

Rezoning Application: PD 23-0517
Zoning Hearing Master Date: November 13, 2023
BOCC Land Use Meeting Date: January 9, 2024

1.0 APPLICATION SUMMARY

Applicant: CJDW Rivera, LLC
FLU Category: SMU-6
Service Area: Urban
Site Acreage: Approximately 15.64 acres
Community Plan Area: None
Overlay: None



Introduction Summary:

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses including the following: Contractor’s Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

Zoning:	Existing	Proposed
District(s)	AR	Proposed
Typical General Use(s)	Single-Family Residential/Agricultural	Limited Commercial Intensive
Acreage	15.64 acres	15.64 acres
Density/Intensity	Minimum 5 acres per SF home	Maximum 0.25 FAR

Development Standards:	Existing	Proposed
District(s)	AR	PD
Setbacks/Buffering and Screening	Front: 50 ft. Side: 25 ft. Rear: 50 ft.	South/West (along I-75 on-ramp): 85 ft. setback with 6 ft. opaque fence East: 165 ft. setback North (front) along 122 nd Avenue: <ul style="list-style-type: none"> 125 ft. front building setback 30 ft. buffer with Type “B” landscape
Height	50 ft. Max. Ht.	50 ft. Max. Ht.

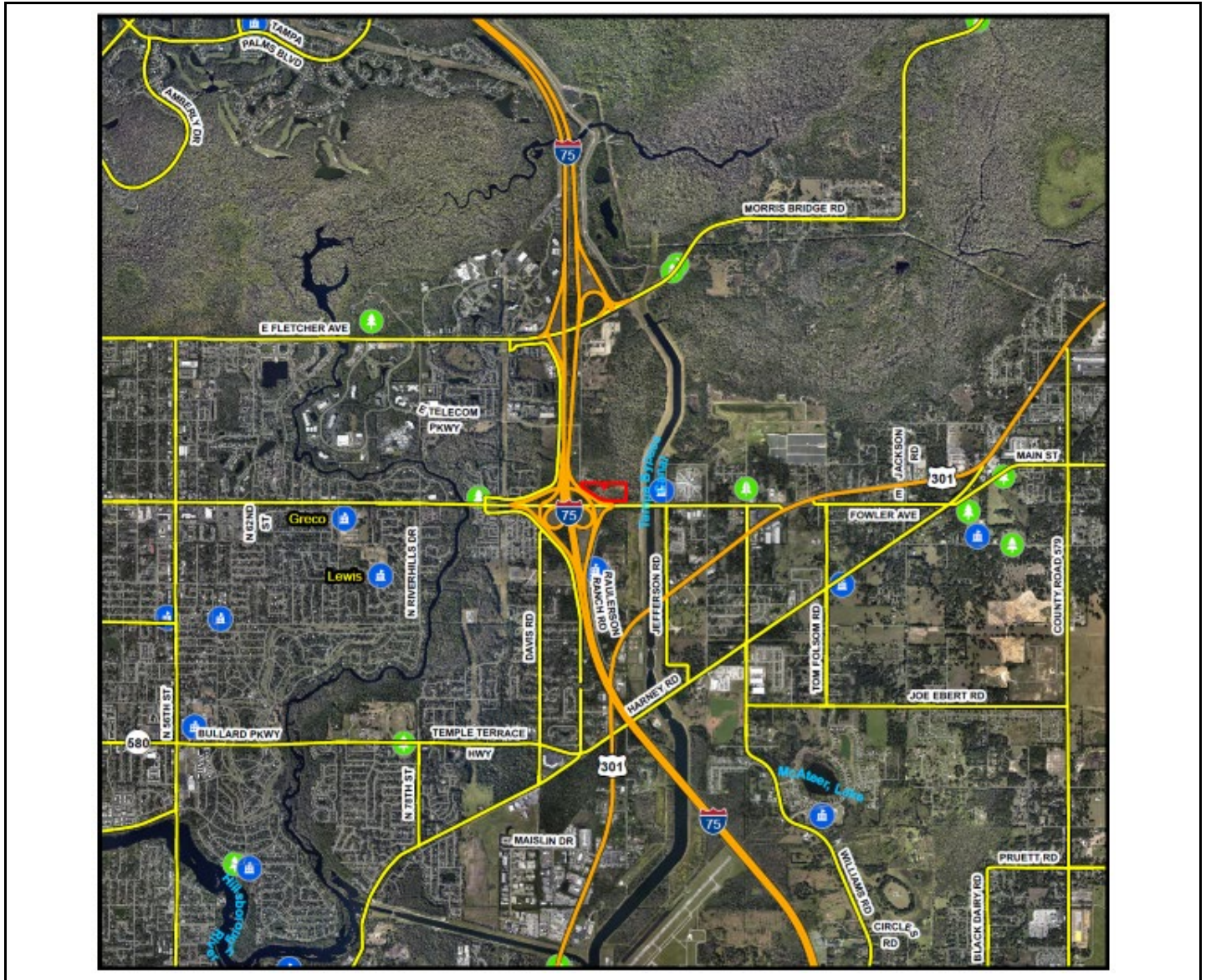
Additional Information:

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: APPROVABLE, Subject to Conditions.
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



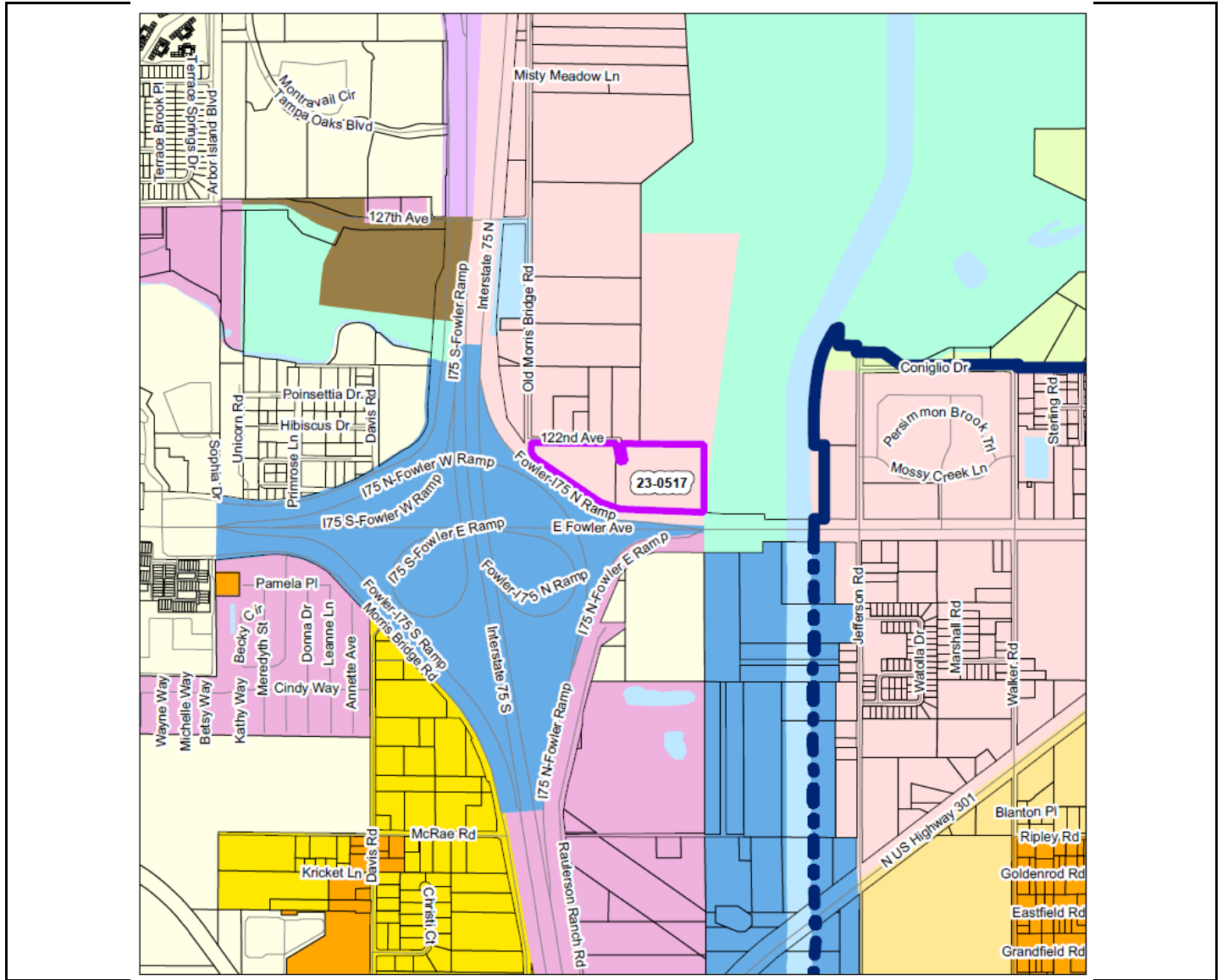
Context of Surrounding Area:

The subject property is located on the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue.

The immediate area surrounding the property is developed with a mix of uses with Commercial Neighborhood to the west and single-family uses to the north. AS-1 is located to the north across 122nd Avenue and developed with single-family homes. AR zoning is located to the northeast and east of the subject site. On the east side of the subject site is an approximately 390-acre property owned by Southwest Florida Water Management District. Further north is mostly single-family development with some commercial development.

2.0 LAND USE MAP SET AND SUMMARY DATA

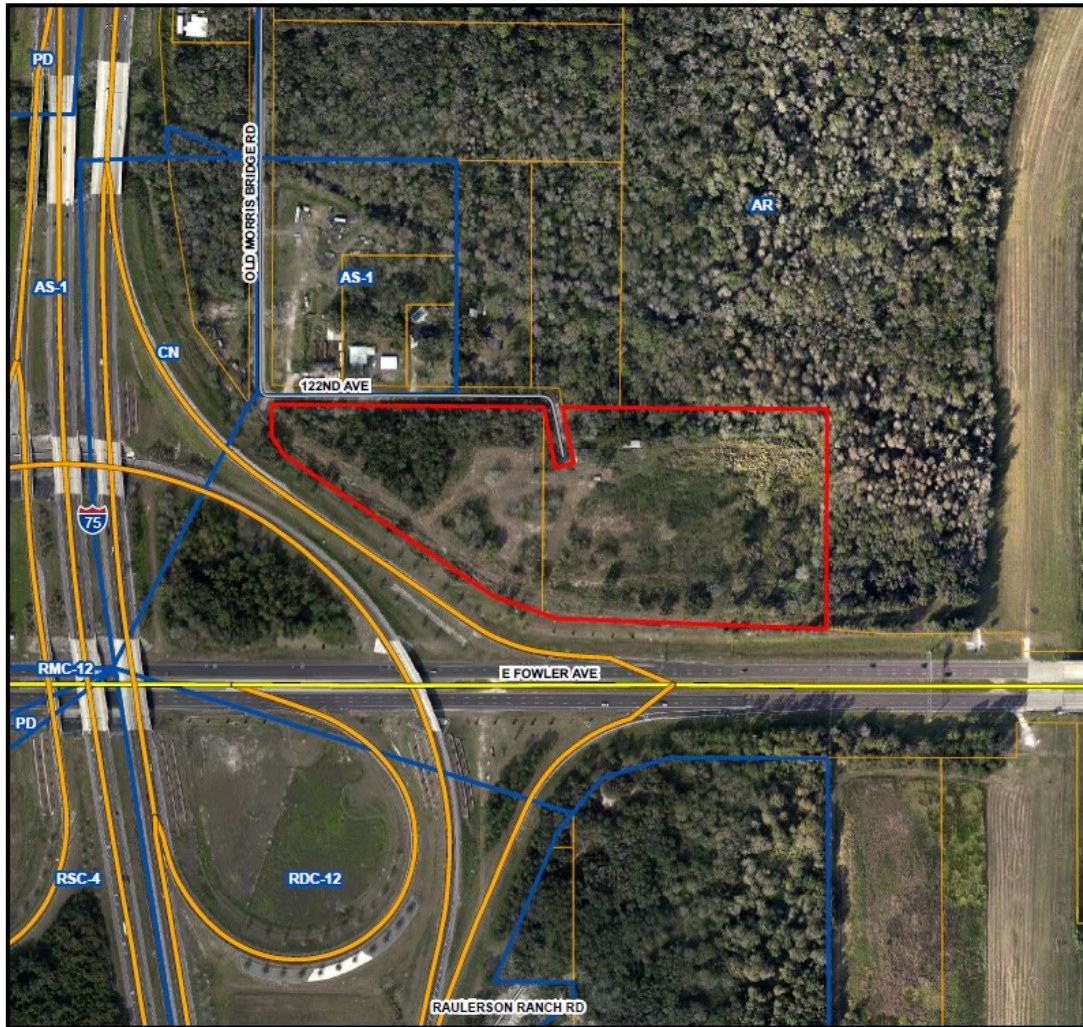
2.2 Future Land Use Map



Subject Site Future Land Use Category:	SMU-6
Maximum Density/F.A.R.:	6 du/acre;
Typical Uses:	Typical uses in the SMU-6 include residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, and mixed-use.

2.0 LAND USE MAP SET AND SUMMARY DATA

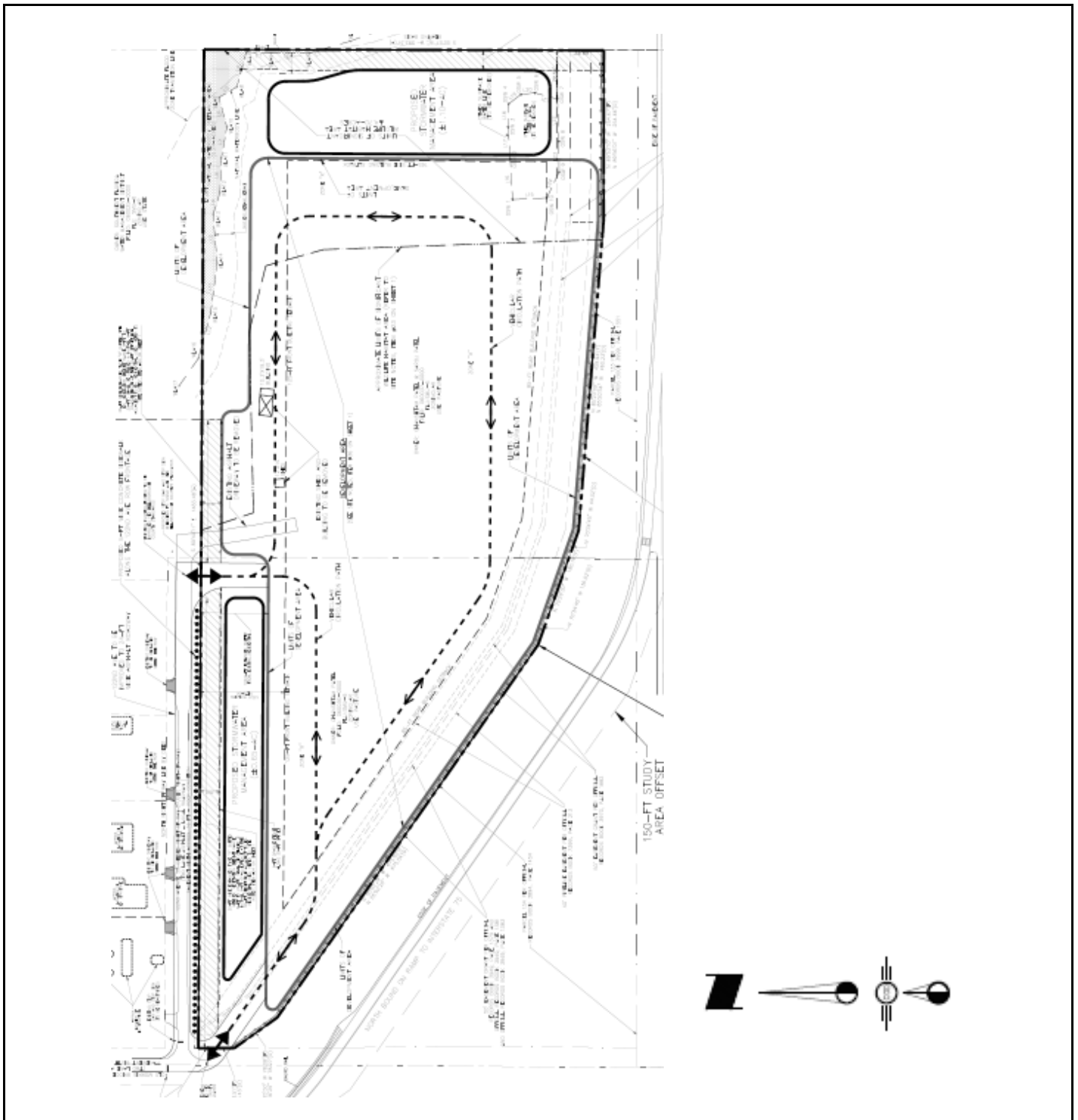
2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AS-1; AR	1 acre per dwelling	Agricultural / SF	SF and AG uses
South	I-75 and Fowler Rd. ROW	NA	NA	I-75 on ramp and Fowler Rd. ROW
East	AR	Min. 5 acres per dwelling	Agricultural / SF	390-acre SWFWMD Land
West	CN and I-75 ROW	Max. FAR: 0.2	Commercial	Vacant

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
Old Morris Bridge Rd.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
122 nd Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

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	28	2	3
Proposed	927	121	151
Difference (+/-)	+899	+119	+148

*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	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable
Notes:		

4.0 Additional Site Information & Agency Comments Summary

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

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							
Natural Resources	<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							
Conservation & Environ. Lands Mgmt.	<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							
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 checked="" type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input checked="" type="checkbox"/> Significant Wildlife Habitat (Upland Wildlife Habitat Area) <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other: <u>Airport Incompatible Use Area/Height Restriction 130'</u> 										
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments						
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input 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	See Transportation Report.						
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input checked="" 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	The application indicates that the property is within the Urban Service Boundary with service to be provided by the City of Temple Terrace. No review comments rec'd by Water Resources at filing.						
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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No							
Impact/Mobility Fees <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Warehouse (Per 1,000 s.f.) Mobility: \$1,337 Fire: \$34</td> <td style="width: 33%;">Manufacturing (Per 1,000 s.f.) Mobility: \$3,315 Fire: \$34</td> <td style="width: 33%;">Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57</td> </tr> <tr> <td>Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725</td> <td>Auto Sales (Per 1,000 s.f.) Mobility: \$16,520</td> <td></td> </tr> </table>					Warehouse (Per 1,000 s.f.) Mobility: \$1,337 Fire: \$34	Manufacturing (Per 1,000 s.f.) Mobility: \$3,315 Fire: \$34	Light Industrial (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57	Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725	Auto Sales (Per 1,000 s.f.) Mobility: \$16,520	
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Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725	Auto Sales (Per 1,000 s.f.) Mobility: \$16,520									

Fire: \$32 Fire: \$313

Urban Mobility, Northeast Fire - Warehouse, Distribution, Industrial, storage, vehicle sales. Up to 35,000 sq ft

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

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses limited to the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

The immediate area surrounding the property is predominantly developed with residential and agricultural. Vacant commercial is located to the west of the subject site. Immediately north across 122nd Avenue are single-family homes, agricultural uses and vacant parcels. To the immediate east is undeveloped property owned by Southwest Florida Water Management District (SWFWMD).

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The applicant is required to have an 8-foot Vehicular Use Area buffer along 122nd Avenue. The site plan illustrates mitigation measures to create greater compatibility with the adjacent residential development to the north side of 122nd Avenue directly across from the subject site. These mitigation measures include a 30-foot buffer with Type "B" screening. To maintain the visual view for the neighbors to the immediate north across 122nd Avenue, the applicant proposes to allow the use of existing vegetation in lieu of the proposed LDC Sec. 6.06.06 (Type "B") required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening plan at the time of site and development review. This alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. The applicant proposes this alternative landscaping along the northern boundary where there is extensive natural vegetation creating a natural buffer and natural distance separation from the proposed development and adjacent properties across the 122nd Avenue right-of-way. The 6 ft. fence is proposed to be located 30 feet south of the northern boundary along 122nd Avenue behind the natural landscaped area. South of the fence the applicant proposes a stormwater management area. The applicant proposes a 125-foot front building setback along the entire front of the subject property, and a 100-foot area with landscaping fronting 122nd Avenue in the northwestern portion of the subject site.

The applicant proposes a 6-foot-high opaque fence along the southern property line (rear of the subject site) adjacent to the Interstate-75 on-ramp and Fowler Road portion of the site that meets the on-ramp. Along the northeastern and eastern property boundary adjacent to the wetland buffer is a 390-acre Southwest Florida Management District property (Lower Hillsborough Wilderness Preserve), requires a 30-foot buffer with Type "B" screening. The applicant proposes to allow the use of existing vegetation in lieu of LDC Sec. 6.06.06 required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening planting. The applicant is seeking the alternative screening to ensure protection of the existing native vegetation and habitat adjacent to Lower Hillsborough Wilderness Preserve. Along the east side, the applicant proposes a 165-foot building setback and a 1.10-acre stormwater management area.

The Planning Commission report acknowledges additional buffering, screening and setbacks proposed by the applicant. However, the proposed development does not meet "Neighborhood Protection" policies nor Commercial Locational Criteria, and other policies as stated in the Planning Commission report. Overall, the proposed Planned Development has **not** been found consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning and has determined a resubmittal is not necessary for the site plan's current configuration. The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

Transportation Design Exceptions:

1. Old Morris Bridge Road is a substandard roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.
2. 122nd Avenue is a substandard roadway, the applicant's Engineer of Record (EOR) submitted Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.

5.2 Recommendation

Based on the above considerations, staff finds the request **APPROVABLE**.

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

- Remove “East Rural Community Plan” from the site plan.
- Revise Site Data Table, Note 10:
 “Not to exceed 170,000 sf Warehouse and Min-storage / 60,000 sf all other uses” TO
 to “Not to exceed a maximum of total 170,000 square feet for mini warehouse; warehouse with or without storage; trucking and truck terminal. May not exceed a maximum total 60,000 square feet for contractor’s office with or without open storage; open storage and outdoor sales; sales, rental and service of new and/or used commercial vehicles, buses and trucks.”
- Revise “100-ft. enhanced buffer from existing residential” TO “100-ft. landscaped and stormwater buffer area”.
- Revise the proposed PD site plan to roadway information from “Old Morris Bridge Road 50-FT Public Right-of-way” to “Old Morris Bridge Road +/-54-FT Public Right-of-way”.

6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted October 24, 2023.

1. The project shall be developed in general conformance with the October 24, 2024, site plan and be limited to the following uses.
 - Contractor’s office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The uses if combined shall be subject to the following maximum square feet for buildings, however, any combination of uses shall be limited by the maximum FAR permitted for the SMU-6 Comprehensive Plan category (0.25 FAR) and limited by the total trip generation rate of 121 AM peak hour trips and 151 PM peak hour trips, as studied in the Transportation Analysis.

2. The development shall comply with the standards shown on the October 24, 2023, site plan and the following development standards.

a. Minimum Rear (South/West) Building Setback:	85 feet
b. Minimum Front Yard Building Setback:	125 feet
c. Minimum Side Yard Building (East) Setback:	165 feet
d. Maximum Building Height:	50 feet*

*Any height greater than 50 feet shall comply with Section 6.01.01, endnote 8.

3. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code with the following exceptions.
 - a. A 30-foot buffer with Type “B” screening along the northern property boundary, including along 122nd Avenue, excluding access points off 122nd Avenue.
 - Existing vegetation, excluding invasive plant species, may be retained in lieu of construction of the 6-foot-high screening located adjacent to the Wetland Conservation Area setback area where said vegetation is at least 6 feet in height and provides an overall opacity of seventy-five percent on the


northeast and east portions of the property boundary.

- Existing vegetation, excluding invasive plant species, may be retained in lieu of the replanting landscaping along the north boundary along 122nd Avenue.
- A 6-foot opaque fence shall be located on the rear (south) perimeter of the subject site.

4. Screening of trash and recycling receptacles, service areas, and other similar areas shall be in accordance with Section 3.13.03 of the LDC.
5. Parking shall be in compliance with Section 6.05.00 of the Land Development Code.
6. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does not move forward, the applicant shall also construct 8' shoulders on the bridge or as approved by Public Works.
7. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
8. A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
9. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
10. Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided consistent with the LDC.
11. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
12. An evaluation of the property identified the potential existence of significant wildlife habitat as delineated on the Hillsborough County Significant Wildlife Habitat Map. The potential for upland significant wildlife habitat within the boundaries of the proposed application shall require the preliminary site plan and site construction plans to identify its existence by type (mesic or xeric) and location and how the Land Development Code preservation provision for upland significant wildlife habitat will be addressed. See Section 4.01.08 in the Land Development Code. The proposed site plan may require modifications during the site construction plan review process to address this Code requirement.
13. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.

14. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.
15. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
16. The subject application is adjacent to the Wilderness Conservation Park. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.
17. 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.
18. 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.
19. 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).
20. 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.
21. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval, unless otherwise stated herein.
22. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
23. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not

been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:	 J. Brian Grady Tue Nov 7 2023 08:19:41
SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL. Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.	

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDNACE WITH 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

APPLICATION NUMBER: PD 23-0517

ZHM HEARING DATE: November 13, 2023

BOCC LUM MEETING DATE: January 9, 2024

Case Reviewer: Tim Lampkin, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: Richard Perez, AICP

PLANNING AREA: East Rural

DATE: 11/06/2023

Revised: 11/07/2023

AGENCY/DEPT: Transportation

PETITION NO: PD 23-0517

- 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 ZONING APPROVAL

- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does not move forward, the applicant shall also construct 8-foot shoulders on the bridge or as approved by Public Works.
- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided consistent with the LDC.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

Other Conditions:

- Prior to certification, the applicant shall revise the proposed PD site plan to roadway information from “Old Morris Bridge Road 50-FT Public Right-of-way” to “Old Morris Bridge Road +/-54-FT Public Right-of-way”

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels, totaling 15.64 acres, from Agricultural Residential to Planned Development to allow the following uses with certain building square footage limitations:

- a. Maximum 60,000-sf building:
 - Contractor’s office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
- b. Maximum 170,000-sf building:
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The site is located on the east side of Old Morris Bridge Rd. and south of 122nd Ave. The Future Land Use designation is Suburban Mixed Use 6 (SMU-6).

Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 1st Edition.

Approved PD:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR: 3 Single Family Detached Units (ITE 210)	28	2	3

Proposed PD Modification:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 60,000 sf, Specialty Contractor (ITE 180)	586	100	116
PD: 235,224 sf, Outdoor Storage (ITE 151)	341	21	35
TOTAL	927	121	151

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	+899	+119	+148

The proposed rezoning would generally result in an increase of trips potentially generated by +899 average daily trips, +121 trips in the a.m. peak hour, and +151 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Old Morris Bridge Rd, and 122nd Ave.

Old Morris Bridge Rd. is a 2-lane, substandard, rural local roadway characterized by +/- 10-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 54-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector roadway typical section has 12-foot lanes with 5-foot paved shoulders and sidewalks on both sides within a minimum of 96 feet of right-of-way. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to 127th Ave., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

122 Ave. is a 2-lane, substandard, rural local roadway characterized by +/- 8-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 50-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector roadway typical section has 12-foot lanes with 5-foot paved shoulders and sidewalks on both sides within a minimum of 96 feet of right-of-way. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to Old Morris Bridge Rd., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

SITE ACCESS

The PD site plan proposes one full access connection on Old Morris Bridge Rd. and one full access connection on 122nd Ave.

As demonstrated by the site access analysis submitted by the applicant's traffic engineer, the project does not meet warrants for site access improvements (i.e. turn lanes) at the projects access connection.

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

REQUESTED DESIGN EXCEPTION– OLD MORRIS BRIDGE RD SUBSTANDARD ROADWAY

As Old Morris Bridge Rd is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve Old Morris Bridge Rd. to 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave.

If this zoning is approved, the County Engineer will approve the Design Exception request.

REQUESTED DESIGN EXCEPTION– 122nd AVENUE SUBSTANDARD ROADWAY

As 122nd Ave. is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve 122nd Ave. to 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.

If this zoning is approved, the County Engineer will approve the Design Exception request.

LEVEL OF SERVICE (LOS)

Old Morris Bridge Rd. and 122nd Ave. are not regulated roadways.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Monday, November 6, 2023 6:43 PM
To: Steven Henry [shenry@lincks.com]
CC: ggrimes@bradley.com; Lampkin, Timothy [LampkinT@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]; De Leon, Eleonor [DeLeonE@hillsboroughcounty.org]
Subject: FW: RZ PD 23-0517 - Design Exception Review
Attachments: 23-0517 DEAdIn 11-06-23_1.pdf; 23-0517 DEAdIn 11-06-23_2.pdf

Importance: High

Steve,

I have found the attached Design Exceptions (DE) for PD 23-0517 APPROVABLE with CONDITIONS. The Condition being that the 8' shoulders will continue across the bridge.

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

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: WilliamsM@HillsboroughCounty.org
W: 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.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>**Sent:** Monday, November 6, 2023 5:46 PM**To:** Williams, Michael <WilliamsM@HillsboroughCounty.ORG>; De Leon, Eleonor <DeLeonE@hillsboroughcounty.org>**Cc:** Perez, Richard <PerezRL@hillsboroughcounty.org>**Subject:** RZ PD 23-0517 - Design Exception Review**Importance:** High

Hello Mike,

The attached DEs are Approvable to me, please include the following people in your response.

shenry@lincks.com

ggrimes@bradley.com

lampkint@hillsboroughcounty.org

perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*

Transportation Review Manager

Development Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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



**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

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- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. Submittal 05/11/2023 <input type="checkbox"/> 4. Third Re-Submittal 10/24/2023 (Table 1-A) 10.23.23 <input checked="" type="checkbox"/> 2. First Re-Submittal 08/30/2023 <input checked="" type="checkbox"/> 5. Fourth Re-Submittal 11/06/2023 <input checked="" type="checkbox"/> 3. Second Re-Submittal 09/27/2023 <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	CJDW I-75& Fowler Ave PD
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	060036-0000; 060037-000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	Steve Henry/Gina Grimes
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	AR
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	PD 23-0517
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE
County Engineer Development Review Director
Hillsborough County
601 East Kennedy Blvd., 20th Floor
Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD
PD 23-0517
Folio 060036.0000
060037.0000
Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office – 60,000 Square Feet
- Outdoor Storage – 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, Old Morris Bridge Road is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Old Morris Bridge Road. The segment of Old Morris Bridge Road currently has the following characteristics:

- Two (2) lane rural roadway
- Ten (10) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7:

- 1) Lane Width – TS-7 has 12 foot lanes. The existing roadway has 10 foot lanes.

5023 West Laurel Street
Tampa, FL 33607
813 289 0039 Telephone
8133 287 0674 Telefax
www.Lincks.com Website

Mr. Mike Williams
November 6, 2023
Page 2

- 2) Shoulders – TS-7 has 8 foot shoulder with 5 feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk – TS-7 has 5 foot sidewalk on both sides of the road. There are no sidewalks along the utilized segment of the roadway.
- 4) Drainage Ditches – TS-7 has road side ditches on both sides of the road. There are minimal to no ditches on the roadway.
- 5) Right of Way - TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

1. Lane Width – The lanes are proposed to be widened to twelve (12) feet including widening the existing bridge to provide twelve (12) foot lanes.
2. Shoulders – Eight (8) foot stabilized shoulders are proposed.
3. Drainage Ditches – The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

Based on the above, it is our opinion, the proposed improvements to Old Morris Bridge Road will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams
November 6, 2023
Page 3

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

Best Regards,

Steven J Henry
President
Lincks & Associates, Inc.
P.E. #51555



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

- Disapproved**
- Approved**
- Approved with Conditions**

If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboroughcounty.org.

Sincerely,

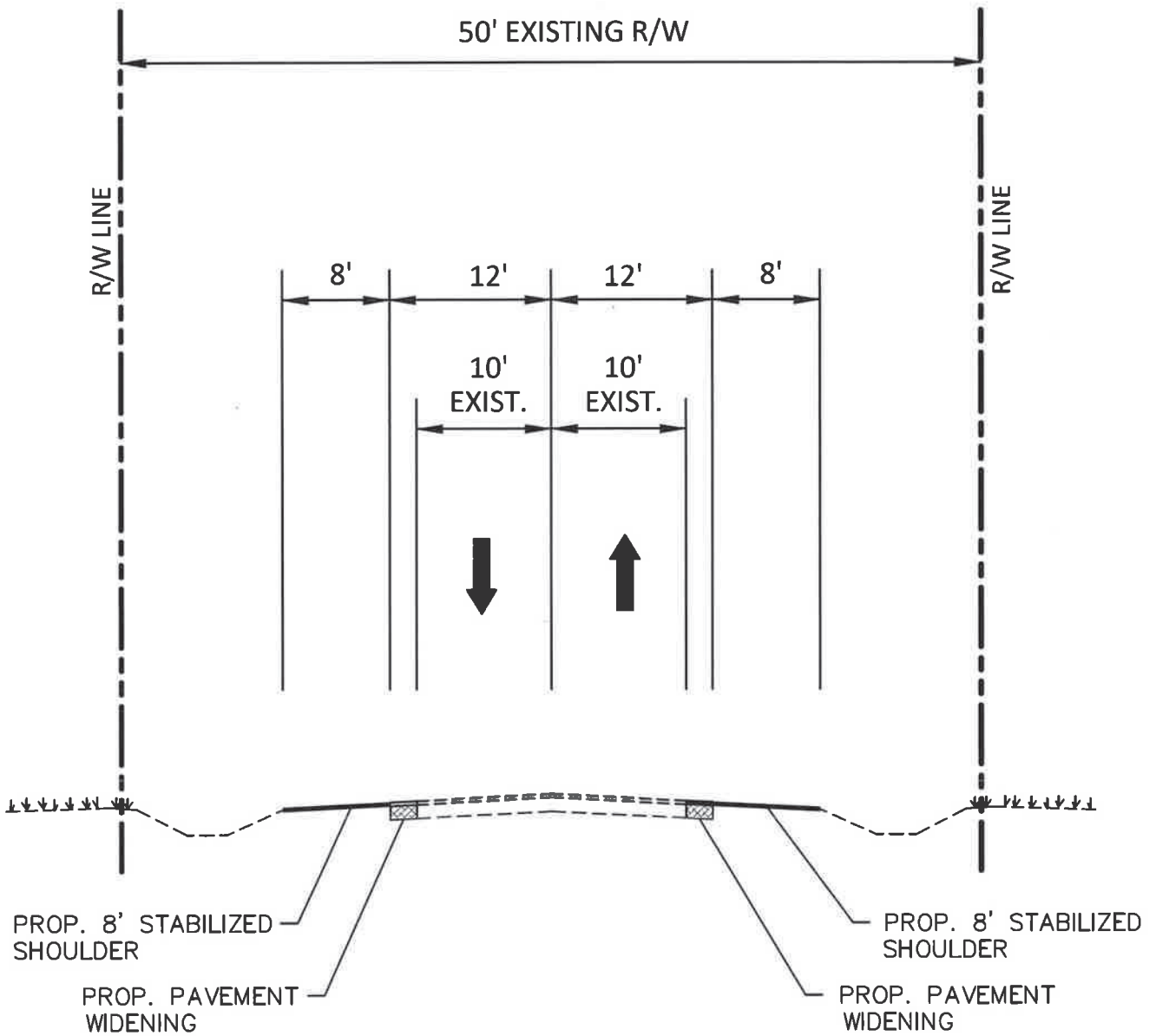
**Michael J. Williams
Hillsborough County Engineer**

Mr. Mike Williams
November 6, 2023
Page 4

TABLE 1
TRIP GENERATION (1)

<u>Land Use</u>	<u>ITE</u> <u>LUC</u>	<u>Size</u>	<u>Daily</u> <u>Trip Ends</u>	<u>AM Peak Hour</u> <u>Trip Ends</u>		<u>PM Peak Hour</u> <u>Trip Ends</u>			
				<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>		
Contractor's Office	180	60,000 SF	589	74	26	100	37	79	116
Outdoor Storage	151	235,224 SF	341	12	9	21	16	19	35
Total			930	86	35	121	53	98	151

(1) Source: ITE Trip Generation Manual, 11th Edition, 2021.



TYPICAL SECTION
OLD MORRIS BRIDGE ROAD
NTS

APPENDIX



PD PLAN



HILLSBOROUGH COUNTY
ROADWAY CLASSIFICATION MAP



HILLSBOROUGH COUNTY ROADWAYS FUNCTIONAL CLASSIFICATION

Infrastructure & Development Services



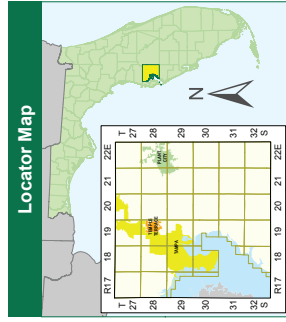
Legend

- Functional Classifications
Authority, Classification
- State, Principal Arterial
 - State, Arterial
 - Hillsborough, Arterial
 - Hillsborough, Collector
 - Urban Service Area Boundary
 - City Limits

The Hillsborough County Roadway Functional Map will be used in all matters in the Hillsborough County Land Development Code (LDC) that relate to functional classification of roads. Some, but not all, examples of those matters are as follows:

PART 3.02.00 INTERSTATE-75 PLANNED DEVELOPMENT DISTRICTS
PART 3.03.00 STATE-90 PLANNED DEVELOPMENT DISTRICTS
PART 5.03.00 PLANNED DEVELOPMENT DISTRICTS
PART 6.02.00 SUBDIVISION STANDARDS AND GUIDELINES
PART 6.07.00 FENCES AND WALLS
PART 7.01.00 ZONING REGULATIONS
PART 12.01.00 DEFINITIONS
OTHER PARTS OF THE LDC NOT LISTED ABOVE.

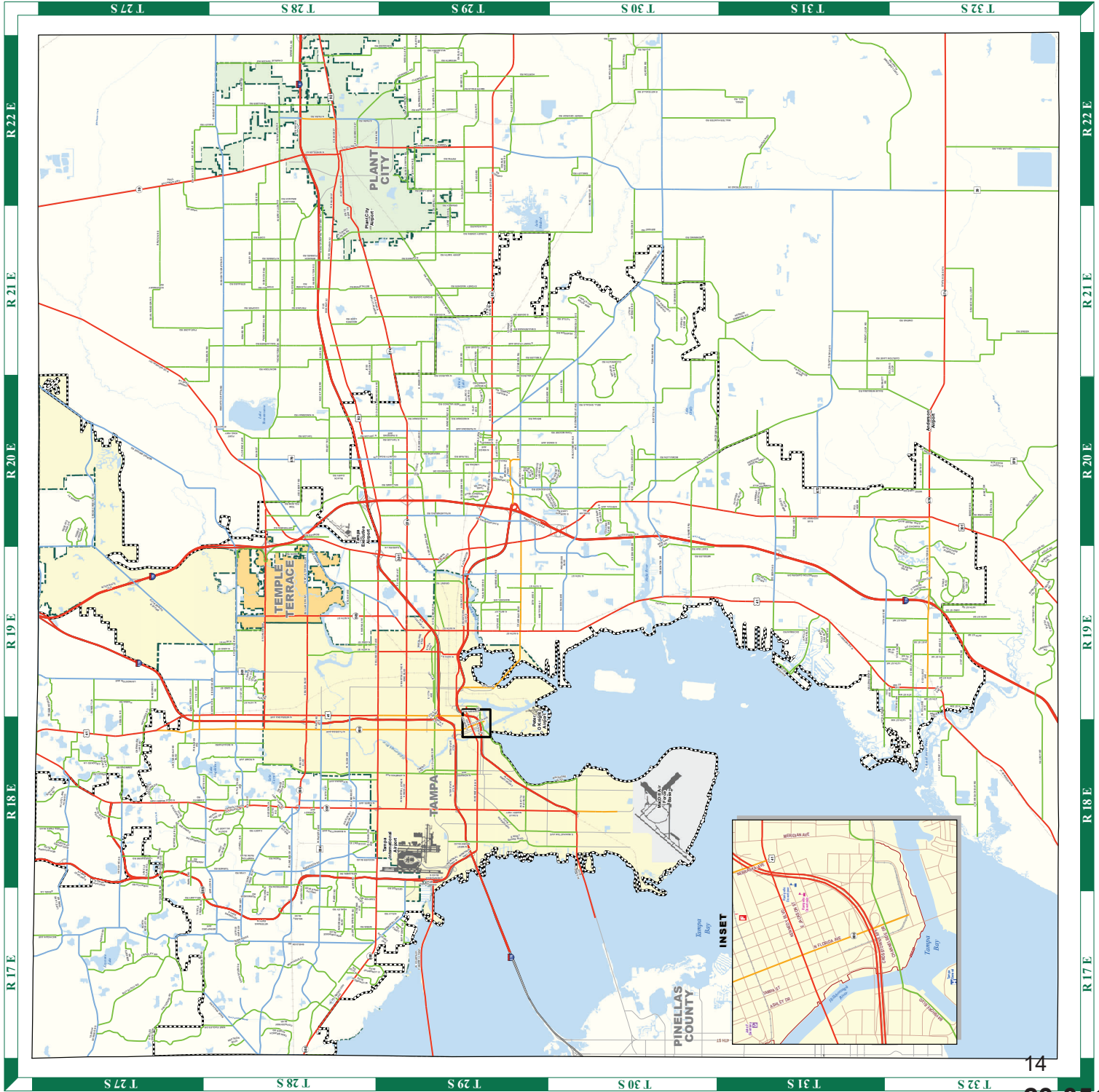
In addition to subject matters in the LDC, Functional Classification of roads plays an important role in administering the Residential Traffic Control Program and the Neighborhood Traffic Calming Program.



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not enter expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

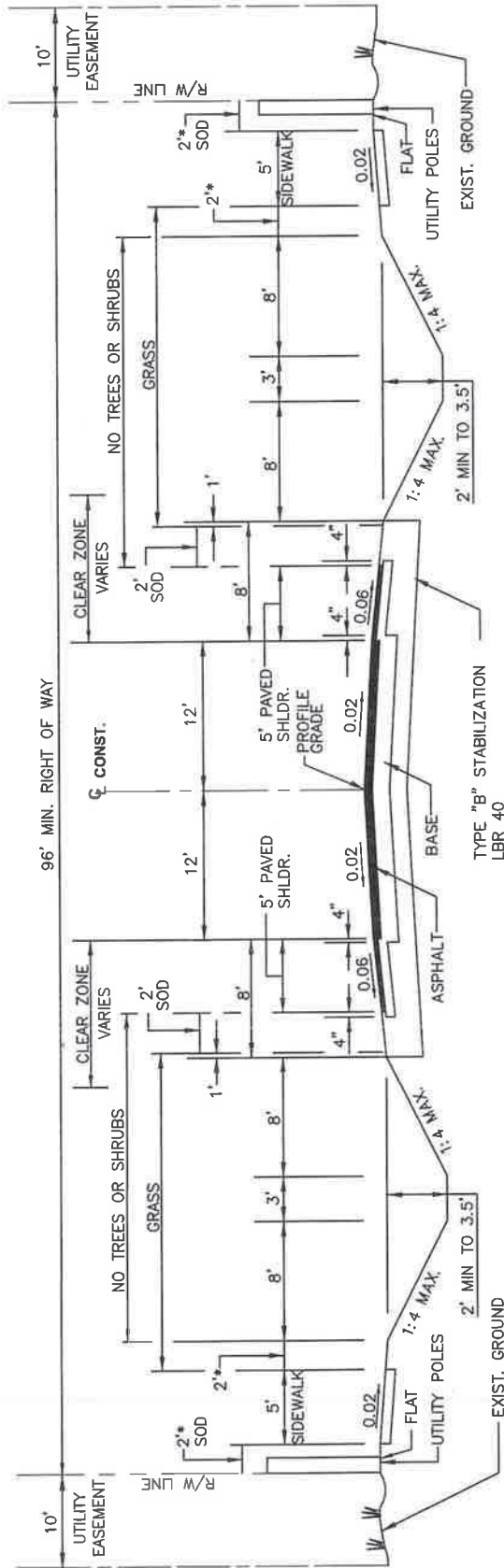
SOURCE: This map has been prepared for the inventory of road property lines within Hillsborough County and is not intended to be used for any other purpose. The map is hereby certified that the aforementioned public information sources should be consulted for verification of the information contained on this map.

601 E. Kennedy Blvd
Tampa, FL 33602
(813) 272-5610
printroom@hillsboroughcounty.org



TS-7





TYPICAL SECTION

N.T.S.

FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

1. ALL DIMENSIONS SHOWN ARE MINIMUM.
2. SEE APPROPRIATE SECTIONS OF TECHNICAL MANUAL FOR DESIGN PARAMETERS.
- * 3. PROVIDE 2' MINIMUM CLEARANCE FROM FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES OR IMPROVEMENTS, DROP OFFS, OR FROM THE TOPS OF BANKS WITH SLOPES STEEPER THAN 1 TO 4, THAT INTERFERE WITH THE SAFE, FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES, OR MATURE TREES, 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
4. SOD SHALL BE PLACED IN TWO ROWS STAGGERED. (BOTH TEMPORARY AND PERMANENT)
5. PAVED SHOULDER TO BE STRIPED AS A DESIGNATED BIKE LANE, AS APPROPRIATE.

DRAWING NO. **TS-7**
SHEET NO. 1 OF 1

**LOCAL & COLLECTOR RURAL ROADS
(2 LANE UNDIVIDED)
TYPICAL SECTION**



**TRANSPORTATION
TECHNICAL
MANUAL**

REVISION DATE:
10/17
16



**Hillsborough
County Florida**
Development Services

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- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input checked="" type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. Submittal 05/11/2023 <input type="checkbox"/> 4. Third Re-Submittal 10/24/2023 (Table 1-A) 10.23.23 <input checked="" type="checkbox"/> 2. First Re-Submittal 08/30/2023 <input checked="" type="checkbox"/> 5. Fourth Re-Submittal 11/06/2023 <input checked="" type="checkbox"/> 3. Second Re-Submittal 09/27/2023 <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	CJDW I-75& Fowler Ave PD
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	060036-0000; 060037-000
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	Steve Henry/Gina Grimes
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	AR
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	PD 23-0517
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE
County Engineer Development Review Director
Hillsborough County
601 East Kennedy Blvd., 20th Floor
Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD
PD 23-0517
Folio 060036.0000
060037.0000
Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for 122nd Avenue from Old Morris Bridge Road to the project access.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office – 60,000 Square Feet
- Outdoor Storage – 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, 122nd Avenue is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for 122nd Avenue. The segment of 122nd Avenue currently has the following characteristics:

- Two (2) lane rural roadway
- Seven (7) / eight (8) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7:

- 1) Lane Width – TS-7 has twelve (12) lanes. The existing roadway has seven(7) / eight(8) foot lanes.

5023 West Laurel Street
Tampa, FL 33607
813 289 0039 Telephone
8133 287 0674 Telefax
www.Lincks.com Website

Mr. Mike Williams
November 6, 2023
Page 2

- 2) Shoulders – TS-7 has eight (8) foot shoulder with five (5) feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk – TS-7 has five (5) foot sidewalk on both sides of the road. There are no sidewalks on the road.
- 4) Drainage Ditches – TS-7 has road side ditches on both sides of the road. There are minimal to no ditches along the existing roadway.
- 5) Right of Way – TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

1. Lane Width – The lanes are proposed to be widened to twelve (12) feet.
2. Shoulders – Eight (8) foot stabilized shoulders are proposed.
3. Drainage Ditches – The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for 122nd Avenue from Old Morris Bridge Road to the project access.

Based on the above, it is our opinion, the proposed improvements to 122nd Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams
November 6, 2023
Page 3

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

Best Regards,

Steven J Henry
President
Lincks & Associates, Inc.
P.E. #51555



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

- Disapproved**
- Approved**
- Approved with Conditions**

If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboroughcounty.org.

Sincerely,

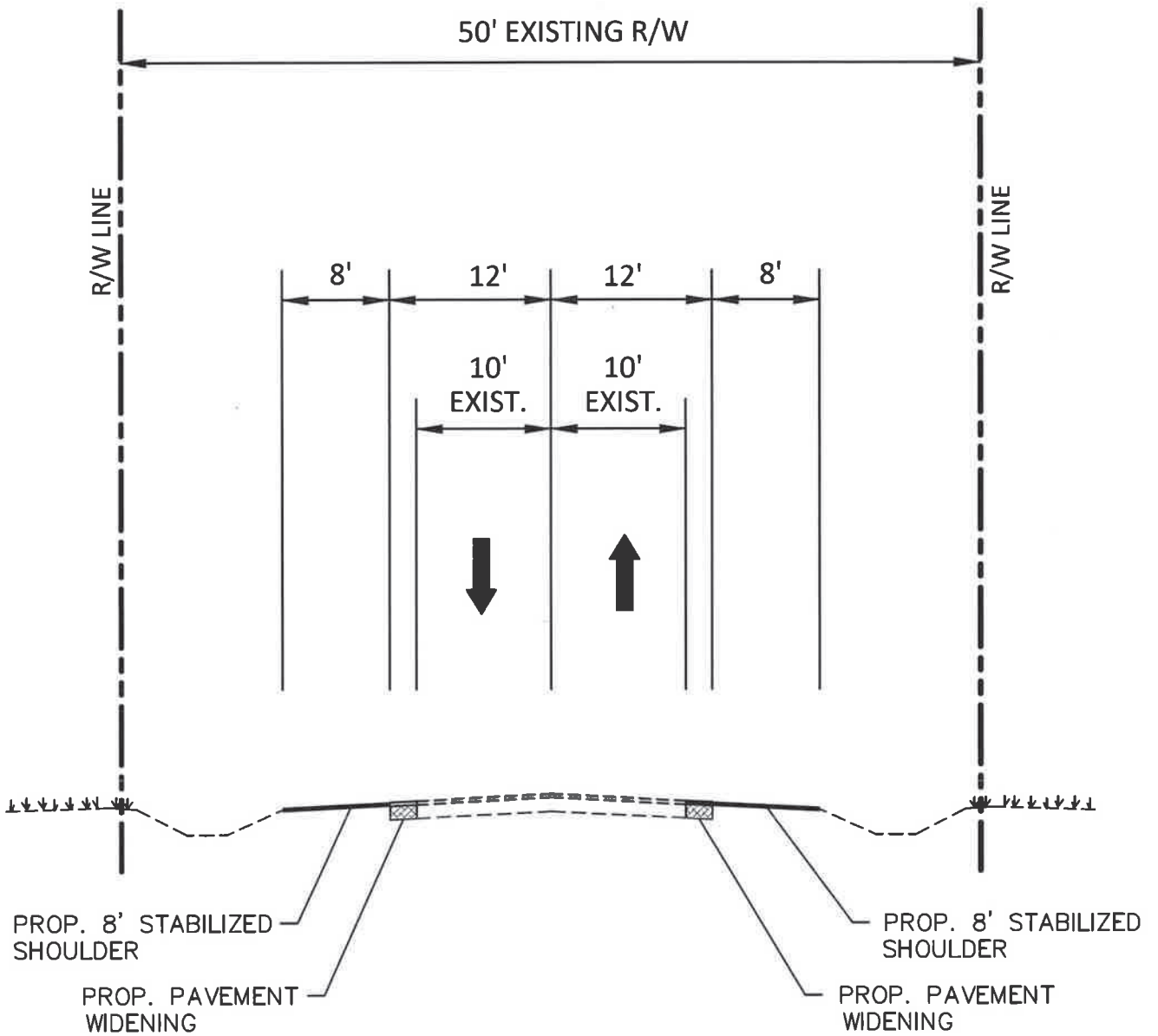
**Michael J. Williams
Hillsborough County Engineer**

Mr. Mike Williams
November 6, 2023
Page 4

TABLE 1
TRIP GENERATION (1)

Land Use	ITE LUC	Size	Daily Trip Ends	AM Peak Hour Trip Ends			PM Peak Hour Trip Ends		
				In	Out	Total	In	Out	Total
Contractor's Office	180	60,000 SF	589	74	26	100	37	79	116
Outdoor Storage	151	235,224 SF	341	12	9	21	16	19	35
Total			930	86	35	121	53	98	151

(1) Source: ITE Trip Generation Manual, 11th Edition, 2021.



TYPICAL SECTION
OLD MORRIS BRIDGE ROAD
NTS

APPENDIX



PD PLAN



HILLSBOROUGH COUNTY
ROADWAY CLASSIFICATION MAP



**HILLSBOROUGH COUNTY
ROADWAYS
FUNCTIONAL CLASSIFICATION**
Infrastructure & Development Services



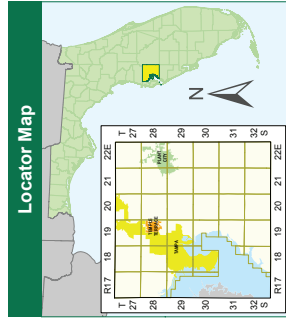
Legend

- Functional Classifications Authority, Classification**
- State, Principal Arterial
 - State, Arterial
 - Hillsborough, Arterial
 - Hillsborough, Collector
 - Urban Service Area Boundary
 - City Limits

The Hillsborough County Roadway Functional Map will be used in all matters in the Hillsborough County Land Development Code (LDC) that relate to functional classification of roads. Some, but not all, examples of those matters are as follows:

PART 3.02.00 INTERSTATE-75 PLANNED DEVELOPMENT DISTRICTS
 PART 3.03.00 STATE PLANNED DEVELOPMENT DISTRICTS
 PART 5.03.00 PLANNED DEVELOPMENT DISTRICTS
 PART 6.02.00 SUBDIVISION STANDARDS AND GUIDELINES
 PART 6.07.00 FENCES AND WALLS
 PART 12.01.00 DEFINITIONS AND SPECIAL USES
 OTHER PARTS OF THE LDC NOT LISTED ABOVE.

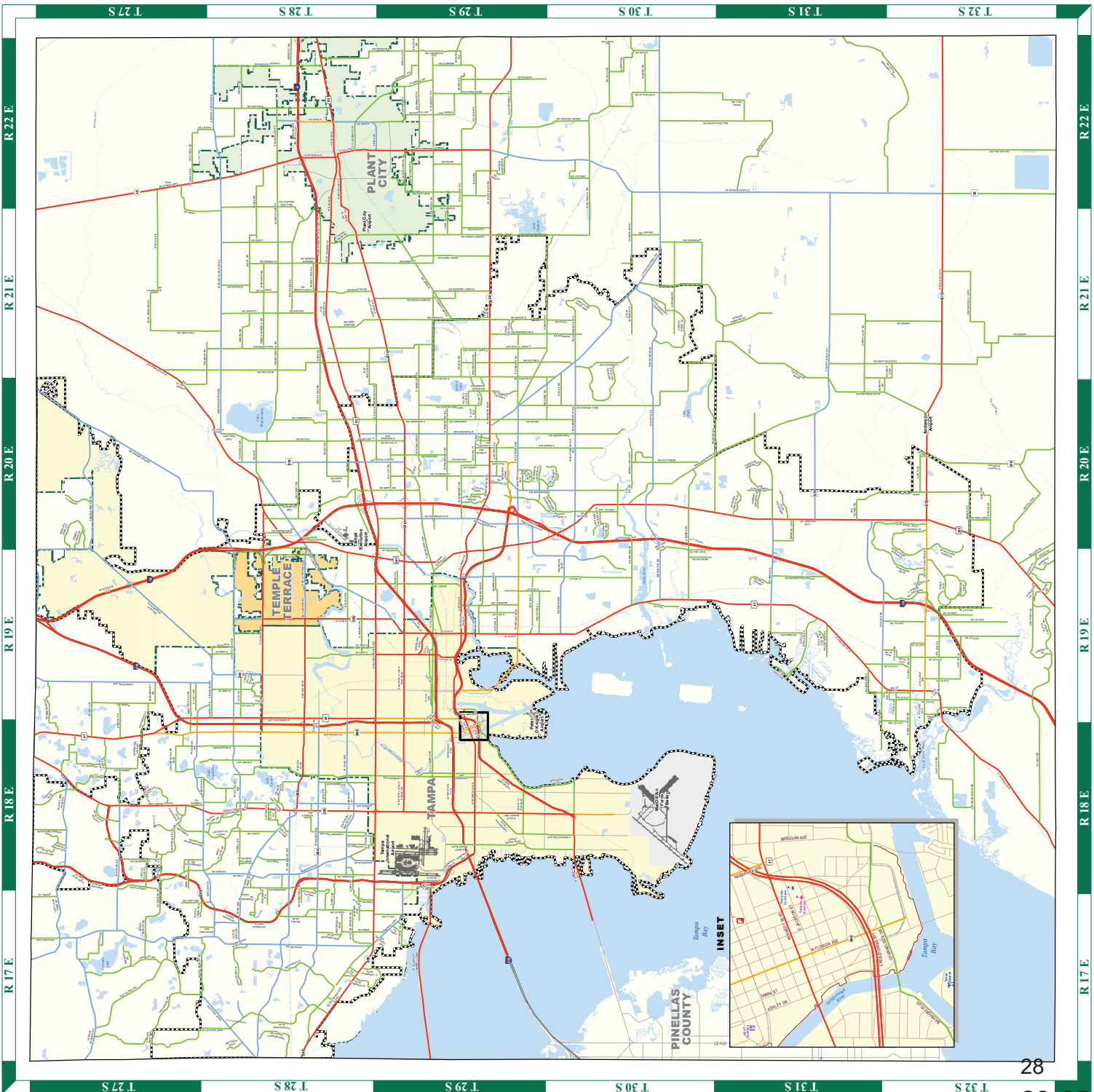
In addition to subject matters in the LDC, Functional Classification of roads plays an important role in administering the Residential Traffic Control Program and the Neighborhood Traffic Calming Program.



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not warrant the accuracy of the map, and it is not intended to be used for any purpose other than that for which it was prepared. The map is not to be construed as a guarantee of any kind, and it is not intended to be used for any purpose other than that for which it was prepared.

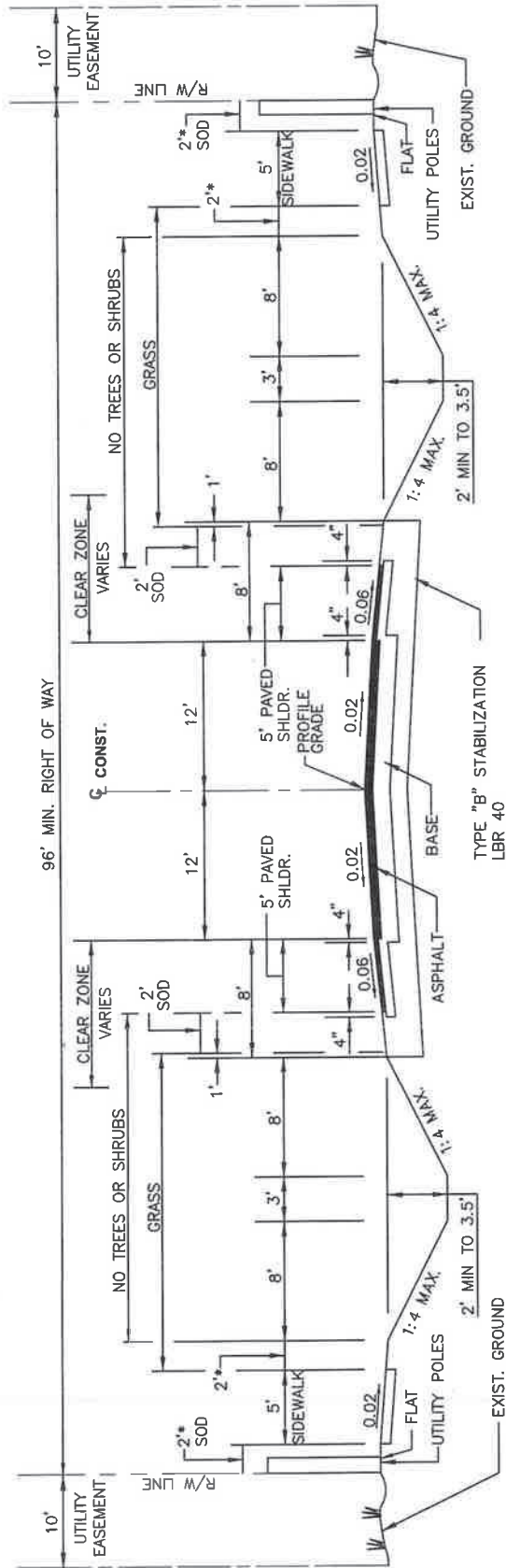
SOURCE: The map has been prepared for the inventory of road property lines within Hillsborough County and is not intended to be used for any other purpose. The map is not to be construed as a guarantee of any kind, and it is not intended to be used for any purpose other than that for which it was prepared.

601 E. Kennedy Blvd
 Tampa, FL 33602
 (813) 272-5610
 printroom@hillsboroughcounty.org



TS-7





TYPICAL SECTION

N.T.S.

FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

1. ALL DIMENSIONS SHOWN ARE MINIMUM.
2. SEE APPROPRIATE SECTIONS OF TECHNICAL MANUAL FOR DESIGN PARAMETERS.
- * 3. PROVIDE 2' MINIMUM CLEARANCE FROM FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES OR IMPROVEMENTS, DROP OFFS, OR FROM THE TOPS OF BANKS WITH SLOPES STEEPER THAN 1 TO 4, THAT INTERFERE WITH THE SAFE, FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES, OR MATURE TREES, 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
4. SOD SHALL BE PLACED IN TWO ROWS STAGGERED. (BOTH TEMPORARY AND PERMANENT)
5. PAVED SHOULDER TO BE STRIPED AS A DESIGNATED BIKE LANE, AS APPROPRIATE.

REVISION DATE: 10/17	 <p>TRANSPORTATION TECHNICAL MANUAL</p>	<p>LOCAL & COLLECTOR RURAL ROADS (2 LANE UNDIVIDED) TYPICAL SECTION</p>	DRAWING NO. TS-7
			SHEET NO. 1 OF 1

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
Old Morris Bridge Rd.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
122 nd Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

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	28	2	3
Proposed	927	121	151
Difference (+/-)	+899	+119	+148

*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	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable
Notes:		

4.0 Additional Site Information & Agency Comments Summary

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

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: November 13, 2023 Report Prepared: November 1, 2023	Petition: PD 23-0517 9031 122nd Avenue <i>Northeast of the East Fowler Avenue and Interstate-75 intersection</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Suburban Mixed Use-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan	N/A
Requested Zoning	Rezone from Agricultural Rural (AR) to a Planned Development to permit up to 0.25 FAR (170,319 sq. ft.) of limited commercial intensive uses
Parcel Size (Approx.)	15.64 +/- acres (681,278.4 sq. ft.)
Street Functional Classification	East Fowler Avenue - Principal Arterial Interstate-75 - Principal Arterial 122 nd Avenue East - Local
Locational Criteria	Does not meet; waiver requested
Evacuation Zone	D



Context

- The 15.64 +/- acre site is located northeast of the East Fowler Avenue and Interstate-75 intersection.
- The subject property is located within the Urban Service Area and is not within the limits of a Community Plan.
- The subject property is designated as Suburban Mixed Use-6 (SMU-6) on the Future Land Use Map. Properties in the SMU-6 Future Land Use category can be considered for a maximum density of 6 dwelling unit per gross acre and a maximum intensity of 0.25 FAR. The SMU-6 Future Land Use category is intended for urban/suburban in intensity and density of uses. Typical uses of SMU-6 include residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria.
- To the north is the SMU-6 Future Land Use category. To the south are the Public/Quasi-Public (P/QP) and the Community Mixed Use-12 (CMU-12) category. To the east and west is the Natural Preservation (N) category. In addition to the west are the CMU-12 and Residential (RES-20) categories.
- The subject property is zoned as Agricultural Rural (AR). To the south and west of the site is AR zoning. To the north is Agricultural Single Family-1 (AS-1) and Commercial Neighborhood (CN) zoning. To the west is Planned Development (PD) and AS-1 zoning. In addition to the south are Residential - Duplex Conventional (RDC-12). PD and AR zoning.
- The site is currently listed as agricultural land. To the north of the site is single family residential, vacant and Public / Quasi-Public. To the east is the Lower Hillsborough Wilderness Park. To the south are several Public / Quasi-Public properties. To the west across Interstate-75 is vacant, single family residential, Public / Quasi-Public and light commercial uses. Further west is public utilities and multi-family.
- The applicant requests to rezone from Agricultural Rural (AR) to a Planned Development to permit up to 0.25 FAR (170,319 sq. ft.) of limited commercial intensive uses.

Compliance with Comprehensive Plan:

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

Land Use Categories

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

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

Policy 8.5: *Calculating Floor Area Ratio For purposes of calculating the maximum permitted gross building square footage for non-residential uses within a development proposal the following procedure shall apply: In applying floor area ratios (FAR) to acreage, all residential land use types that fall within a project's boundaries are excluded (except as allowed in the Innovation Corridor Mixed Use-35 land use category). Also, only those lands specifically within a project's boundaries may be used for calculating maximum permitted gross building square footage. Except in accordance with the County's transferable development rights regulations, intensity cannot be transferred from one parcel of land to another when such parcels are physically separated from each other unless the separation is created by a roadway, wetlands, stream, river, lake or railway. 11 Gross non-residential intensity refers to gross building square footage of non-residential land use types within a given project or, in the case of mixed use projects, portion(s) of a project. A project's total non-residential acreage, for purposes of calculating its gross non-residential land uses to which the owner or owner's agent or developer has surface development rights, includes the following land within the non-residential portion(s) of the project to be used for: planned and unconstructed roads and road rights-of-way, public and private parks and recreation sites, sites for schools and churches, open space sites and land uses, and public facilities such as sewage treatment plants, community centers, well fields, utility substations, and drainage facility sites.*

Relationship to Land Development Regulations

Objective 9: *All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes.*

Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

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

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

Neighborhood/Community Development

Objective 16: Neighborhood Protection The neighborhood is 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: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Commercial-Locational Criteria

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

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

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

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

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long Range Transportation Plan; major local roadways are defined in the definitions section of this element.

At least 75% of the subject property must fall within the specified distance from the intersection. All measurements should begin at the edge of the road right-of-way.

Policy 22.5: *When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e., antiques, boutiques) toward the edges of the activity center.*

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

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the

potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

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

5.0 Neighborhood Level Design

5.1 Compatibility

OBJECTIVE 12-1: *New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) with the established character of the surrounding neighborhood.*

ENVIRONMENTAL & SUSTAINABILITY SECTION

OBJECTIVE 3.8: *Manage flora, fauna, and uplands to ensure a healthy, functioning environment, economy, and quality of life.*

Policy 3.8.1: *Protect and conserve Significant Wildlife Habitat and ensure a no net loss of Essential Wildlife Habitat.*

Policy 3.8.2: *Continue to prohibit unmitigated encroachment into the 100-year floodplain to protect and conserve the functions and natural wildlife habitat attributes where they exist within the 100-year floodplains of rivers and streams as provided under local rules and regulations including mitigation as required.*

Policy 3.8.3: *Maintain local wildlife and wildlife habitat protection and management programs to protect native plants and wildlife.*

Policy 3.8.4: *Continue to apply adopted criteria, standards, methodologies, and procedures that require the development and implementation of management plans for Significant or Essential Wildlife Habitat determined to provide particularly valuable and manageable habitat qualities.*

OBJECTIVE 3.9: *Manage natural preserves to ensure a healthy, functioning environment, economy, and quality of life.*

Policy 3.9.9: *Protect natural resources, coastal resources, publicly owned, or managed natural preserves from adverse impacts attributable to adjacent land uses. Continue to require development activities on adjacent properties to comply with adopted criteria, standards, methodologies, and procedures to prevent adverse impacts.*

DEFINITIONS SECTION

Neighborhood - *An integrated area related to the larger community of which it is a part and consisting of residential districts.*

Neighborhood - *For purposes of the Census Bureau's Neighborhood Statistics Program, a neighborhood is a locally defined sub-area of a locality with non-overlapping boundaries. Neighborhoods usually have advisory representatives to present citizen views on municipal matters; where such representation does not exist, areas traditionally recognized can be used.*

Established Neighborhood - *A neighborhood where platted, or otherwise divided, lands have been at least eighty percent developed and occupied without substantial deterioration since such development.*

Staff Analysis of Goals, Objectives, and Policies:

The 15.64 +/- acre site is located northeast of the East Fowler Avenue and Interstate-75 intersection. The subject property is located within the Urban Service Area and is not within the limits of a Community Plan. The applicant requests to rezone from Agricultural Rural (AR) to a Planned Development (PD) to permit up to 0.25 or 170,319 sq. ft. of limited commercial intensive uses. All uses except for the mini warehouse and warehouse uses are individually limited to 60,000 sq. ft. The applicant is asking to limit the zoning to the following uses:

1. Contractor's Office, with or without Open Storage
2. Open Storage and Sales
3. Sales, Rental and Service** of New or Used Commercial Vehicles, Buses, and Trucks
4. Mini Warehouse
5. Warehouse, with or without Distribution Center
6. Trucking and Truck Terminal

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The proposed CI-R uses are for the purpose of open storage of vehicles and mini warehouse/contractor's office is not consistent with the existing character of development in the area.

The site does not meet the Commercial Locational Criteria per FLUE Objective 22 and its accompanying policies. The proposed PD must have 75% of the site within 900 feet of the nearest qualifying intersection is the node of Williams Road and East Fowler Avenue. 75% of the PD is approximately over 5,100 feet from the nearest qualifying intersection nodes. Based on this, a waiver to Commercial Locational Criteria is required.

The applicant submitted a waiver request to Commercial Locational Criteria, stating that the proposed use is compatible with the adjacent residential and mobile homes uses. The applicant is stating that the residential area has deteriorated and does not meet the definition of an established neighborhood in the Comprehensive Plan. Additionally, the applicant states there is no registered neighborhood association, and the mobile home

property has open storage uses consistent with the proposed application. The applicant also states that the project will provide a 70 foot stormwater area and 30 foot landscape/type B buffer area on the north side providing additional screening to the residential areas. Lastly, the applicant states the property has a unique location at the terminus of two dead-end streets.

In addition to the stormwater and landscape buffer area, the applicant is proposing to utilize the existing vegetation on the northern boundary and add a 6 foot opaque fence to mitigate adverse impacts between the adjacent residential properties. Within the 100 foot setback, no land uses including open storage will be allowed. These measures are only applied on the northwestern frontage of the site as the east of the site is the Lower Hillsborough Wilderness Park. The applicant has also stated that the two existing access points will be retained, and sidewalks will be added on the south side of 122nd Avenue.

While the applicant is providing additional buffering, screening and setbacks, the proposal does not meet the intent of the Neighborhood Protection policies outlined under FLUE Objective 16. Policy 16.1 requires development in residential areas to be limited to a neighborhood scale. 16.5 requires that higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials. The proposed is adjacent to established residential uses north of the site and is proposing access off a local road, 122nd Avenue. While the site is adjacent to the interstate, there is no other opportunity for roadway access except for 122nd Avenue. The proposed does not meet the intent of Policy 16.5. In addition, the request would facilitate encroachment into the residential area adjacent to the subject property immediately to the north, which is inconsistent with Policy 16.2, which requires gradual transitions of intensities between different land uses to be provided for as new development is proposed and approved.

The applicant has proposed mitigation measures, as stated above. Even with these measures, the intensity of the proposed use is out of character with the residential development in the surrounding area. In addition, the established neighborhoods definition of the Comprehensive Plan does refer to land that has been at least 80 percent developed without substantial deterioration. The residential dwellings north of the site are existing developed homes and meet this definition. Additionally, a separate neighborhoods definition in the Comprehensive Plan states a neighborhood usually have advisory representatives and does not state a registered neighborhood association is required. As it is not a requirement, it does not preclude the residential properties from being considered a neighborhood as referenced in Policy 16.5.

FLUE Policy 22.7 notes that meeting Commercial Locational Criteria is not the only factor to be taken into consideration when granting approval for an application. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential commercial use. Commercial Locational Criteria only designates locations that could be considered, and they in no way guarantee the approval of a particular non-residential use. Per Policy 22.8, the Board of County Commissioners may grant a waiver based on a use's compatibility with the surrounding area or unique circumstances. While the site is adjacent to Interstate-75 and is a former landfill, other non-intensive commercial or office uses could still be built on the site and would be more compatible with the surrounding residential uses. Due to the intensity of the proposed uses encroaching in the residential uses adjacent to the north, Planning Commission staff does not support a waiver based on conflicts with several

Comprehensive Plan compatibility policies and asks that the Board of County Commissioners not grant the waiver.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character 122nd Avenue contains mainly single family residential and vacant land to the north, mobile homes to the east, vacant residential land to the west, and light commercial uses along College Avenue. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful.

The subject site was previously approved as Planned Development (PD 98-0623). FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2 require that all development meet or exceed the land development regulations in Hillsborough County. The Florida Department for Transportation submitted comments dated October 26, 2023 stating that they are willing to revisit a revised site plan. However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The Environmental Protection Commission (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.

A portion of the southeast quadrant of the site is located within a significant wildlife habitat. Per the Environmental and Sustainability Section, Policies 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5 and 3.9.9 emphasize protecting and conserving significant wildlife habitats. The Natural Resources Department has reviewed and has no objections. However, comments received indicate that the proposed site plan may require modifications during the site construction plan review process to address Land Development Code requirements. Additionally, any impact to the essential wildlife habitat found during the site plan review process will not be supported per Policies 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5 and 3.9.9 of the Environmental and Sustainability Section.

The submitted site plan is inaccurate as it states the site is within the east rural community planning area. The site is not located within the boundaries of a community plan and there are no designated planning areas.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* and is incompatible with the existing and planned development pattern found in the surrounding area.

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 23-0517

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service
- Urban Service

- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- warm NATURAL LULC_We_Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASH-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning boundaries are for informational purposes only and are not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission.
 ACCURACY: It is intended that the U.S. National Map Accuracy Standards, however, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 5/17/2023
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Gis\ReZoning - Copy.mxd

