above referenced processes would be necessary.
8. The applicant was informed that typical sections for the realigned Old Big Bend Rd. frontage road had been developed by the applicant for the adjacent PD, but that one of those two DEs would need to be incorporated into the approval for the subject PD. Despite being informed of the required, no such DE requests was received.
9. The applicant is proposing to cross a +/- 25-foot-wide County owned parcel which, according to Real Estate staff, was acquired for drainage purposes. The applicant desired to make such crossing a requirement of the zoning, which would require special approvals for a privately owned and maintained driveway (to include appropriate bridge, piping or box culverts as yet to be determined) to be located within County owned property. Staff has begun consultations with the Public Works, Real Estate and County Attorney's offices to find out the type of agreements

which will be needed and identify contacts for the applicant's team to follow-up to obtain written permission that the various agencies do not object to the crossing. Staff cannot make such crossing optional, because the applicant's transportation analysis was predicated on the presence of such connection (and because the applicant's insistence it be incorporated as a requirement of the zoning). The applicant has failed to incorporate any information into the zoning record indicating what types of agreements will be required and whether county agencies conceptually agree to allow such private facilities within/across the parcel to the west of the project.

10. The applicant has asked for a second development option which includes a variety of proposed uses, including 2,500 s.f. of "Other Uses". Staff has no knowledge of what these are. Additionally, all proposed use language must conform to LDC use terminology so that there is no ambiguity or confusion as to what uses are allowed, and so that staff can evaluate whether the transportation analysis adequately assesses the project's impacts.

For example, using the term "Office" would be unacceptable, since that is not a defined code term and doesn't contain sufficient information as to whether the applicant is seeking Professional Service Uses (i.e. what is often reviewed in transportation analyses as "general office") or Health Practitioner's Office uses (i.e. what would be reviewed as medical office). These two uses have different trip generation impacts, and staff needs to ensure applicants aren't using one ambiguous term which doesn't appropriately restrict the use which may be constructed such that it reflects that which was studied in an analysis.

11. Zoning notes 9 indicates that there are existing rights-of-way within the project boundary but does not address that such rights-of-way are proposed to be vacated, cross reference the variance petition number, etc.
12. Zoning note 19 indicates that the rerouted Old Big Bend Rd. "will be dedicated to Hillsborough County". Per guidance from the County Attorney's office, if the intent is to convey the underlying fee to Hillsborough County, the applicant must use the language "dedicate and convey". Also, the site plan must show the limits of the proposed right-of-way.
13. Staff understood until recently that the applicant intended to pursue a Mobility Fee Alternative Satisfaction Agreement simultaneously with this zoning action. The applicant changed its mind regarding pursuing such agreement at this time; however, staff recommends that the possibility of pursuing such agreement after receiving zoning approval (if that is still the applicant's intent) be explained in the project narrative for clarity.
14. The applicant has not explained, nor does the record reflect, how the project can develop (e.g. will development be expressly disallowed, given that site note 20 indicates the project will be constructed in one phase) if the project to the west does not move forward or has substantially different timing from the subject PD. For example, the removal of the segment of the Old Big Bend Rd. frontage Rd. within the proposed PD would not be permitted to occur until the new segment within the subject PD (along its northern boundary) is constructed and then a linkage constructed within the adjacent PD 22-0461 to the west between this new section and the existing sections of the frontage road south of adjacent. Such connection would require this property owner to have permission to construct connecting infrastructure and grant public access easements over land they do not own.
15. Site notes 22 states that there is no right-of-way within the project boundary proposed to be dedicated to Hillsborough County. This note is in conflict with site note 19, and the applicant's intent is unclear.
16. Site note 23 indicates that existing right-of-way is shown on the PD site plan. The applicant has shown two measurements for the same portion of Lincoln Rd. which indicate 85 and 90 feet of right-of-way for two areas of identical width. Staff requests the applicant clean up the site plan and provide information as to the sources/references of its right-of-way width data (as this will be

critical in determining the amount of available right-of-way which will impact the right-of-way vacation request as described hereinabove.

17. Site note 26 indicates that “No sidewalks within the project areas are proposed.” Staff notes that this would be a violation of multiple sections of the Land Development Code and various Technical Manual requirements and Comprehensive Plan provisions. Staff requests the language be changed to “Sidewalks to be provided in accordance with the LDC” or otherwise clarify its intent.
18. Site note 29 may need to be updated depending upon the outcome of the substandard road discussions on Lincoln Rd. See comment 7, above.
19. Regardless of staff being unable to evaluate the specific acceptability of project trip generation for the reasons noted above, the applicant’s analysis indicates that a westbound right turn lane into adjacent project 22-0461’s driveway B is warranted pursuant to Sec. 6.04.04.D. due to the traffic impacts from this project. The applicant has not provided graphics or other information into the record indicating whether there is sufficient right-of-way to accommodate the westbound right turn lane given the ongoing Big Bend Rd. widening project. Staff recommends that the applicant schedule a meeting with appropriate Public Works representatives and Big Bend Rd. widening project team to ensure that the proposed project will result in no adverse impacts that to that project.

Without the above information staff has insufficient information to review the project and recommends denial of the application should it move forward to hearing.

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
Big Bend Rd.	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width TBD	<input checked="" type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Old Big Bend Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other
Lincoln Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width TBD	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other TBD
	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	129	7	10
Proposed	Unknown	Unknown	Unknown
Difference (+/-)	Unknown	Unknown	Unknown

*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		Future Vehicular & Pedestrian Possible	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC

Notes: Future vehicular and pedestrian connectivity to the north possible by presumed dedicated of right-of-way adjacent to northern project boundary, although site plan is not adequately labeled, and additional information is needed. Additional information needed to determine whether crossing of County owned property at southwest corner of the project can be conceptually supported, and what types of agreements may be required.

Design Exception/Administrative Variance <input 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: Design Exceptions requests were required but none were received. Additional Design Exception or Section 6.04.02.B. Variances may be needed, but until the applicant has sufficiently addressed substandard road issues this cannot be definitively determined.

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 type="checkbox"/> Off-Site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Staff will only provide conditions once a minimally compliant site plan, narrative, and other information necessary to conduct its review has been received, and assuming such request is then found supportable.



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: December 12, 2022 Report Prepared: November 30, 2022	Petition: PD 22-0567 10102 & 10104 Old Big Bend Road <i>North side of Big Bend Road, west of Lincoln Road, east of Interstate 75</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Urban Mixed Use-20 (20 du/ga; 1.0 FAR)
Service Area:	Urban
Community Plan:	Riverview and Southshore Areawide Systems
Request:	Agricultural – Single-Family Conventional (ASC-1) and Residential Single-Family (RSC-2) to a Planned Development (PD) for a 14,500 sq. ft. restaurant and a 12,000 sq. ft. mixed-use building for a restaurant, bank, and retail uses.
Parcel Size (Approx.):	4.53 +/- acres (197,326.8 sq. ft.)
Street Functional Classification:	Big Bend Road – Arterial Lincoln Road – Local
Locational Criteria:	N/A
Evacuation Zone:	N/A



Context

- The approximately 4.53 acre site is located on the north side of Big Bend Road, east of Interstate 75 and west of Lincoln Road. The site is in the Urban Service Area and within the limits of the Riverview Community Plan and the Southshore Areawide Systems Plan.
- The subject site is located in the Urban Mixed Use-20 (UMU-20) Future Land Use Category. Typical allowable uses in the UMU-20 category include residential, regional scale commercial uses such as a mall, office and business park use, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Projects that are 10 acres or greater within the Urban Mixed Use-20 future land use classification must demonstrate a mix of land uses in accordance with Policy 19.1.
- The UMU-20 Future Land Use category is located to the south, west, and east of the subject site. RES-6 is located to the north of the subject site. Further east is the Office Commercial-20 (OC-20) Future Land Use category.
- Much of the area contains Planned Development zoning developed with various uses such as multi-family residential housing, light commercial and St. Joe's South hospital. The overall area is one of relative intensity given the proximity of the site to the I-75 and Big Bend Road interchange.
- The applicant is requesting to rezone the property from Agricultural – Single-Family Conventional (ASC-1) and Residential Single-Family (RSC-2) to a Planned Development (PD) for a 14,500 sq. ft. restaurant and a 12,000 sq. ft. mixed-use building for a restaurant, bank and retail uses.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (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.

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

Policy 8.8: For projects whose boundaries encompass more than one land use category, density and intensity calculations will allow for the blending of those categories across the entire project. All portions of the project must be contiguous to qualify for blending. Blending of densities and intensities is not permitted across improved public roadways or between the Urban Service Area (USA) and Rural Service Area (RSA) boundary. The combined total number of dwelling units and/or FAR possible under all the land use categories within the project will be used as a ceiling for review purposes. This provides maximum design flexibility for those projects, because the location or clustering of those units on the project site need not conform to the land use category boundary on the site as long as the maximum number of dwelling units permitted for the entire project are not exceeded.

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;

c) *requiring buffer areas and screening devices between unlike land uses;*

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

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

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

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

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

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

Policy 16.10: *Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

Community Design Component

2.1 Mixed Use Development

GOAL 1: *Plan a pattern of compact, livable and walkable neighborhoods and communities within the urban service area which are supported by locally-oriented employment, goods and services.*

OBJECTIVE 1-2: *Promote a variety of uses in order to create vitality and bring many activities of daily life within walking distances of homes.*

LIVABLE COMMUNITIES ELEMENT

Riverview Community Plan

Goal 1 *Achieve better design and densities that are compatible with Riverview's vision.*

- *Develop Riverview district-specific design guidelines and standards. The standards shall build on recognizable themes and design elements that are reflective of historic landmarks, architecture and heritage of Riverview. The mixed-use,*

residential, non-residential and roadway design standards shall include elements such as those listed.

Mixed Use-Commercial-Residential

- *Enhance the ability to walk or bike between adjoining commercial areas.*

Transportation:

- *Develop distinctive roadway design and landscape standards for new developments and redevelopment projects that complement the community's uniqueness as well as encourage buffers to parking areas, water retention areas and sidewalks. Techniques may include landscaping, berming and median enhancements.*

Goal 2 *Reflect the vision of Riverview using the Riverview District Concept Map. The Riverview District Concept Map will illustrate the unique qualities and land uses related to distinct geographic areas identified as "districts". (See Figure 10)*

The following specific districts are incorporated into the Riverview District Concept Map. Require future development and redevelopment to comply with the adopted Riverview District Concept Map.

4. Mixed Use – Focus and direct development toward walkable mixed-use town center locations throughout the community while respecting existing land use.

5. Residential – Encourage attractive residential development that complements the surrounding character and promotes housing diversity.

Goal 4 *Provide safe, attractive, efficient multi-modal transportation, including vehicular, bicycle/pedestrian and transit.*

Goal 7 *Encourage economic development by supporting local business while attracting a variety of new uses and services, particularly high technology businesses.*

Goal 9 *Attract, locate and support appropriate industry and employment with state-of-the-art infrastructure.*

Goal 11 *Interconnect districts and public places with concepts for walkability, particularly schools and parks.*

- *Collaborate with private sector developers, government agencies and non-profit organizations to provide safe roadway, sidewalk and pathway connections, biking and equestrian linkages and other pedestrian amenities.*
- *Provide sidewalks, pathways and/or trails wide enough (wider than 5 feet) for people to easily pass each other or travel side-by-side.*

SouthShore Areawide Systems Community Plan

Transportation Objective

The communities within the SouthShore Areawide Systems Plan boundary desire to be served by a balanced transportation system. A thoughtfully planned system of roadways accommodates existing automobile traffic, supports strategically placed activity centers, connected by efficient public transit and is designed to connect to a rapid transit system. Community groups actively

participate in planning transportation facilities, resulting in a harmonious integration of roads and communities. People living here have mobility choices; they can safely walk, bicycle, drive a car, and take the bus or rail transit. The whole array of transportation options is designed to be user-friendly with sidewalks, bike lanes, and tree-shaded environments everywhere.

The community desires to:

- Identify, where appropriate, “co-location” of greenways and corridor co-existence is achievable.
- Preserve current and future rights-of-way to meet existing and future transportation system needs while accommodating pedestrian traffic (i.e., sidewalks, trails and bike paths). These preserved corridors should be acquired, as development is planned or occurs, supplementing the established system of acquiring right-of-way during project implementation.
- Support water-borne craft connections between St. Petersburg, Tampa and Sarasota.
- Support the existing emergency management plans that coordinate plans and activities that integrate emergency-management planning and hazard-mitigation programs to manage and determine consistency within the community that includes, but not limited to:
 - Coordination of response activities and provide guidance with respect to emergency evacuations and shelters,
 - Coordination with appropriate agencies to implement response and recovery duties and responsibilities, and
 - Recommending, in concert with the Hazard Mitigation program, mitigation alternatives to ensure evacuation times and shelter space requirements are met due to development within high-risk areas.
- Enable the “Areawide Systems Plan,” before or as development occurs so that the area is not segmented, thereby losing the opportunity for the “Plan” to be implemented.

Staff Analysis of Goals, Objectives, and Policies:

The approximately 4.53 acre site is located on the north side of Big Bend Road, east of Interstate 75 and west of Lincoln Road. The site is in the Urban Service Area and within the limits of the Riverview Community Plan and the Southshore Areawide Systems Plan. The applicant is requesting to rezone the property from Agricultural – Single-Family Conventional (ASC-1) and Residential Single-Family (RSC-2) to a Planned Development (PD) for a 14,500 sq. ft. restaurant and a 12,000 sq. ft. mixed-use building for a restaurant, bank and retail uses.

The site is within the Urban Mixed Use-20 (UMU-20) Future Land Use category. The UMU-20 Future Land Use category is located to the south, west, and east of the subject site. RES-6 is located to the north of the subject site. Further east is the Office Commercial-20 (OC-20) Future Land Use category. UMU-20 allows up to a 1.0 FAR. For the site, a maximum of 197,326 sq. ft. is allowed on site. The proposed development is requesting 26,500 sq. ft., which is far below the maximum density permitted in the UMU-20 category. The applicant is not proposing any density bonuses for the site.

The proposed Planned Development is consistent with the Neighborhood Protection policies under FLUE Objective 16. Specifically, FLUE Policy 16.1 focuses on the protection of neighborhoods through locational criteria for non-residential uses. Due to the expected intensity of the UMU-20 Future Land Use category, locational criteria is not required for

non-residential uses. FLUE Policy 16.2 calls for gradual transitions of intensities between land uses. The proposed Planned Development is consistent with this policy direction, as the non-residential land uses are proposed on the southern portion of the site closest to Big Bend Road. This arrangement of uses is also consistent with FLUE Policy 16.5, which seeks to focus more intensive development along arterials and collector roadways, and to areas outside of existing and developing neighborhoods. The applicant has also proposed a parking lot and a 20-foot Type B buffer to mitigate for the single family residential uses to the north.

The proposed rezoning does not meet the intent of Objective 9 and Policy 9.2 that require all new development to meet local, state, and federal land development regulations. At the time of drafting this report, Planning Commission staff had received transportation comments indicating that several key transportation issues have not been addressed with this application. Those issues include lack of right-of-way on Lincoln Road, objections from multiple agencies on right-of-way vacation petition, lack of required Design Exceptions, and permission for a crossing at the southeastern corner of the site.

The applicant submitted a vacating petition 22-0012 to vacate 0.5567 acres of ROW that was acquired by the county in 1981 to facilitate construction of the Old Big Ben Road and Lincoln Road intersection. The vacating was not supportable by Planning Commission staff as an alternative route for the realignment for Old Big Ben Road was not yet established. The concerns of Development Services Staff on the design work and transportation analysis were not addressed. This vacating request is associated with this proposed Planned Development 22-0567. Due to the proposed development not meeting all the Land Development Regulations and a non-supportable vacating petition, it is not consistent with FLUE Policy 9.2 and Objective 9.

The site is located within the limits of the SouthShore Areawide Systems and Riverview Community Plans, specifically within the Residential District and the Mixed Use District for Riverview. The proposed development would not support the vision of the Riverview Community Plan by developing a mix of commercial uses on the southern portion of the site. Goal 4 calls for internal and external pedestrian connections for providing a safe and efficient multi-modal system within Riverview. The Community Plan also envisions connecting pedestrians with public places such as parks (Goal 11). The proposed project is east of the Vance V. Vogel Park and is not providing sidewalks on Big Bend Road or Lincoln Road. This also is inconsistent with the intent of the SouthShore Areawide Systems Plan transportation objective which states providing mobility choices. The proposed project also does not meet the intent of the SouthShore Areawide Plan which states to preserve current and future rights-of-way and accommodating pedestrian traffic. The proposed site plan does not indicate plans to preserve right of way on Big Bend Road. The proposed project is inconsistent with the Riverview and SouthShore Areawide Systems Community Plans.

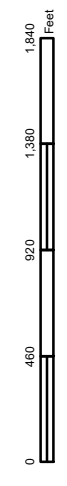
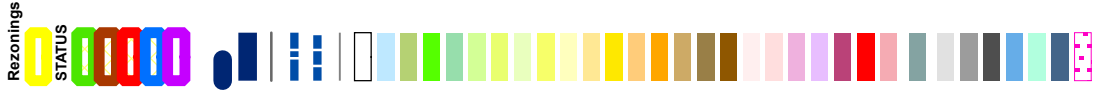
Overall, the proposed Planned Development would provide for a development pattern that is comparable to the mixed-use development pattern within the surrounding area, but does not meet the intent or the vision of the SouthShore Areawide Systems and Riverview Community Plans.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Planned Development **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

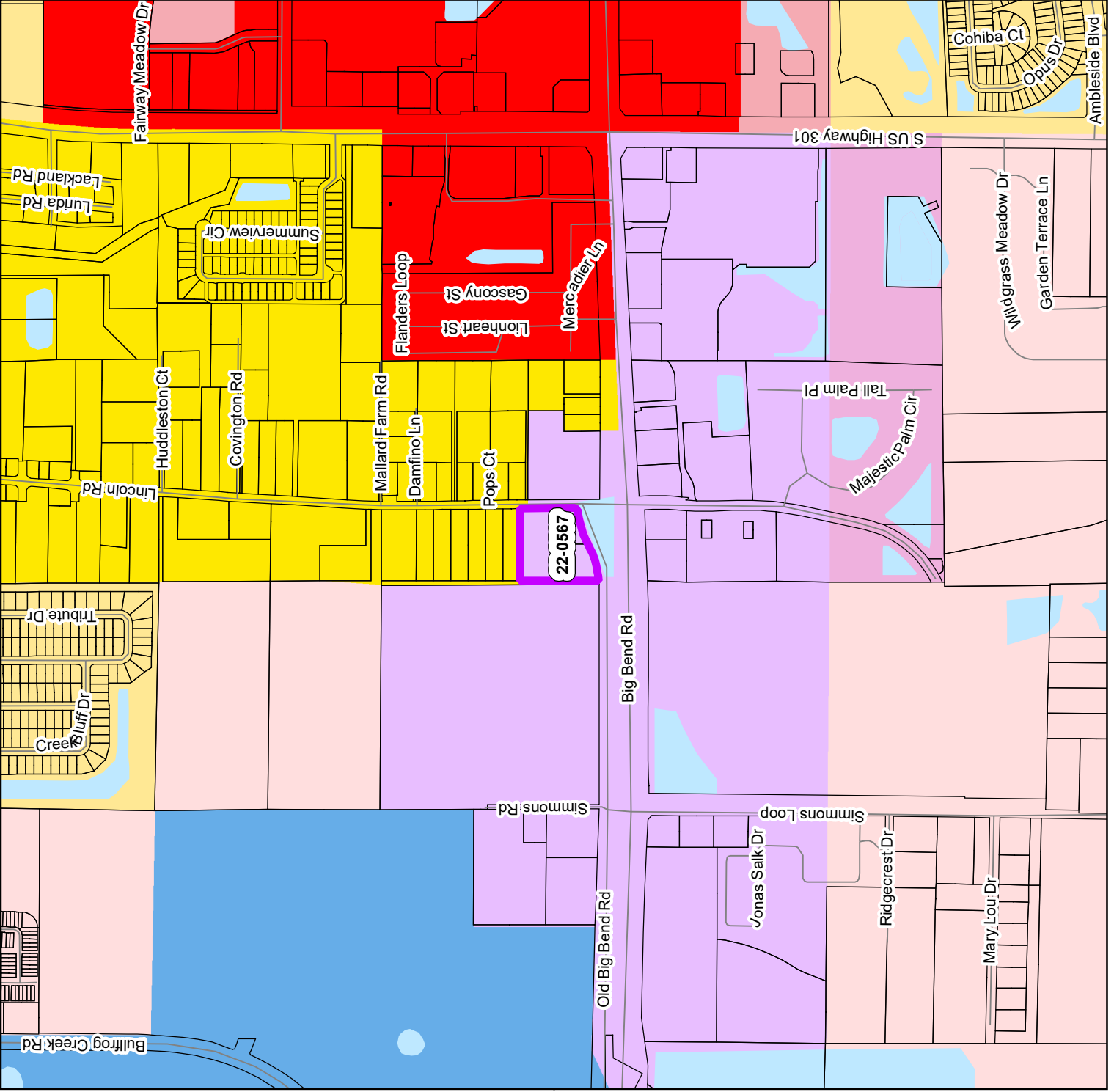
HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 22-0567

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DATA SOURCES: Rezoning 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 information on this map be used for informational purposes only. It is not intended to be used for any other purpose. The information on this map is not intended to be used for any other purpose. The information on this map is not intended to be used for any other purpose. The information on this map is not intended to be used for any other purpose.

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