Special Use-Alcoholic Beverage Permit with Waivers Application: SU-AB 24-0390

LUHO Hearing Date: March 25, 2024

Requested Classification: 2-COP-RX



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Pengcheng LLC

Zoning: PD

FLU Category: RES-20

Service Area: Urban

Community Plan Area: Northwest

Overlay: None

Special District: None

Use: Restaurant

Total Wet Zone Area Requested: 2,476 square feet

Inside Area Requested: 2,476 square feet

Outside Area Requested: None

Location: 11909 Sheldon Road, Tampa; Folio #: 3558.5500



Introduction Summary:

The proposed wet zoning is sought for a restaurant, Minano Ramen, within an existing strip center. The property is zoned Planned Development PD 16-1079, most recently modified by Personal Appearance PRS 21-1136, which allows the consideration of the proposed wet zoning. Pursuant Land Development Code (LDC) Section 6.11.11, the request is a distance separation waiver for a 2-COP-RX Alcoholic Beverage Permit for the sale and consumption of beer and wine on the permitted premises in connection with a restaurant. At least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages.

Distance Separation Requirements	Complies with Requirement
Distance to Certain Community Uses Shall Be 500 feet	Yes
Distance to Residentially Zoned Property Shall be 150 Feet	No

Development Services Recommendation	on:		
Approvable			
Existing Alcoholic Beverage Permit Being Rescinded:	No	Existing Alcoholic Beverage Permit Number:	N/A

APPLICATION NUMBER: SU-AB 24-0390
LUHO HEARING DATE: March 25, 2024

Case Reviewer: Michelle Montalbano

2.0 REQUESTED DISTANCE SEPARATION WAIVER DETAILS

2-COP-RX

Requested Waiver	Required Separation	Waiver Distance	Resulting Separation
Distance from proposed structure to residentially zoned property	150 feet	70 feet	80 feet

Applicant's Justification:

REQUESTED CLASSIFICATION:

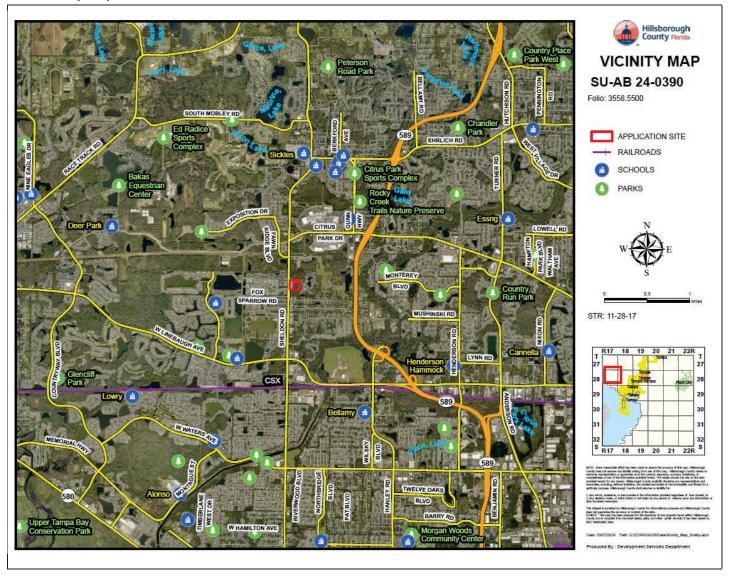
The proposed wet zoning is for a sit-down restaurant to provide a small beer and wine menu to pair with their Japanese style ramen dishes. The restaurant is proposing a wet-zoning similar to the neighboring eating establishments in the strip center, which are similarly close to residentially zoned property. The wet zone is naturally buffered from the actual apartments by a large conservation area.

APPLICATION NUMBER: SU-AB 24-0390

LUHO HEARING DATE: March 25, 2024
REQUESTED CLASSIFICATION: 2-COP-RX

3.0 LAND USE MAP SET AND SUMMARY DATA

3.1 Vicinity Map



Case Reviewer: Michelle Montalbano

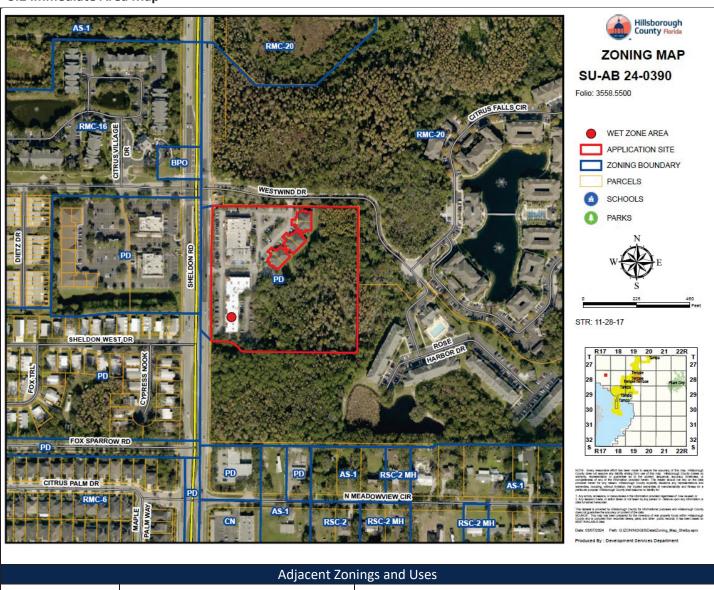
Context of Surrounding Area:

The subject site is located off of Sheldon Road, a major arterial road, in the Northwest Hillsborough Community Plan area. The surrounding area is composed of mixed uses, including general commercial uses, multi-family residential, and single-family residential. The parcel is surrounded by wetland conservation areas from the north, south, and east.

Case Reviewer: Michelle Montalbano

3.0 LAND USE MAP SET AND SUMMARY DATA

3.2 Immediate Area Map



Adjacent Zonings and Uses				
Location:	Zoning:	Land Use:		
North	RMC-20	Multi-Family Dwellings		
South	RMC-20	Multi-Family Dwellings		
East	RMC-20	Multi-Family Dwellings		
	PD 01-0574 (04-0925)	Eating Establishments		
West	PD 77-0174 (93-0288)	Mobile Home Dwellings		

APPLICATION NUMBER: SU-AB 24-0390 LUHO HEARING DATE: March 25, 2024

REQUESTED CLASSIFICATION: 2-COP-RX Case Reviewer: Michelle Montalbano

4.0 STAFF FINDINGS

LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are "special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements."

The proposed wet zoning is within 150 feet from residentially zoned property to the south, where the parcel abuts a multi-family residential development zoned RMC-20. The residential zone is approximately 80 feet from the subject restaurant. The multifamily dwellings are buffered from the subject strip center by a large wetland conservation area, including the area within the 150 feet required buffer from the proposed wet zoning. The closest apartment building within the adjacent multifamily residential parcel to the south is over 500 feet straight line distance from the proposed wet zone area and the driving distance is approximately one-third of a mile from the proposed wet zone area to the apartment buildings.

The proposed wet zoning is located within PD 16-1079, which permits mixed uses, including residential units (3 duplexes) that occupy the northwest corner of the parcel, around 250 feet from the proposed wet zoning. Several wetzoned establishments, professional services, and retail stores exist in the PD. The entrance for the proposed restaurant faces east towards Sheldon Road and away from the multi-family dwellings.

For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on surrounding land uses and the necessity for the specified distance requirements is negated.

5.0 RECOMMENDATION AND PROPOSED CONDITIONS

Staff finds the proposed 2-COP-RX Alcoholic Beverage Permit to be **APPROVABLE.** Approval is based upon the wet zone survey reflecting a total wet zone footprint of 2,476 square feet, as shown on the wet zone survey received January 31st, 2024.

Zoning Administrator Sign Off:

Colleen Marshall Fri Mar. 8 2024 16:45:01

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

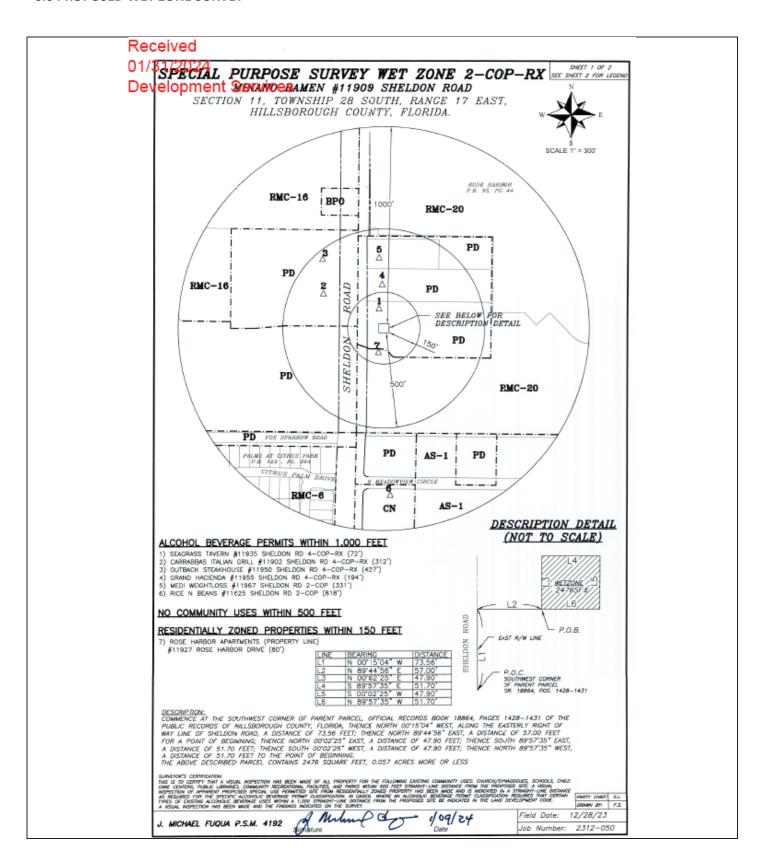
Approval of this special use petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are 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.

APPLICATION NUMBER: SU-AB 24-0390

LUHO HEARING DATE: March 25, 2024
REQUESTED CLASSIFICATION: 2-COP-RX

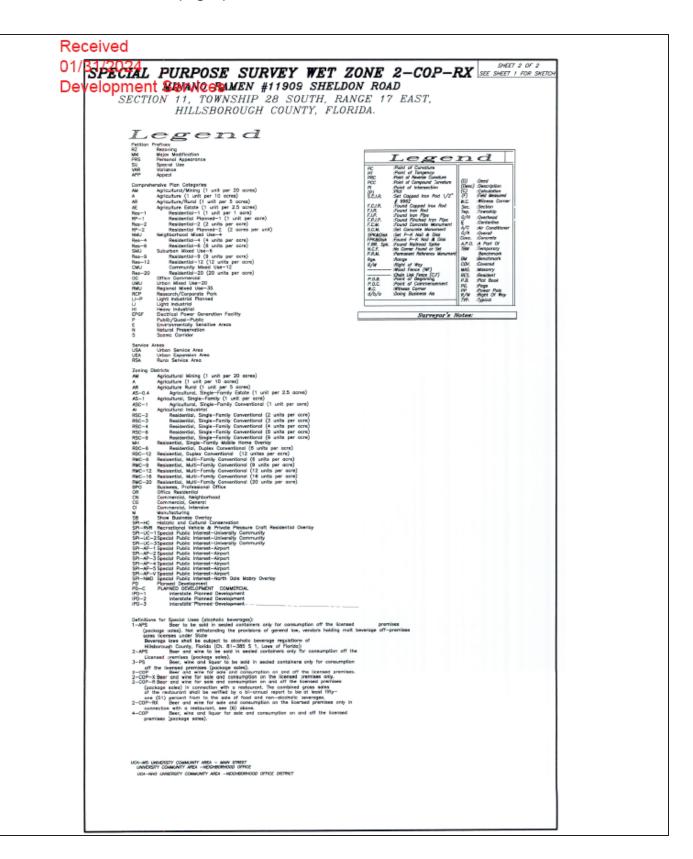
Case Reviewer: Michelle Montalbano

6.0 PROPOSED WET ZONE SURVEY



REQUESTED CLASSIFICATION: 2-COP-RX Case Reviewer: Michelle Montalbano

6.0 PROPOSED WET ZONE SURVEY (Page 2)





Minano Ramen Tampa Inc 11909 SHELDON RD TAMPA FL 33626

The written statement

To whom may be concern, We are opening a small scale Ramen noodle restaurant called Minano Ramen. We are trying to obtain a 2COP-RX license so that we can offer beer and wine options to our guests who like to pair it with their Hot Bowl of Ramen. We are unable to do so, due to the fact that the site location is within 150 feet of the border of a residentially zoned parcel (80' ft away). There is a large wooden land before the actual apartments.

Our Neighbor restaurant, Seagrass Tavern is even closer with 72' ft away and they have 4COP-RX, Which is a full liquor license.

We wholeheartedly believe we do not have any negative impact on the local community, as we mainly sell japan style Ramen. We just like to have the option to sell beer and wine for people who like to consume their meal. Please allow us to obtain 2Cop-RX. Thank you



Instrument #: 2022461515, Pg 1 of 3, 9/21/2022 3:28:21 PM DOC TAX PD(F.S. 201.02) \$71400.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Cindy Stuart, Clerk of the Circuit Court Hillsborough County

Prepared by and Return to: American Patriot Title 13000 North Dale Mabry Hwy Tampa, Florida 33618 Our File Number: 22-0200

Fo	r of	ficia	Luse	hv	Clerk	's	office	only
----	------	-------	------	----	-------	----	--------	------

STATE OF Florida)	SPECIAL WARRANTY DEED
COUNTY OF Hillsborough)	(Corporate Seller)
)	

THIS INDENTURE, made this September 21, 2022, between CFC Syndicate, LLC, a Delaware Limited Liability Company, a Delaware corporation, whose mailing address is: 19005 North Dale Mabry Hwy, Lutz, Florida 33548, party of the first part, and PengCheng LLC, a Florida Limited Liability Company, whose mailing address is: 5965 Bayview Circle South, Saint Petersburg, Florida 33707, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, towit:

Parcel I:

The East 263.03 feet of the North 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 and the North 15.00 feet of the North 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4, less the East 263.03 feet thereof, Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, less the west 50.00 feet for road right of way.

Parcel II:

The North 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4, less the East 263.03 feet thereof, in Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, also less the North 15.00 feet and less the West 50.00 feet for Right of Way.

Parcel III:

The South 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, less right of way for Sheldon Road.

Parcel IV:

The North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, LESS Tract Beginning 40.00 feet East of the Southwest corner of the North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East; thence North, 116.91 feet; thence 39.18 feet along the arc of a curve concave to the Northeast, having a radius of 25.00 feet, central angle of 89°47'53", chord bearing and distance, South 44°53'56" East, 35.29 feet to the point of tangency; thence South 89°47'36" East, 46.18 feet to a point of curvature; thence 71.41 feet along the arc of a curve to the right having a radius of 75.00 feet, central angle of 54°32'59" chord bearing and distance, South 62°31'24" East, 68.74 feet to a point of reverse curvature; thence 23.80 feet along the arc of a curve to the left having a radius of 25.00 feet, central angle of 54°32'59" chord bearing and distance South 62°31'24" East, 22.91 feet to a point of tangency, thence South 89°47'53" East, 474.97 feet; thence South 00°01'49" West, 50.00 feet to the South Boundary of the North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11; thence along said South Boundary, North 89°47'53" W, 627.35 feet to the Point of Beginning, ALSO LESS additional Right of Way for Sheldon Road.

All of the above-described property (being Parcels I, II, III and IV) is also known as the following:

The North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11,
Township 28 South, Range 17 East, Hillsborough County, Florida, LESS Tract Beginning 40.00
feet East of the Southwest corner of the North 1/2 of the South 1/2 of the West 1/2 of the

DEED - Special Warranty Deed - Corporate

Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East; thence North, 116.91 feet; thence 39.18 feet along the arc of a curve concave to the Northeast, having a radius of 25.00 feet, central angle of 89°47'53", chord bearing and distance, South 44°53'56" East, 35.29 feet to the point of tangency; thence South 89°47'36" East, 46.18 feet to a point of curvature; thence 71.41 feet along the arc of a curve to the right having a radius of 75.00 feet, central angle of 54°32'59" chord bearing and distance, South 62°31'24" East, 68.74 feet to a point of reverse curvature; thence 23.80 feet along the arc of a curve to the left having a radius of 25.00 feet, central angle of 54°32'59" chord bearing and distance South 62°31'24" East, 22.91 feet to a point of tangency, thence South 89°47'53" East, 474.97 feet; thence South 00°01'49" West, 50.00 feet to the South Boundary of the North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11; thence along said South Boundary, North 89°47'53" W, 627.35 feet to the Point of Beginning, LESS additional Right of Way for Sheldon Road.

And

The South 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, less Right of Way for Sheldon Road.

And

The North 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, less Right of Way for Sheldon Road.

LESS AND EXCEPT FROM THE ABOVE LANDS, THE FOLLOWING DESCRIBED TRACT:

A portion of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida; thence S.89°47'43"E., 40.01 feet; thence North 116.91 feet to a non-tangent curve concave Northeasterly, having a radius of 25.00 feet; thence Southeasterly along said curve 39.18 feet through a central angle of 89°47'53" (chord bearing S.44°53'56"E. 35.29 feet); thence S.89°47'36"E., 46.18 feet to a curve concave Southwesterly having a radius of 75.00 feet; thence Southeasterly along said curve 71.41 feet, through a central angle of 54°32'59" (chord bearing S.62°31'24"E., 68.74 feet) to a point of reverse curve concave Northeasterly having a radius of 25.00 feet; thence Southeasterly along said curve 23.80 feet through a central angle of 54°32'59" (chord bearing S.62°31'24"E., 22.91 feet); thence S.89°47'53"E., 474.97 feet; thence along the East boundary of the North 1/2 of the South 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, N.00°01'02"E., 612.96 feet; thence along the North boundary of the South 1/2 of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 11, Township 28 South, Range 17 East, Hillsborough County, Florida, N.89°55'30"W., 194.76 feet to the POINT OF BEGINNING; thence South, 112.63 feet to a curve concave Westerly having a radius of 28.00 feet; thence Southerly along said curve 21.99 feet, through a central angle of 45°00'00" (chord bearing S.22°30'00"W., 21.43 feet); thence S.45°00'00"W., 198.36 feet; thence N.44°59'28"W., 69.27 feet; thence N.45°00'32"E., 33.37 feet; thence N.44°58'16"W, 17.73 feet; thence N.45°00'00"E., 24.00 feet; thence S.44°58'16"E., 17.74 feet; thence N.45°00'32"E., 62.91 feet; thence N.44°58'16"W., 17.75 feet; thence N.45°00'00"E., 24.00 feet; thence S.44°58'16"E., 17.75 feet; thence N.45°00'32"E., 38.40 feet; thence N.00°00'51"W., 17.83 feet; thence N.89°59'39"W., 17.74 feet; thence N.00°01'23"W., 24.00 feet; thence S.89°59'39"E., 17.75 feet; thence N.00°00'51"W., 52.81 feet; thence S.89°55'30"E., 68.28 feet to the POINT OF BEGINNING.

TOGETHER WITH that certain non-exclusive easement benefiting the above parcel created by the Declaration of Covenants, Conditions, Restrictions and Easements recorded in Official Records Book 13578, page 1684, as amended by First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements recorded in Official Records Book 16279, page 249, Public Records of Hillsborough County, Florida.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/and restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on September 21, 2022.

Signed, sealed and delivered	CFC Syndicate, LLC, a Delaware Limited Liability Company
in the presence of:	
TARL	ву:
Witness signature	Print Name: John M. Doyle
DAVID P. KANKIN	Title: Authorized Member
Print witness mane	
Witness signature Michele Rosa	(Corporate Seal)
Print witness name	
State of Florida	
County of Hillsborough	
	wledged before me by means of Mphysical presence or [] online notarization this Authorized Member of CFC Syndicate, LLC, a Delaware Limited Liability Company aced a driver's license as identification.
	MINIMUM.
Notary Public Michele Rosa	- INTELE ROS
Print Notary Name	#GC 293188
My Commission Expires:	#GG 293188
Notary Seal	Onded Market State Of Market S





(SU-AB Waiver) Submittal Requirements for Applications Requiring Public Hearings

Application No: 24-0390 Hearing(s) and type: Date: 03/25/2024 Date:	Official Use Only Type: Type:	Intake Date: 02/05/2024 Receipt Number: 339332 Intake Staff Signature: Alejandra Prad
Applicant/Representative: Jayson Lu		Phone: 646-413-5744
Representative's Email: Jayson 424	@GMail. Com	

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

77 l	ncluded	N/A	Requirements
1	र्ष		Property/Applicant/Owner Information Form
2			Affidavit(s) to Authorize Agent (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	ď		<u>Sunbiz Form</u> (if applicable). This can be obtained at <u>Sunbiz.org</u> .
4	Ø		<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5			Identification of Sensitive/Protected Information and Acknowledgement of Public Records
6			Copy of Current Recorded Deed(s)
7	Q		Close Proximity Property Owners List
8	A		Legal Description for the subject site
9		A	Copy of Code Enforcement/Building Code Violation(s) (if applicable)
10			Fastrack Approval (if applicable)

2 of 9

Received 01/31/2024 Development Services



Property/Applicant/Owner Information Form

	Official Use Only	
Application No: 24-0390		Intake Date: <u>02/05/2024</u>
Hearing(s) and type: Date: 03/25/2024 Ty	pe: <u>LUHO</u>	Receipt Number: 339332
	/pe:	Intake Staff Signature: Alsjandra Prado
The state of the s	Property Informati	ion
Address: 11909 Sheldon Rd	City/Stat	e/zip: Tampa FL 33626
	2	uture Land Use: <u>P70</u> Property Size: <u>8</u> 191 Acre
TWN-RN-SEC:11-28-1 Folio(s): 2.77 6 3-	PD16-	-1079
그 사람이 어느 아이들이 가지 않아. 이 사람들은 그 사람들이 모르는 그 사람들이 모르는 그 사람들이 되었다.	perty Owner Inform	mation
Name: Pencheng LLC		Daytime Phone 239-291-9957
Address: <u>S965 Bayview</u> Cil S	outh_City/State/	zip: Stint Petersburg FL 33707
Email: Kumo 239 @ Yahoo.com		Fax Number
	Applicant Informat	ion
Name: WPI Chen		Daytime Phone 352 - 419 - 9217
Address: 6091 Bimini Loop		
		Zip: Urlando + C 3281 1
Email: Vivian, Chen 88312@Gmai	1-C9M1	Fax Number
Applicant's Re	presentative (if diff	erent than above)
Name: Jayson Lu		Daytime Phone 646-413-5744
Address: 6643 Hayter Dr	City/State/	zip:Lakeland IL 33813
mail: Jayson 424@ GMail. Com		Fax Number
	The state of the s	shy sutherize the processing of this application
I hereby swear or affirm that all the information provided in the submitted application packet is		eby authorize the processing of this application recognize that the final action taken on this
and accurate, to the best of my knowledge, and	j petit	ion shall be binding to the property as well as to
authorize the representative listed above	the c	urrent and any future owners.
to act on my behalf on this application.		, 2
TH		C 18
Signature of the Applicant	Signatu	re of the Owner(s) — (All parties on the deed must sign)
Jayson In		Wan Tran Ren
Type or print name	Type of	r print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RMC-20
Description	Residential - Multi-Family Conventional
RZ	01-0016
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	16-1079
Flood Zone:AE	BFE = 25.4 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0187H
FIRM Panel	12057C0187H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120190D
County Wide Planning Area	Northwest Hillsborough
Community Base Planning Area	Northwest Hillsborough
Planned Development	PD
Re-zoning	16-1079
Note	02-1445
Minor Changes	null
Major Modifications	04-1644
Personal Appearances	04-0601,03-1083, 21-1136
Census Data	Tract: 011412 Block: 2001
Future Landuse	R-20
Future Landuse	R-20
Future Landuse	R-20
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 3558.5500 PIN: U-11-28-17-ZZZ-000000-27870.0 Pengcheng Llc Mailing Address: 5965 Bayview Cir S null Saint Petersburg, FI 33707 Site Address: 11901 Sheldon Rd

> Tampa, Fl 33626 SEC-TWN-RNG: 11-28-17 Acreage: 8.19124985

Market Value: \$9,703,100.00 Landuse Code: 1630 Store/shp Cente

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.

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

