

# PD Modification Application: MM 24-1110

Zoning Hearing Master Date: February 18, 2025

BOCC CPA Public Hearing Date: April 10, 2025

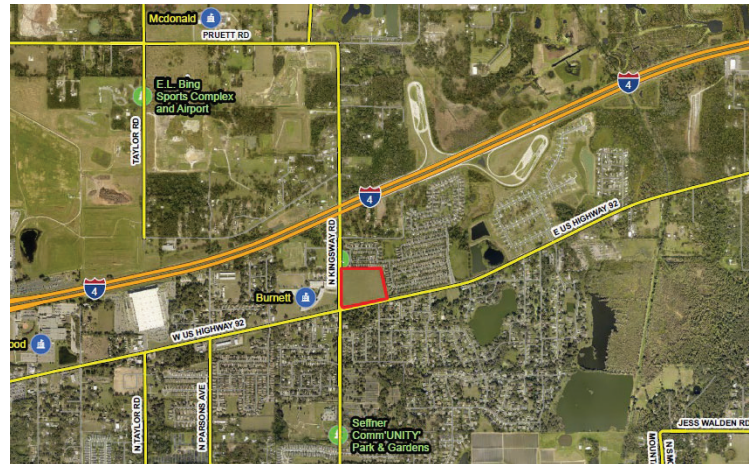


**Hillsborough**  
**County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant: Todd Pressman  
FLU Category: RES-4 (Existing)  
CMU-12 (Proposed)  
Service Area: Urban  
Site Acreage: 14.47 +/-  
Community Plan Area: Seffner Mango  
Overlay: None



### Introduction Summary:

The applicant requests a Major Modification to PD 03-0753 (as most recently modified by PRS 07-0972). The subject PD is currently approved for limited CG (Commercial General) zoning district uses and 299 single-family homes. This request is for the non-residential portion of the project with a companion CPA (Comprehensive Plan Amendment 23-09) to allow a higher FAR.

### Existing Approval(s):

156,816 sf of limited CG uses (0.25 FAR)

### Proposed Modification(s):

Add a second development option to allow 200,000 sf for a Veteran's Administration nursing, convalescent & extended care facility and Community Residential Use (0.31 FAR)

### Additional Information:

PD Variation(s):

None Requested as part of this application

Waiver(s) to the Land Development Code:

LDC Section 6.11.28.A (distance to single-family zoning)  
LDC Section 6.11.28.2.b (residential appearance)

### Planning Commission Recommendation:

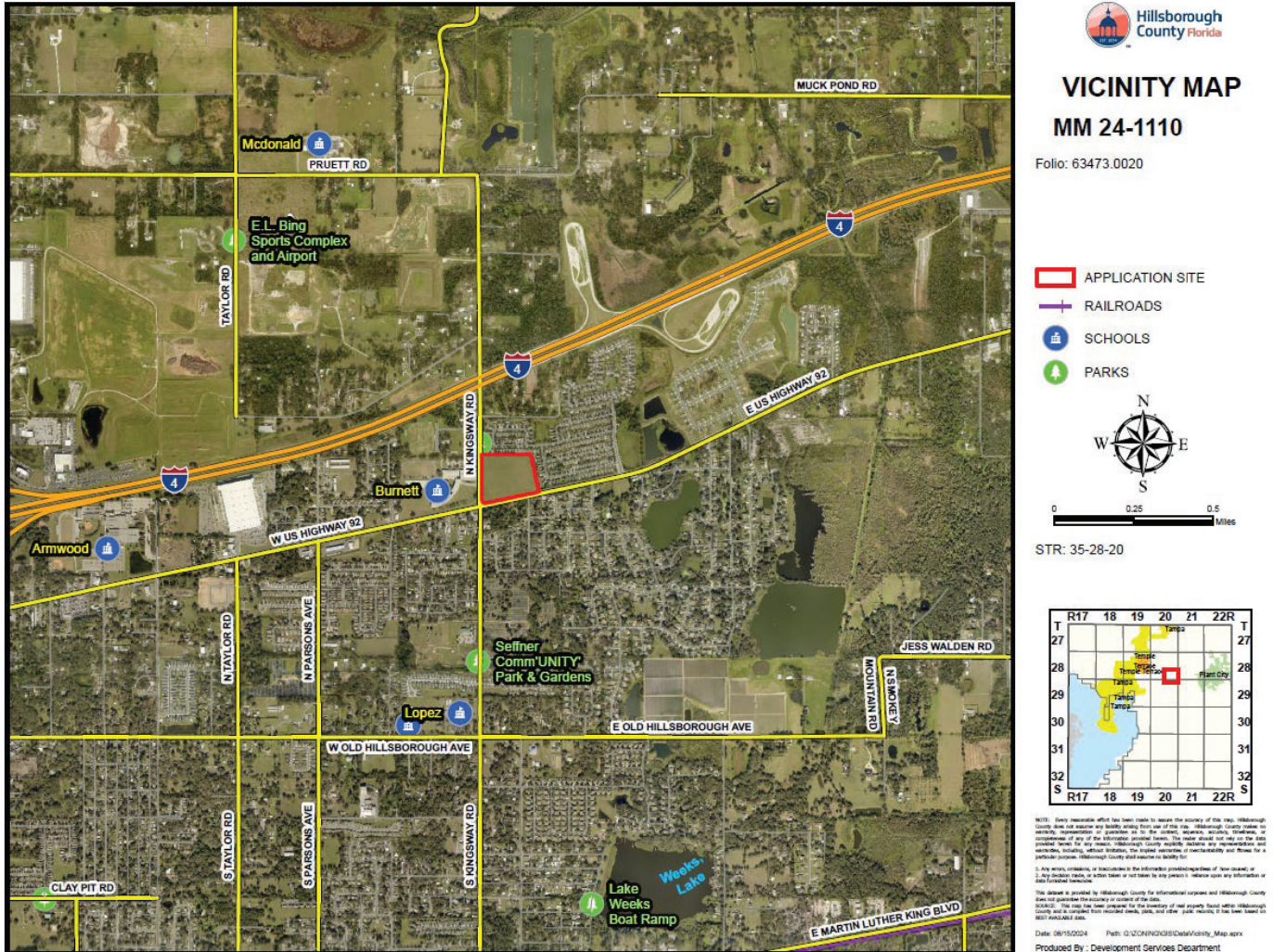
Inconsistent

### Development Services Recommendation:

Approvable, subject to proposed conditions

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



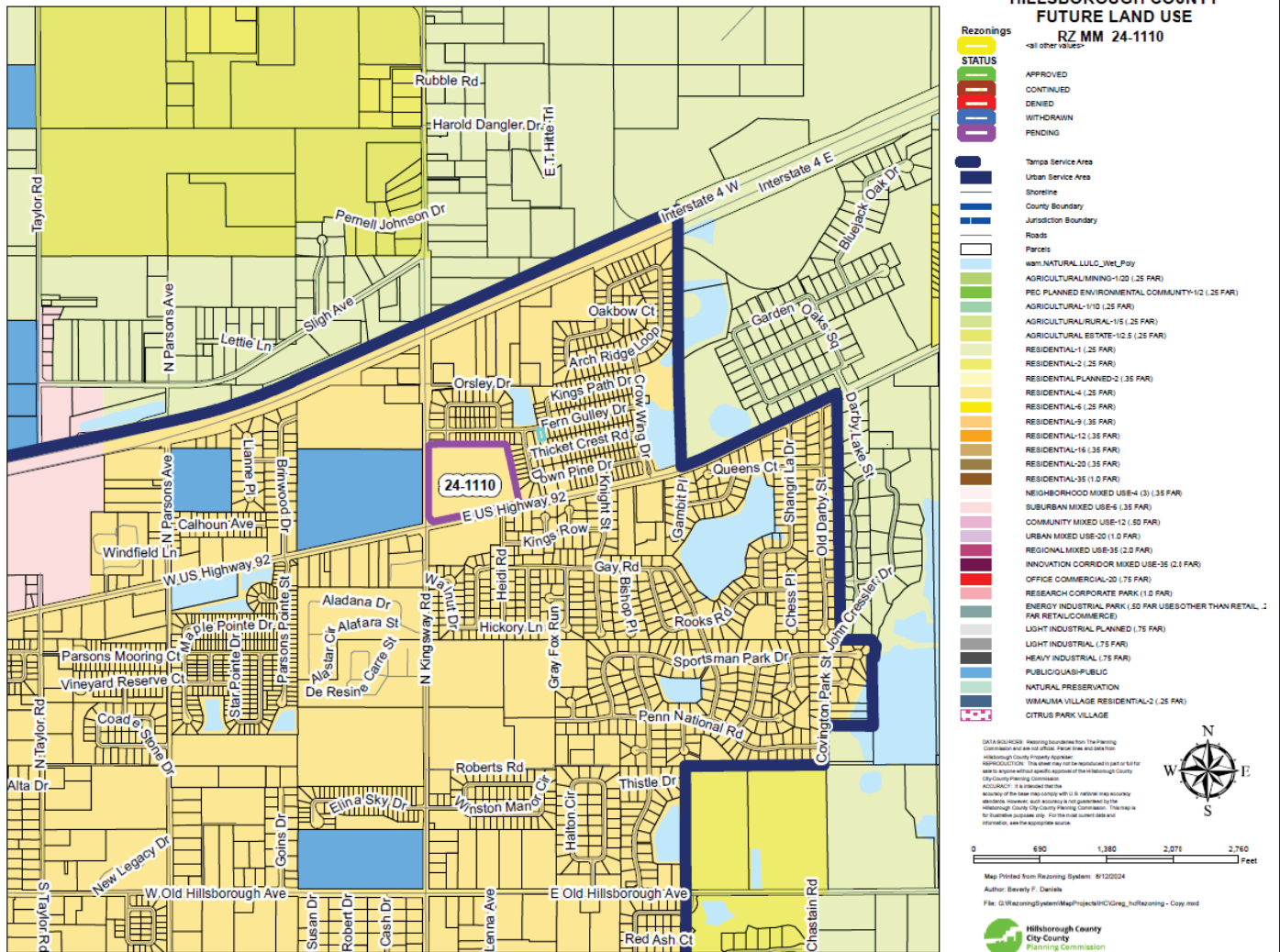
### Context of Surrounding Area:

The site is located at the northeast corner of US Hwy 92 and Kingsway Road, in the Seffner-Mango community. Interstate 4 is located approximately a quarter mile to the north. The general area consists of single-family residential, commercial and residential support uses. Commercial uses are found on US Hwy 92 within the vicinity of the intersection. Burnett Middle School and Evans Park are found to the east/northeast of the subject site.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map

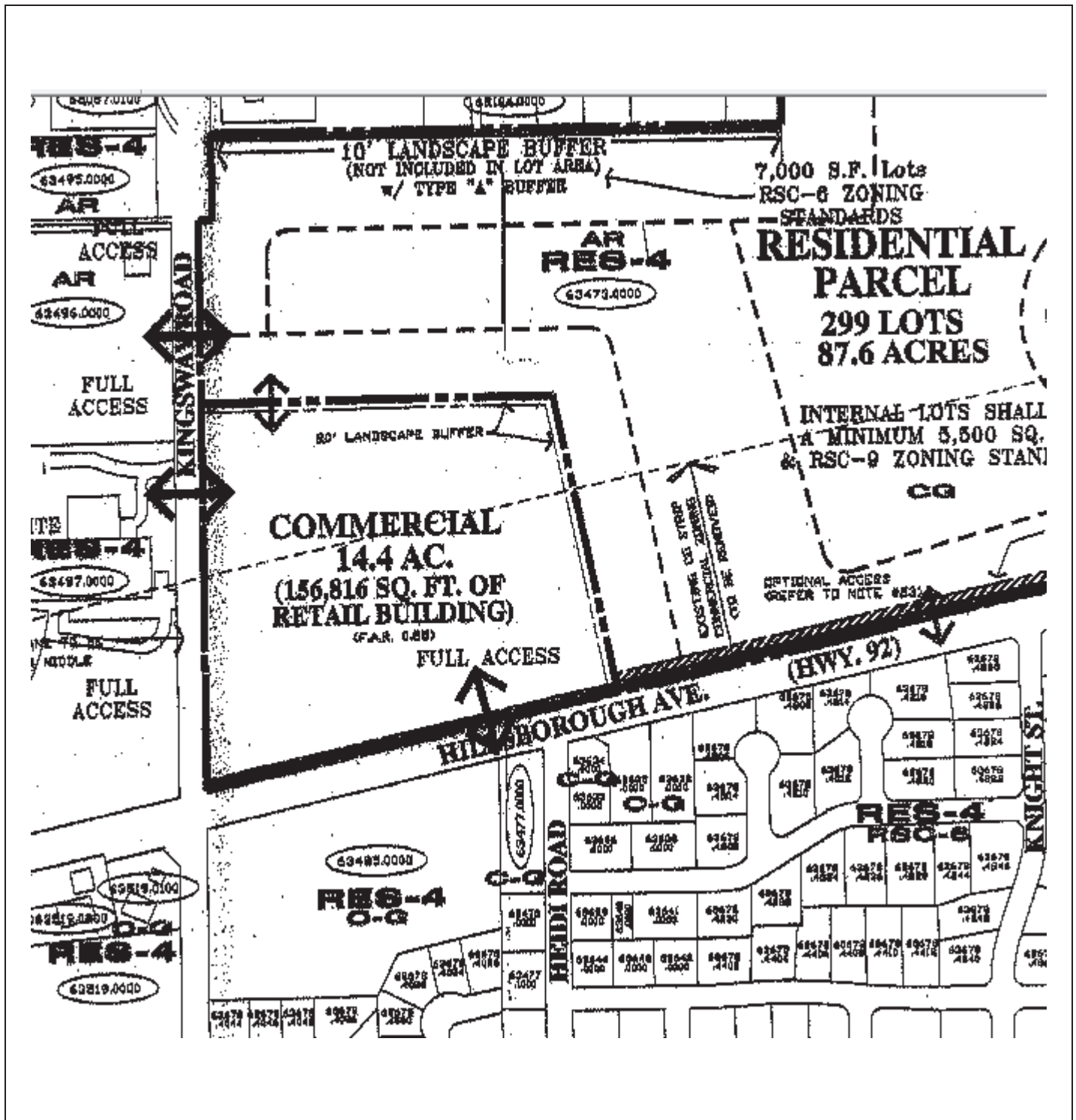


Subject Site Future Land Use Category:	RES-4 (existing) CMU-12 (proposed)
Maximum Density/F.A.R.:	RES-4 (existing): 4 units per acre / 0.25 FAR CMU-12 (proposed): 12 units per acre / 0.50 FAR
Typical Uses:	RES-4 (existing): Agricultural, residential, neighborhood commercial, office uses and multi-purpose projects. CMU-12 (proposed): Agricultural, residential, commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

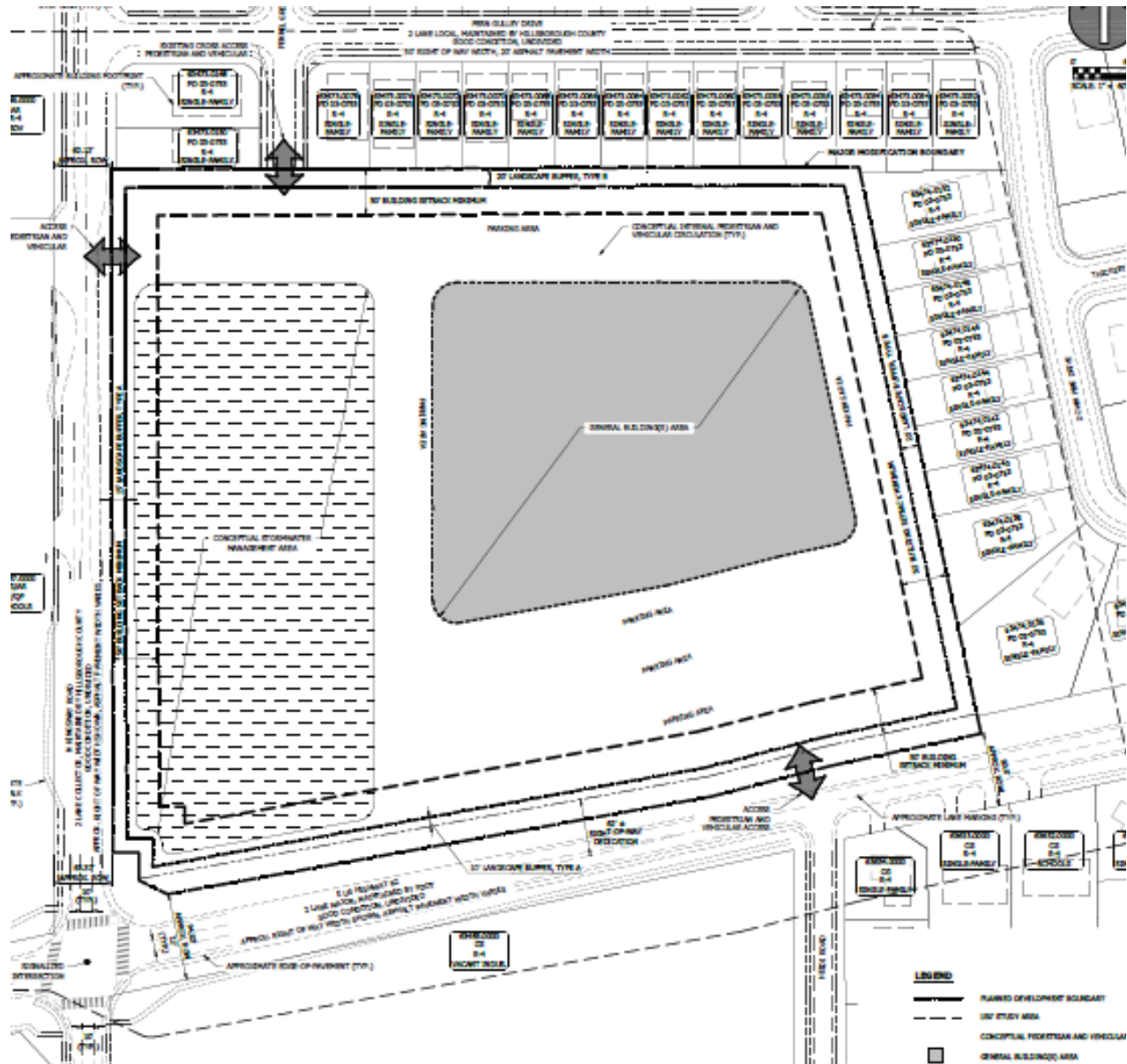
## 2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)





## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



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

<b>Adjoining Roadways (check if applicable)</b>			
Road Name	Classification	Current Conditions	Select Future Improvements
Kingsway Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - To Be Determined
US 92	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - To Be Determined
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

<b>Project Trip Generation <input type="checkbox"/> Not applicable for this request</b>			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15,422	983	1,298
Proposed	536	37	49
Difference (+/-)	(-) 14,886	(-) 946	(-) 1,249

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

<b>Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request</b>				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes: To be determined at the time of plat/site/construction plan review.

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

Notes: To be determined at the time of plat/site/construction plan review.

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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input 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	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees</b> Assisted Living Facility/Nursing Home (Mobility per bed) (Fire per 1,000 s.f.) Mobility: \$1,253 per bed Fire: \$95 per 1,000 s.f.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The proposed second commercial development option is proposed within an area currently permitting limited CG zoning district uses, which permits uses such as public schools, large-scale retail, domestic car sales and service/repair, fast food establishments, hospitals, and free-standing emergency rooms. The proposed development option is not viewed as more intense than currently permitted uses. A Type C Community Residential Home (CRH) is viewed as a multi-family, rather than commercial, use.

The current development option permits a maximum building height of 50 feet with a 2:1 setback for buildings over 20 feet in height. This would allow a 20 foot high building at a 20 foot setback, increasing the setback as the building increases in height to a maximum of 50 feet. The proposed second development option proposes a maximum building height of 35 feet at the minimum setback of 50 feet. The height at that setback complies with the 2:1 setback for buildings over 20’ in height, while also removing the ability to place buildings at a lower height closer to the property line (less than 50’). As the building height increases, the 2:1 setback is applied. If developed at a maximum height of 50 feet, a setback of 80 feet must be provided.

The Land Development Code requires Type C Community Residential Homes to be residential in appearance (pitched roof, use of windows, ect), given their permissibility as a Special Use in agricultural and multi-family zoning districts. The subject area is approved for commercial uses and located at the intersection of US Hwy 92 and Kingsway Road. Per the applicant, the Veterans Administration uses various building styles, which may include a pitched roof; however, no specific building design is known at this time. Therefore, while the project’s design may be residential in appearance, it cannot be committed to at this stage. This, along with the location of the site within a more commercial environment, is the basis of the the waiver request.

The Land Development Code requires Type C Community Residential Homes to be located at least 500 feet from a single-family residential zone. This provides compatibility within a residential setting. The proposed location is currently approved for more non-residential intense uses and is located at a commercial intersection. Yet, a CRH is classified as a multi-family use, rather than a commercial use. Lastly, a minimum setback and enhanced screening (tree plantings on 15-foot centers rather than 20-foot centers) is also proposed.

The project does not require a waiver to the number of Type B and C CRHs within a 1,200 ft radius. One facility, licensed by Department of Children & Families, is located within the subject zip code yet exceeds the distance of 1,200 feet. No facilities licensed by the Agency for Health Care Administration are located within the 1,200 ft radius. Additionally, no Type B or C facilities licensed by the Agency for Persons with Disabilities are within the 1,200 ft radius.

Based upon the above, staff finds the proposal compatible with the area.

5.2 Recommendation

Approvable, subject to proposed conditions.

## Requirements for Certification:

1. Plan sheet shall be provided to recognize approved commercial development and identified as Commercial Option 1. Proposed second option to be identified as Commercial Option 2.

**6.0 PROPOSED CONDITIONS**

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted February 1, 2025

1. Commercial Option 1: Development within the project shall be limited to a maximum of 156,816 square feet of Commercial General Uses to be developed within the 14.4 acres parcel located within the southwest corner of the property as referenced on the site plan. The following uses shall not be permitted:
  - 1.1 Coin operated laundry and/or laundromat; funeral/mortuary; hotel/motel; any adult use and or massage parlor or any establishment selling or exhibiting paraphernalia for use with illicit drugs; pawn shops; fire arm sales; flea markets or the sale of second hand goods; bingo parlor, shooting gallery, or any off-track betting or gambling establishment; theatre or cinema; pool or billiard halls; bowling alleys; night clubs; catering or banquet halls; video/game centers or arcades; free standing liquor store or bar.
  - 1.2 Billboards shall not be permitted.
2. Commercial Option 2: Development shall be limited to 200,000 sf for a Nursing, Convalescent and Extended Care Facility and Community Residential Home (Type C) operated by the Veterans Administration.
  - 2.1: A maximum of 50,000 sf shall be permitted for the Nursing, Convalescent and Extended Care Facility use.
  - 2.2 A maximum of 206 beds shall be permitted within the Community Residential Home (Type C) use.
  - 2.3 The project shall be permitted at a distance of 450 feet from residentially zoned parcels.
  - 2.4 LDC Section 6.11.28.E.2.b shall not apply.
  - 2.5. Maximum building height shall be 50 feet, with an additional setback of 2:1 for buildings over 20 feet in height added to the required side yard/buffer yard of 20 feet. Building height at the 50-foot setback shall be limited to 35 feet.
  - 2.6. A minimum 50 foot setback shall be provided from all boundaries.
  - 2.6 A 20 foot wide buffer with enhanced Type B screening shall be provided along the northern and eastern boundaries, as depicted on the certified site plan. Screening shall be enhanced by providing required 10 foot tall shade tree plantings on 15 rather than 20 foot centers. The species of shade trees to be approved by Natural Resources reviewers.
23. A maximum of 299 single family homes on the "residential parcel" shall also be permitted subject to the following:
  - 23.1 Lots along the eastern project boundary shall be a minimum of 10,000 square feet in size and shall be developed in accordance with RSC-6 zoning district standards.

- 23.2 Lots along the northern and western project boundary shall be a minimum of 7,000 square feet in size developed in accordance with RSC-6 zoning district standards.
- 23.3 All internal lots shall contain a minimum of 5,500 square feet and shall be developed in accordance with RSC-9 zoning district standards.
- 23.4 Lots along the southern project boundary shall contain a minimum of 7,000 square feet and shall be developed in accordance with RSC-6 zoning district standards unless otherwise specified herein. Lots along the southern boundary shall have a minimum lot width of 50 feet.
34. Regardless of lot size, the developer may reduce the minimum front yard setback to 15 feet for front yards functioning as a side yard unless a garage structure is present and accessed via said side lot, regardless of development option.
45. Buffering and screening shall be in accordance with the Land Development Code unless otherwise specified herein.
- 45.1 A 10-foot landscape buffer with a Type A screen shall be provided along the northern portion of the project boundary in the area depicted on the site plan. Said buffer shall not be platted as part of the lot and shall be maintained by a Homeowners association or similar organization.
- 45.2 A 20-foot landscape easement shall be provided along the southern project boundary as shown on the site plan. Within the easement the developer shall construct a 6-foot high masonry wall with landscaping on the exterior side of the wall adjacent to US 92.
- 45.3 A 20-foot landscape easement shall be provided along the northern project boundary adjacent to I-4 as shown on the site plan. Within the easement the developer shall construct a 6-foot high masonry wall.
- 45.4 Landscaping within the easements required in conditions 4.2 and 4.3 above shall consist of no less than two evergreen trees a minimum of 8 feet in height and 15 shrubs and or ground cover per every 30 linear feet.
56. With Respect to Project Access:

6.1 The following shall apply to development within the Residential Parcel & Commercial Option 1:

The design, number, and location of the access points shall be regulated by the Hillsborough County Access Management Regulations as found within the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department and/or the Florida Department of Transportation. Final design, if approved by Hillsborough County and/or FDOT may include but is not limited to, left turn lanes, acceleration lanes, and deceleration lanes. Access points may be restricted in movements.

- 56.1.1 Removal of the center access point on U.S. 92, as noted on the site plan may be permitted subject to review and approval by Hillsborough County and/or FDOT.

6.2 The following condition shall apply to Commercial Option 2 :

Notwithstanding anything shown on the PD site plan to the contrary, the presence or absence of access, number, design and location of the access point(s) shall be regulated by the Hillsborough County Land Development Code



(LDC), Transportation Technical Manual (TTM) and other applicable regulations. The design, relocation, modification, closure or addition of median openings and curb cuts are subject to approval by Hillsborough County Development Services at the time of plat/site/construction plan approval. The need for site access improvements at project entrances and affected intersections will be determined at the time of plat/site/construction plan approval, and access location or characteristics may require Sec. 6.04.02.B. Administrative Variances and/or Design Exceptions which will be adjudicated at the time of plat/site/construction plan approval. Applicants who are unable to meet access management regulations, other applicable regulations, and/or obtain the appropriate relief may be unable to construct the project to its maximum entitlements.

6.2.1 Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the MM 24-1110 boundaries.

6.2.2 Vehicular access may be permitted along the western, northern and/or southern boundaries, and any buffers shown on the PD site plan shall not be interpreted as prohibiting access.

~~67.~~ The applicant shall show the ability to provide cross access to adjacent parcels. The provision of said cross access shall be subject to a determination by County staff during the preliminary construction plan approval process that cross access is required pursuant to criteria set forth in Section 6.04.03.Q of the Land Development Code.

~~78.~~ Pedestrian and vehicular cross access shall be provided between all portions of the project.

~~89.~~ With respect to the Hillsborough County Corridor Preservation Plan:

9.1 The following condition shall apply to development within the Residential Parcel:

The applicant shall convey to Hillsborough County, upon written request of the County or prior to Construction Plan or Final Plat approval whichever comes first, up to 62 feet of right-of-way from the existing center line of right-of-way on Highway 92 to accommodate for the right-of-way as needed for a 4-lane divided facility consistent with the current MPO Long Range Transportation Plan Map.

9.2 The following condition shall apply to Commercial Options 1 and 2:

Consistent with the Hillsborough County Corridor Preservation Plan (HCCPP), the developer shall preserve sufficient right-of-way to accommodate a future 4-lane roadway along the project's US 92 frontage, currently anticipated to be up to +/- 63 feet of right-of-way along the project's US 92 frontage. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.

~~910.~~ The following shall apply to Commercial Option 1: The developer of the commercial property, upon approval by Hillsborough County, the School Board or FDOT, shall provide a left turn lane for entry into Burnett Middle School main entry off Kingsway Avenue. Such turn lane shall be of sufficient length as to provide a free lane of northbound traffic on Kingsway Avenue past the existing front entry to Burnett Middle School.

~~1011.~~ With respect to required transportation analyses:

11.1 The following condition shall apply to development within the Residential Parcel & Commercial Option 1:

Prior to Construction Site Plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve development traffic. If with the addition of project traffic, and if warranted by the results of the transportation analysis as determined by Hillsborough County and/or FDOT, the developer shall provide at his expense left turn storage lanes of sufficient length to accommodate anticipated left turning traffic (for eastbound to northbound traffic) on Hwy 92 and at each access point into the site from Kingsway Avenue and US Hwy 92 to the project where a left turn is permitted. The design and construction of the left turn lanes shall be approved by Hillsborough County Planning and Growth Management Department and/or FDOT.

11.2 The following condition shall apply to Commercial Option 2:

Concurrent with each increment of plat/site/construction plan review, the developer shall submit a trip generation and site access analysis which will be used to determine the project impacts on adjacent roadway, including the number, type and configuration of each access. The analysis will be utilized to determine whether turn lanes and other site access improvements are required pursuant to Section 6.04.04.D of the Hillsborough County Land Development Code and other applicable regulations, and/or Florida Department of Transportation requirements, as applicable. The developer may be required to dedicate and convey or otherwise obtain additional right-of-way if necessary to accommodate required site access improvements.

12. The following shall apply to Commercial Options 1 and 2: As Kingsway Rd. is a substandard collector roadway, the developer will be required improve the public roadway network, between any project access which may be granted to Kingsway Rd. and the nearest roadway meeting an applicable standard, to current County standards unless otherwise approved in accordance with Sec. 6.04.02.B. of the Hillsborough County LDC. Design Exceptions (DEs) and Design Deviation Memoranda (DDM) from Transportation Technical Manual (TTM) standards may be considered in accordance with Sec. 1.7 and other applicable sections of the TTM.
- ~~11~~13. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
- ~~12~~14. In the event there is a conflict between a zoning condition of approval, as stated herein, and any written or graphic notation on the general site plan, the more restrictive requirement shall apply.
- ~~13~~15. 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.
- ~~14~~16. Within 90 days of approval of RZ 03-0753 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a revised General Development Plan for certification reflecting all the conditions outlined above.
- ~~15~~17. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.
18. The following shall apply to Commercial Option 2: 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*

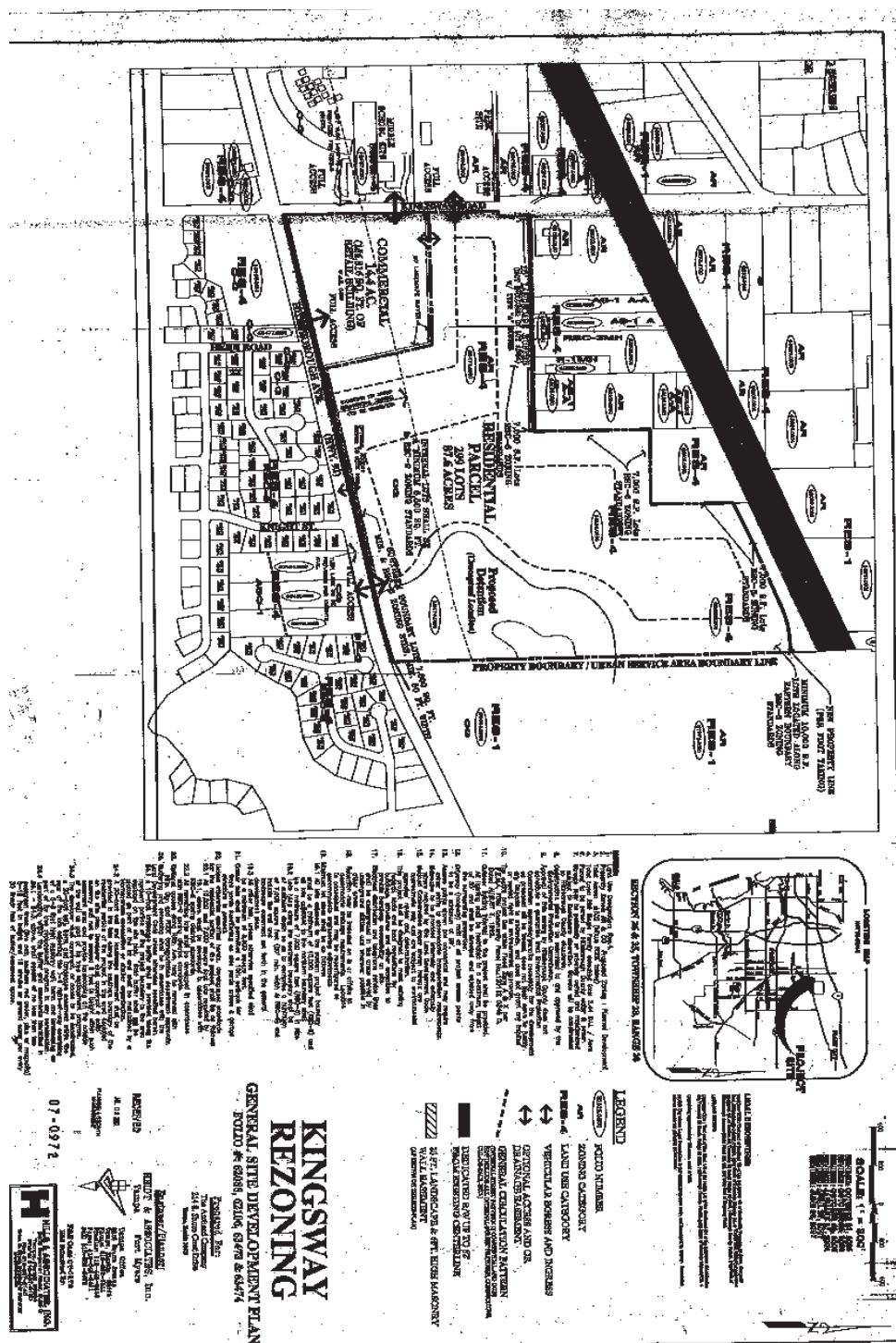
**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

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

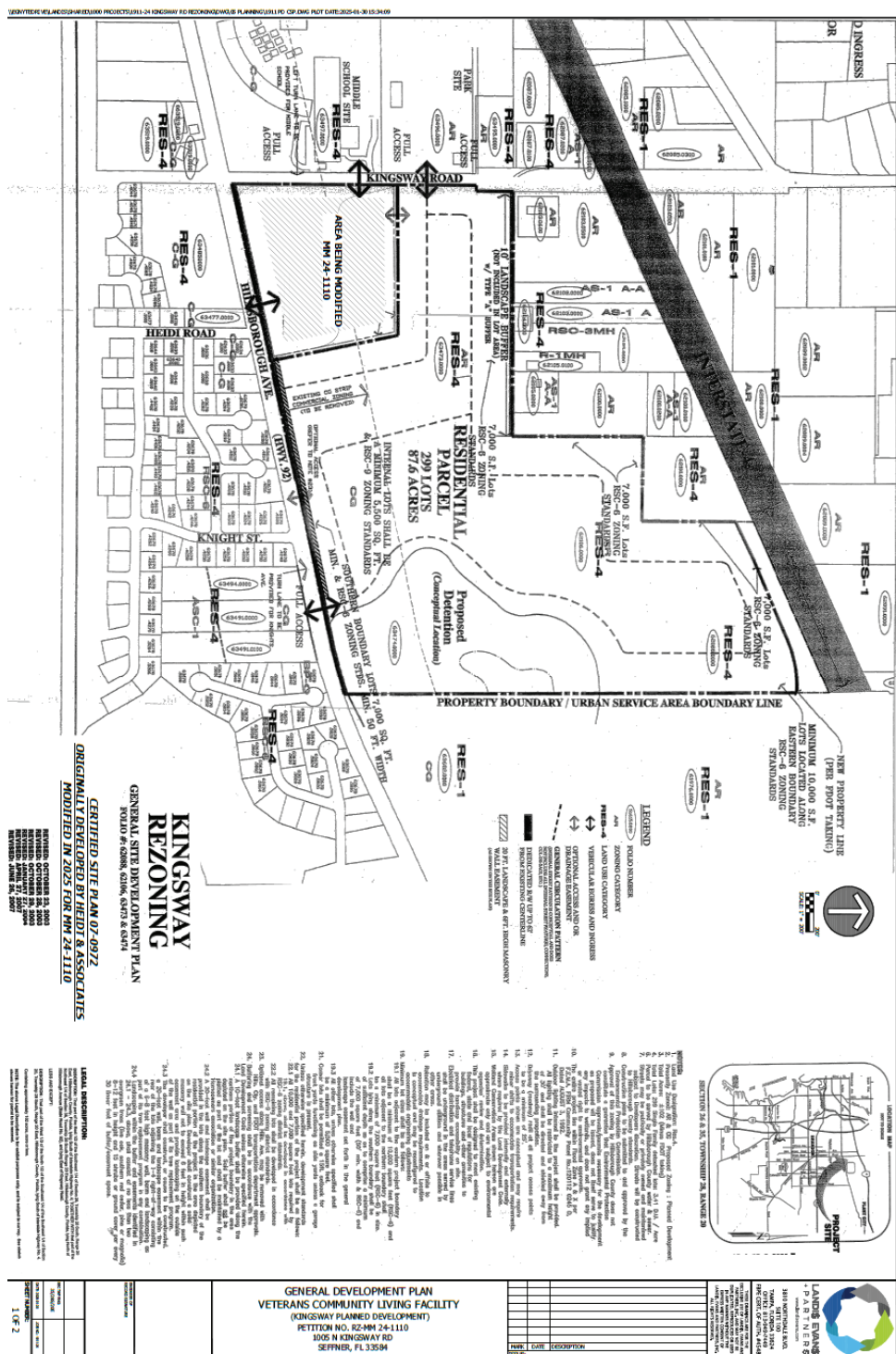


## 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

### 8.1 Approved Site Plan (Full)



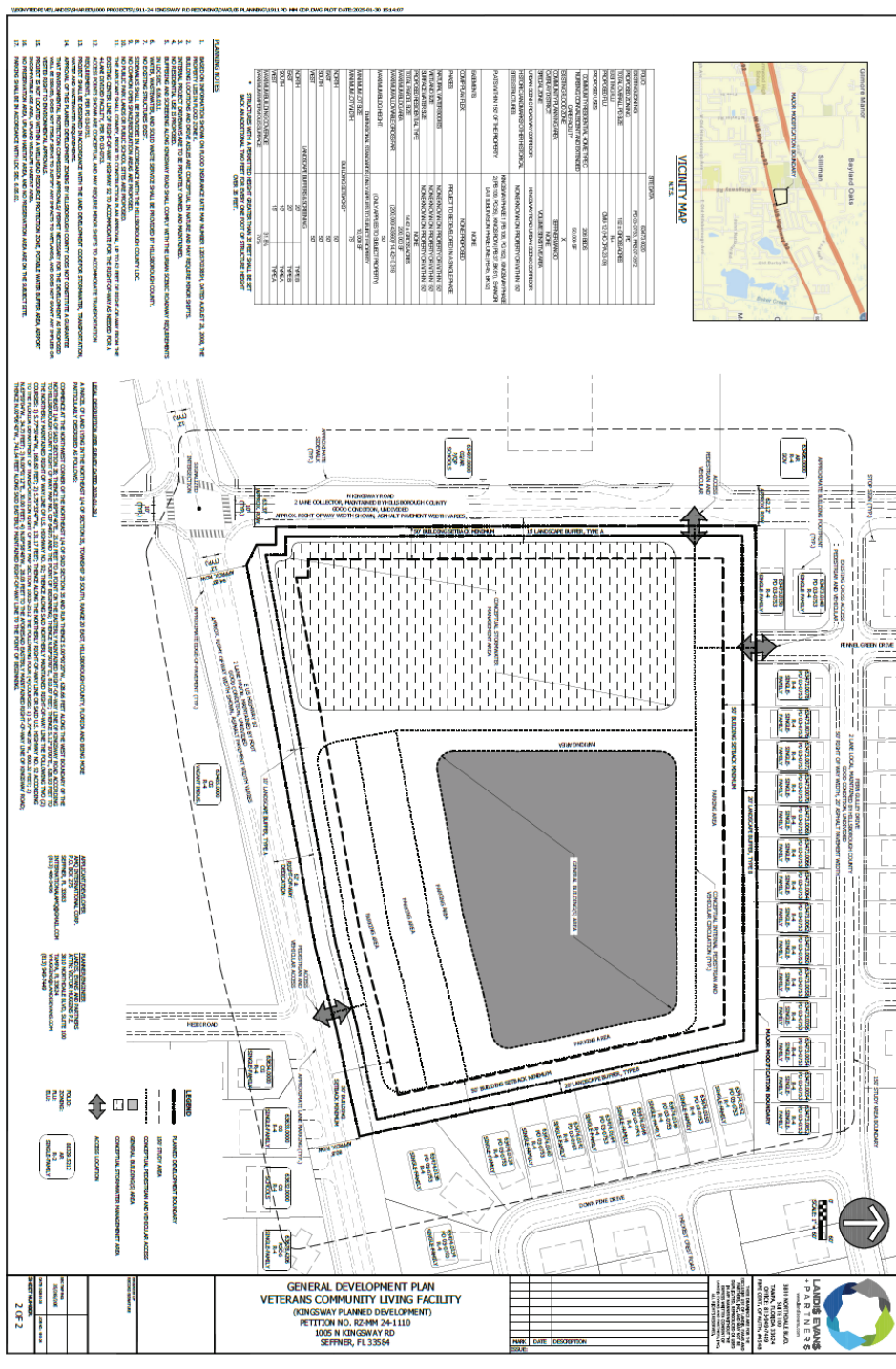
## 8.2 Proposed Site Plan (Full)





## 8.0 SITE PLANS (FULL)

## 8.2 Proposed Site Plan (Full)



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

## AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 01/08/25

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/ Central

PETITION NO: MM 24-1110

- ☐ 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.

### **NEW AND REVISED CONDITIONS OF ZONING APPROVAL**

#### Revised Conditions

5. With Respect to Project Access:

5.1 The following condition shall apply to development within the Residential Parcel:

The design, number, and location of the access points shall be regulated by the Hillsborough County Access Management Regulations as found within the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department and/or the Florida Department of Transportation. Final design, if approved by Hillsborough County and/or FDOT may include but is not limited to, left turn lanes, acceleration lanes, and deceleration lanes. Access points may be restricted in movements.

- 5.1.1 Removal of the center access point on U.S. 92, as noted on the site plan may be permitted subject to review and approval by Hillsborough County and/or FDOT.

5.2 The following condition shall apply to development within the Area Being Modified by 24-1110:

Notwithstanding anything shown on the PD site plan to the contrary, the presence or absence of access, number, design and location of the access point(s) shall be regulated by the Hillsborough County Land Development Code (LDC), Transportation Technical Manual (TTM) and other applicable regulations. The design, relocation, modification, closure or addition of median openings and curb cuts are subject to approval by Hillsborough County Development Services at the time of plat/site/construction plan approval. The need for site access improvements at project entrances and affected intersections will be determined at the time of plat/site/construction plan approval, and access location or characteristics may require Sec. 6.04.02.B. Administrative Variances and/or Design Exceptions which will be adjudicated at the time of plat/site/construction plan approval. Applicants who are unable to meet access management regulations, other applicable regulations, and/or obtain the appropriate relief may be unable to construct the project to its maximum entitlements.

- 5.2.1 Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the MM 24-1110 boundaries.

- 5.2.1 Vehicular access may be permitted along the western, northern and/or southern boundaries, and any buffers shown on the PD site plan shall not be interpreted as prohibiting access.



*[Staff is proposing to modify this condition to reflect the applicant's desire to defer review and determination of project access and required site access improvements to the site/construction plan review phase. Staff notes that the while the latest applicant proposed conditions (date typed 11/17/24) indicated a desire to include a condition which specified number of access connections, staff confirmed on a 2/7/2025 phone call with the applicant's representative that they intend to defer all access and substandard roadway determinations, as well as any Section 6.04.02.B. Administrative Reviews and/or Design Exceptions which may be necessary to review and approve such access connections, to the site/construction plan stage. As such, staff has substituted the above condition changes regarding site access improvements].*

8. With respect to the Hillsborough County Corridor Preservation Plan:

8.1 The following condition shall apply to development within the Residential Parcel:

The applicant shall convey to Hillsborough County, upon written request of the County or prior to Construction Plan or Final Plat approval whichever comes first, up to 62 feet of right-of-way from the existing center line of right-of-way on Highway 92 to accommodate for the right-of-way as needed for a 4-lane divided facility consistent with the current MPO Long Range Transportation Plan Map.

8.2 The following condition shall apply to development within the Area Being Modified by 24-1110:

Consistent with the Hillsborough County Corridor Preservation Plan (HCCPP), the developer shall preserve sufficient right-of-way to accommodate a future 4-lane roadway along the project's US 92 frontage, currently anticipated to be up to +/- 63 feet of right-of-way along the project's US 92 frontage. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.

*[Staff is proposing to modify this condition. FDOT staff provided comments indicating that up to 63 feet of right-of-way is needed along the project's frontage. Staff notes that old language which applies to the PD (including the Residential areas which are not in the modification process and therefore cannot be changed) required dedication of the right-of-way. Current rules specify that only preservation is required, and the applicant has not indicated a desire to voluntarily dedicate and convey the right-of-way. As such, staff has modified the condition to be consistent with FDOT's stated width requirements and the current LDC regarding corridor preservation].*

~~9. The developer of the commercial property, upon approval by Hillsborough County, the School Board or FDOT, shall provide a left turn lane for entry into Burnett Middle School main entry off Kingsway Avenue. Such turn lane shall be of sufficient length as to provide a free lane of northbound traffic on Kingsway Avenue past the existing front entry to Burnett Middle School.~~

*[Staff is proposing to modify this condition to reflect the applicant's desire to defer review and determination of project access and required site access improvements to the site/construction plan review phase. Staff notes that the while the latest applicant proposed conditions (date typed 11/17/24) indicated a desire to include a condition which specified number of access connections, staff confirmed on a 2/7/2025 phone call with the applicant's representative that they intend to defer all access and substandard roadway determinations, as well as any Section 6.04.02.B. Administrative Reviews and/or Design Exceptions which may be necessary to review and approve such access connections, to the site/construction plan stage. As such, staff has deleted the above condition since the need and scope of required site access improvements will now be determined at the plat/site/construction plan review stage].*

~~109.~~ With respect to required transportation analyses:

9.1 The following condition shall apply to development within the Residential Parcel:

Prior to Construction Site Plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve development traffic. If with the addition of project traffic, and if warranted by the results of the transportation analysis as determined by Hillsborough County and/or FDOT, the developer shall provide at his expense

left turn storage lanes of sufficient length to accommodate anticipated left turning traffic (for eastbound to northbound traffic) on Hwy 92 and at each access point into the site from Kingsway Avenue and US Hwy 92 to the project where a left turn is permitted. The design and construction of the left turn lanes shall be approved by Hillsborough County Planning and Growth Management Department and/or FDOT.

## 9.2 The following condition shall apply to development within the Area Being Modified by 24-1110:

Concurrent with each increment of plat/site/construction plan review, the developer shall submit a trip generation and site access analysis which will be used to determine the project impacts on adjacent roadway, including the number, type and configuration of each access. The analysis will be utilized to determine whether turn lanes and other site access improvements are required pursuant to Section 6.04.04.D of the Hillsborough County Land Development Code and other applicable regulations, and/or Florida Department of Transportation requirements, as applicable. The developer may be required to dedicate and convey or otherwise obtain additional right-of-way if necessary to accommodate required site access improvements.

*[Staff is proposing to modify this condition to reflect the applicant's desire to defer review and determination of project access and required site access improvements to the site/construction plan review phase. Staff notes that the while the latest applicant proposed conditions (date typed 11/17/24) indicated a desire to include a condition which specified number of access connections, staff confirmed on a 2/7/2025 phone call with the applicant's representative that they intend to defer all access and substandard roadway determinations, as well as any Section 6.04.02.B. Administrative Reviews and/or Design Exceptions which may be necessary to review and approve such access connections, to the site/construction plan stage. As such, staff has substituted the above condition changes regarding site access improvements].*

### New Conditions

- As Kingsway Rd. is a substandard collector roadway, the developer will be required improve the public roadway network, between any project access which may be granted to Kingsway Rd. and the nearest roadway meeting an applicable standard, to current County standards unless otherwise approved in accordance with Sec. 6.04.02.B. of the Hillsborough County LDC. Design Exceptions (DEs) and Design Deviation Memoranda (DDM) from Transportation Technical Manual (TTM) standards may be considered in accordance with Sec. 1.7 and other applicable sections of the TTM.

### Other Conditions

- Prior to PD certification, the developer shall revise the site plan as follows:
  - On sheet 1 of 2, remove the two access arrows from the "Area Being Modified" to Kingsway Rd. and US 92 (i.e. along the western and southern boundaries of the "Area Being Modified";
  - On sheet 1 of 2, remove the two access arrows from the Area Being Modified to Kingsway Road and US 92;
  - On sheet 2 of 2, remove the three access from the "Area Being Modified" to along the western, northern and southern boundaries of the "Area Being Modified". Also remove any connecting linework (e.g. conceptual circulation patterns) to those arrows which could denote access. Staff notes that pursuant to the proposed conditions, access to these areas will be determined at the time of plat/site/construction plan review.
  - On sheet 2 of 2, revise note 12 to instead state "Project access to the 24-1110 modification area will be determined at the time of plat/site/construction plan review."
  - On sheet 2 of 2, correct the preservation label and linework. The preservation should be consistent with FDOT guidance on corridor preservation (see FDOT notes and above condition), and the measurement must start from the edge of the existing right-of-way line.

## **PROJECT SUMMARY, SITE ACCESS CONSIDERATIONS, AND TRANSPORTATION ANALYSIS**

The applicant is requesting a Major Modification (MM) to a portion of an existing Planned Development (PD) #03-0753, as most recently amended via personal appearance (PRS) 07-0972. The MM area consists of a +/- 14.47 ac. parcel.

The existing PD currently has approval for a maximum of 299 single family homes as well as the following entitlements within the area which the subject of this MM request:

1. **Development within the project shall be limited to a maximum of 156,816 square feet of Commercial General Uses to be developed within the 14.4 acres parcel located within the southwest corner of the property as referenced on the site plan. The following uses shall not be permitted:**
  - 1.1 **Coin operated laundry and/or laundromat; funeral/mortuary; hotel/motel; any adult use and or massage parlor or any establishment selling or exhibiting paraphernalia for use with illicit drugs; pawn shops; fire arm sales; flea markets or the sale of second hand goods; bingo parlor, shooting gallery, or any off-track betting or gambling establishment; theatre or cinema; pool or billiard halls; bowling alleys; night clubs; catering or banquet halls; video/game centers or arcades; free standing liquor store or bar.**
  - 1.2 **Billboards shall not be permitted.**

The applicant is proposing to modify entitlements and access within the +/- 14.41 ac. area. Specifically, the above commercial uses are being replaced with a Community Residential Home Type C with a maximum of 206 beds. The applicant is also proposing to defer site access and substandard roadway determinations to the plat/site/construction plan review stage of the development process. As such, staff has proposed a condition which requires the applicant to remove access arrows from the modification area (since the number, location, presence and type of access has not yet been reviewed or determined).

Since the project will generate more than 50 peak hour trips at buildout, a detailed transportation analysis was required per the Development Review Procedures Manual (DRPM). Consistent with Sec. 6.2.1.C of the DRPM staff has waived the required transportation analysis given the fact that project access is being deferred, given that project access has not been reviewed and approved, and therefore trip assignments to adjacent roadways cannot be determined or analyzed. Any analysis submitted by the applicant was not analyzed, and would only represent one possible access scenario, given the applicant's deferral of project access determination to the plat/site/construction plan review stage.

### **Trip Generation Comparison**

Staff has prepared a comparison of the potential number of peak hour trips generated under the existing and proposed zoning designations within the Major Modification area, utilizing a generalized worst-case scenario. Data shown below is based on the 11<sup>th</sup> Edition of the Institute of Transportation Engineer's Trip Generation Manual.

Existing Uses (Modification Area Only):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 141,816 g.s.f. Shopping Plaza with Supermarket (ITE Code 821)	8,410	314	802
PD, 15,000 s.f. Fast food with drive-through uses (ITE Code 934)	7,012	669	496
<b>Total:</b>	<b>15,422</b>	<b>983</b>	<b>1,298</b>

Proposed Uses (Modification Area Only):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 206 Bed Community Residential Home Type C (ITE Code 254)	536	37	49

Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Total:</b>	<b>(-) 14,886</b>	<b>(-) 946</b>	<b>(-) 1,249</b>

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

US 92 is a publicly maintained 2-lane, undivided, principal arterial roadway characterized by 12-foot-wide travel lanes. There are +/- 5-foot bicycle facilities (on paved shoulders) along the roadway in the vicinity of the proposed project. There are +/- 5-foot-wide sidewalks along portions of both sides of the roadway in the vicinity of the proposed project. The roadway is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. FDOT staff indicated that there is an approved PD&E for this section of US 92 which requires up to +/- 63 feet of right-of-way along the project's frontage. Staff has included a condition requiring preservation of this area in accordance with the Hillsborough County Corridor Preservation Plan and LDC.

Kingsway Rd. is a 2-lane, undivided, publicly maintained, substandard, collector roadway. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. There are +/- 5-foot-wide sidewalks along portions of the east and west side of Kingsway Rd. in the vicinity of the proposed project. There are no bicycle facilities along Kingsway Rd. in the vicinity of the proposed project.

### **SITE ACCESS/ SUBSTANDARD ROADS**

The residential portions of the PD have access to both Kingsway Rd. and US 92. Consistent with recent policy changes which were made after the application was initially submitted, the applicant has chosen to defer review and approval of project access serving the modification area until the plat/site/construction plan review phase. The number, presence, and location of access connections will be reviewed by the County and/or FDOT (as applicable), during future plans review. At such time the applicant will have to provide a trip generation and site access analysis to determine whether any turn lanes are warranted pursuant to County and/or FDOT standards.

Kingsway Rd. is a substandard roadway. Also, any access to the modification area would occur within a school zone serving Burnett Middle School. Any proposed access to Kingsway Dr. will trigger substandard road improvements as identified in the conditions located hereinabove, as well as potential site access or other improvements.



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

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Kingsway Rd.	US 92	I-4	D	C
US 92	Kingsway Rd.	McIntosh Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

## Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Kingsway Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - To Be Determined
US 92	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other – To Be Determined
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15,422	983	1,298
Proposed	536	37	49
Difference (+/-)	(-) 14,886	(-) 946	(-) 1,249

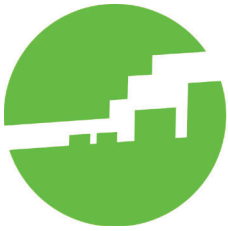
\*Trips reported are based on gross external trips unless otherwise noted.

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes: To be determined at the time of plat/site/construction plan review.				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes: To be determined at the time of plat/site/construction plan review.		

Transportation Comment Sheet

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



**Hillsborough County  
City-County  
Planning Commission**

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

Unincorporated Hillsborough County Rezoning Consistency Review	
<b>Hearing Date:</b> February 18, 2025  <b>Report Prepared:</b> February 7, 2025	<b>Case Number:</b> MM 24-1110  <b>Folio(s):</b> 63473.0020  <b>General Location:</b> North of East US Highway 92, east of North Kingsway Road, south of Interstate 4, west of Down Pine Drive.
<b>Comprehensive Plan Finding</b>	<b>INCONSISTENT</b>
<b>Adopted Future Land Use</b>	Residential-4 (4 du/ga;0.25 FAR)  *Concurrent with HC/CPA 23-09 (Residential-4 to Community Mixed Use-12)
<b>Service Area</b>	Urban
<b>Community Plan(s)</b>	Seffner-Mango
<b>Rezoning Request</b>	Major Modification: Option 1 - To allow for the development of a 200,000 square foot Community Residential Home Type C/Nursing, Convalescent and Extended Care Facility  Option 2 – Development of a maximum of 156,000 square feet of Commercial General (CG) uses and residential uses
<b>Parcel Size</b>	+/- 14.47 acres
<b>Street Functional Classification</b>	East US Highway 92 – State Principal Arterial



	North Kingsway Road – County Collector Interstate 4 – State Principal Arterial Down Pine Drive – Local
<b>Commercial Locational Criteria</b>	Meets
<b>Evacuation Area</b>	None

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
<b>Subject Property</b>	Residential-4	PD	Vacant
<b>North</b>	Residential-4	PD	Single-Family Residential
<b>South</b>	Residential-4	CG	Single-Family Residential
<b>East</b>	Residential-4	PD	Single- Family Residential + Vacant
<b>West</b>	Public/Quasi-Public	CG + AR	Educational + Public/Quasi-Public

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

The subject site is located north of East US Highway 92, east of North Kingsway Road, south of Interstate 4 and west of Down Pine Drive on approximately ± 14.47 acres. The site is in the Urban Service Area and within the limits of the Seffner-Mango Community Plan. The applicant requests a Major Modification to an existing Planned Development (PD 03-0753) and is concurrent with HC/CPA 23-09, a plan amendment request to change the site’s Future Land Use designation from Residential-4 (RES-4) to Community Mixed Use-12 (CMU-12). The Planning Commission Hearing date was on August 12, 2024, and the Comprehensive Plan Amendment was found Inconsistent.

The applicant is requesting a Major Modification to develop a Veterans Community Living Center, listed under the Land Development Code as a Community Residential Home Type C and a Nursing, Convalescent

and Extended Care Facility at the location while preserving the PD entitlements that are in place. There are two options with this request. Option 1 is to keep the existing PD that is in place which allows for CG uses up to 156,000 square feet along with residential uses and Option 2 is to allow a 200,000 square foot building, of which 150,000 square feet would be dedicated to a Community Residential Home type C and 50,000 square feet dedicated to a Nursing, Convalescent and Extended Care Facility.

Per FLUE Policy 7.1, the Future Land Use Map shall be used as the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions. Per Objective 8 of the FLUE, Future Land Use categories outline the maximum level of intensity or density, and range of permitted land uses allowed in each category. The proposed modification includes the addition of a second development option. Option 2 includes an increase in square footage from the approved 156,000 square feet of non-residential uses to 200,000 square feet of residential support uses. Per the CMU-12 Future Land Use classification, the maximum intensity permitted is 0.50 FAR. The maximum density that may be considered is up to 12 dwelling units per gross acre in the CMU-12 category. While the Community Residential Home use utilizes density (dwelling units per gross acre), the Nursing, Convalescent and Extended Care Facility use utilizes intensity (Floor Area Ratio or FAR). The applicant has not specifically included information on the Site Data Table on the site plan to indicate the acreage of the site dedicated to each use. Therefore, Planning Commission staff has utilized the percentages outlined in the narrative by the applicant for each use: 75% of the building is to be utilized for the Community Residential Home and 25% for the Nursing, Convalescent and Extended Care Facility. With 14.42 acres, 75% of the site is 10.8 acres with the remaining 25% being 3.62 acres. The Community Residential Home would allow for up to 648 beds ( $10.8 \text{ acres} \times 12 \text{ du/ac} = 129 \text{ dwelling units} \times 5 \text{ beds per dwelling unit}$ ). With the remaining 3.62 acres, the Nursing, Convalescent and Extended Care Facility would allow up to 78,843 square feet ( $3.62 \text{ acres} \times 43,560 = 157,687 \times 0.50 \text{ FAR}$ ). With 206 beds proposed for the Community Residential Home and 50,000 square feet proposed for the Nursing, Convalescent and Extended Care Facility, the proposed density and intensity is consistent with FLUE Policy 7.1 and FLUE Objective 8.

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." FLUE Objective 17 outlines that certain non-residential uses, including residential support facilities, are allowed in residential neighborhoods to directly serve the population. This Objective further states that these uses must be located and designed in a manner to be compatible with the surrounding residential development pattern. FLUE Policy 17.1 states that residential support uses (i.e. child care centers, churches, adult day care centers) must be designed in an intensity and scale that is compatible with the surrounding land uses and zoning. The applicant is proposing a 200,000 square foot building that is 50 feet in height on the eastern portion of the 14.42-acre site. The size and height of the proposed building would be out of scale with the existing single-family residential development directly adjacent to the subject site to the north and east. In addition, according to comments made by the Hillsborough County Developmental Services Department, the application needs a distance separation waiver from commercial and it will not comply with the Land Development Code (LDC) requirement to be residential in appearance. The LDC requirement requiring a residential design of the building helps to keep these types of buildings in a scale and design that is complementary to the surrounding residential development pattern. Therefore, the proposed modification is inconsistent with FLUE Policy 1.4, FLUE Objective 17 and FLUE Policy 17.1.

The proposal does not meet the intent of the Neighborhood Protection policies outlined in the Future Land Use Element (FLUE), including policy direction in the Community Design Component (FLUE Objective 16, CDC Objective 12-1, CDC Policy 12-1.4, CDC Objective 17-1 and CDC Policy 17.1-4). Policy 16.1 requires development in residential areas to be limited to a neighborhood scale. The subject site is adjacent to established residential neighborhoods directly to the north and east. The proposed 200,000 square foot building with a height of 50 feet does not align with the development pattern of the surrounding area and is significantly out of scale with the surrounding single-family residential neighborhood. FLUE Policy 16.5 states that the 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. Although the site is being accessed from North Kingsway Road, the subject site also has access from the north from Funnel Green Drive, a local roadway. The proposal is not consistent with Objective 16 and its accompanying policies.

The Seffner-Mango Community Plan does not have any related policies regarding this Major Modification.

Overall, staff find that the proposed use is an allowable use in the CMU-12 Future Land Use category, but is too intensive in scale and design and is therefore not compatible with the existing development pattern found within the surrounding area. The proposed Major Modification would not allow for development that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

#### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Major Modification **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

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

##### **FUTURE LAND USE ELEMENT**

##### ***Urban Service Area***

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

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

***Policy 7.1:***The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities

*and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text. The Future Land Use Map shall identify Future Land Use categories, summarized in Table 2.2 and further described in Appendix A, that establish permitted land uses and maximum densities and intensities.*

### **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.*

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

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

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

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

### **Neighborhood/Community Development**

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

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

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



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

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

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

**16.5:** Development of higher intensity High intensity non-residential development shall be located external to emerging and land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing residential neighborhoods and accessed on arterial or collector roadways.

### **Neighborhood and Community Serving Uses**

**Objective 17:** Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

**Policy 17.1:** Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories consistent with the following criteria:

- a) The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning;

### **Community Design Component (CDC)**

#### **4.3 COMMERCIAL CHARACTER**

**GOAL 9:** Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.

**Policy 9-1.2:** Avoid “strip” development patterns for commercial uses.

### **5.0 NEIGHBORHOOD LEVEL DESIGN**

#### **5.1 COMPATIBILITY**

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

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

## **7.0 SITE DESIGN**

### **7.1 DEVELOPMENT PATTERN**

**GOAL 17:** *Develop commercial areas in a manner which enhances the County's character and ambiance.*

**OBJECTIVE 17-1:** *Facilitate patterns of site development that appear purposeful and organized.*

**Policy 17-1.4:** *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

# HILLSBOROUGH COUNTY FUTURE LAND USE

RZ MM 24-1110

<all other values>

Rezonings

STATUS

APPROVED  
CONTINUED  
DENIED  
WITHDRAWN  
PENDING

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

WARM NATURAL LULC\_Wet\_Poly  
AGRICULTURAL MINING-120 (.25 FAR)  
PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)  
AGRICULTURAL-1/10 (.25 FAR)  
AGRICULTURAL/RURAL-1/5 (.25 FAR)  
AGRICULTURAL ESTATE-1/2.5 (.25 FAR)  
RESIDENTIAL-1 (.25 FAR)  
RESIDENTIAL-2 (.25 FAR)  
RESIDENTIAL PLANNED-2 (.35 FAR)  
RESIDENTIAL-4 (.25 FAR)  
RESIDENTIAL-6 (.25 FAR)  
RESIDENTIAL-9 (.35 FAR)  
RESIDENTIAL-12 (.35 FAR)  
RESIDENTIAL-16 (.35 FAR)  
RESIDENTIAL-20 (.35 FAR)  
RESIDENTIAL-35 (1.0 FAR)  
NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)  
SUBURBAN MIXED USE-6 (.35 FAR)  
COMMUNITY MIXED USE-12 (.50 FAR)  
URBAN MIXED USE-20 (1.0 FAR)  
REGIONAL MIXED USE-35 (2.0 FAR)  
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/QUASI-PUBLIC  
NATURAL PRESERVATION  
WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)  
CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is intended to be used as a guide only and is not intended to be used as a legal document. It is intended that the map be used in conjunction with the official zoning map. Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. It is the most current data and information, and the appropriate use of it.



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Author: Beverly F. Daniels  
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