

Rezoning Application: PD 23-0085

Zoning Hearing Master Date: May 15, 2023

BOCC Land Use Meeting Date: July 18, 2023

1.0 APPLICATION SUMMARY

Applicant: High Point Engineering / Braulio Grajales

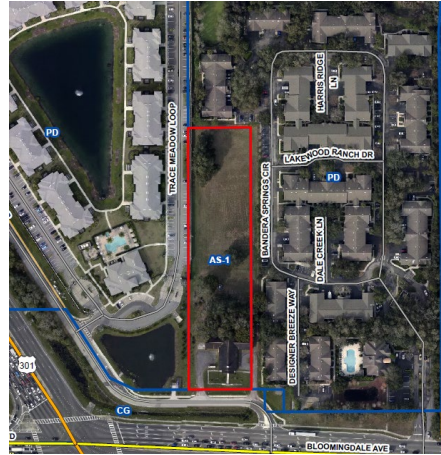
FLU Category: UMU-20

Service Area: Urban

Site Acreage: 2.76 AC +/-

Community Plan Area: Brandon

Overlay: None



Introduction Summary:

The existing zoning is AS-1 (Agricultural, Single Family) which permits agricultural and single family residential uses pursuant to the development standards in the table below. The proposed zoning for Planned Development (site plan controlled district) to allow a Housing for Older Persons (multi-family) development, consisting of a maximum of 75 apartment dwelling units and a 150 seats Church, and ancillary uses pursuant to the development standards in the table below and site plan depicted in 2.4 of the report. An Affordable Housing Density Bonus was requested to increase from 20 to 35 DU/AC .

Zoning:	Existing	Proposed
District(s)	AS-1	PD
Typical General Use(s)	Single-Family Residential (Mobile Home only)	75 dwelling units in a Multifamily project
Acreage	2.76 Acres	2.76 Acres
Density/Intensity	1 DU/AC	35 DU/AC (With Density Bonus)
Mathematical Maximum*	2 DU	75 DU

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AS-1	PD
Lot Size / Lot Width	1 Acre/ 150'	0.5 Acres / 100'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	20' Front 5' buffer, type A Screening Rear 5' buffer, type A Screening Side
Height	50'	50'/ 4 stories

Additional Information:

PD Variation(s)	None requested as part of this application
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APPLICATION NUMBER: PD 23-0085

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Case Reviewer: Tania C. Chapela

Waiver(s) to the Land Development Code

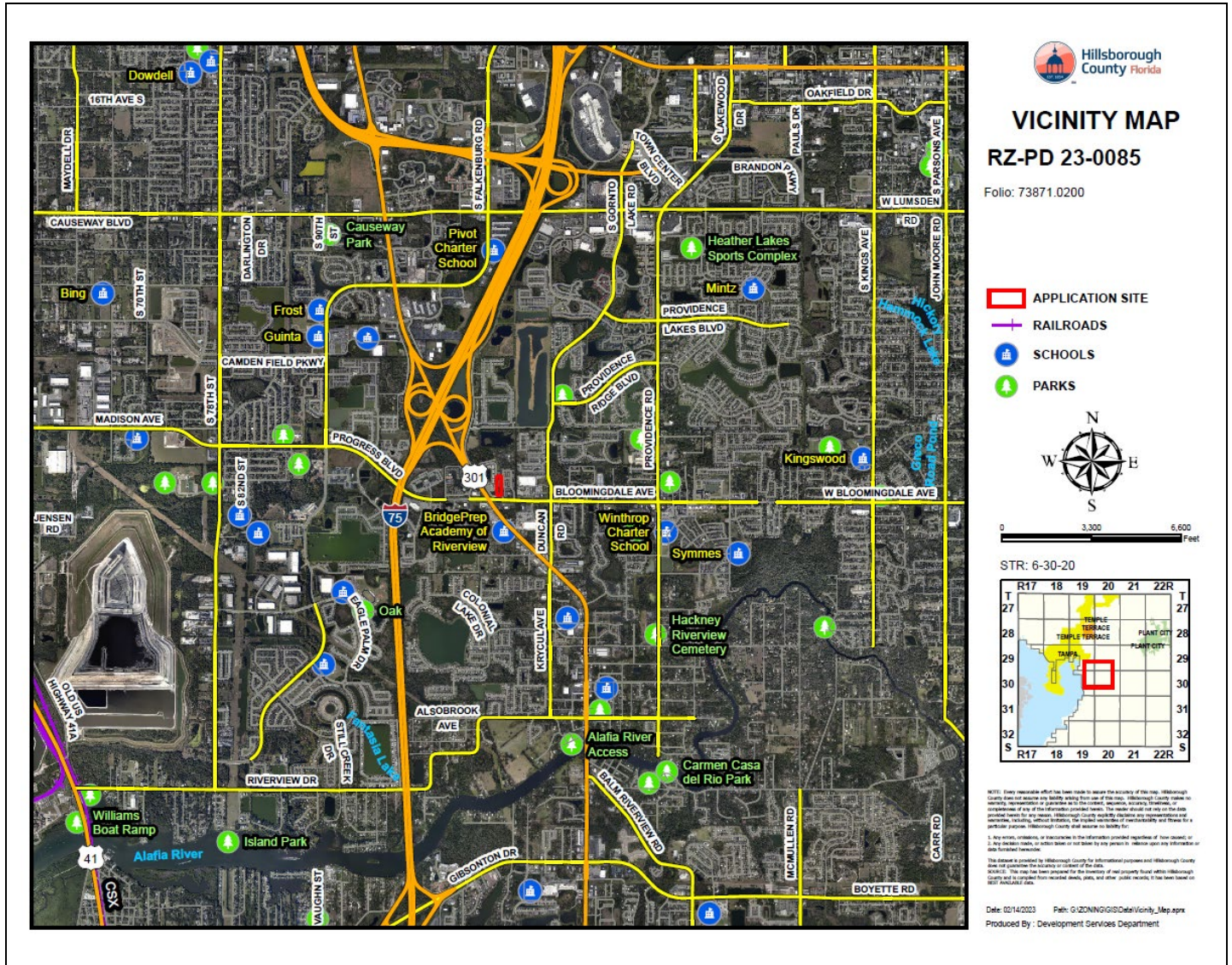
A waiver to the LDC Sec. 6.01.01 Endnote #8 which requires an additional 2 feet of setback for each foot of structure height over 20 feet.

**Planning Commission
Recommendation:**

Development Services Recommendation:
Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

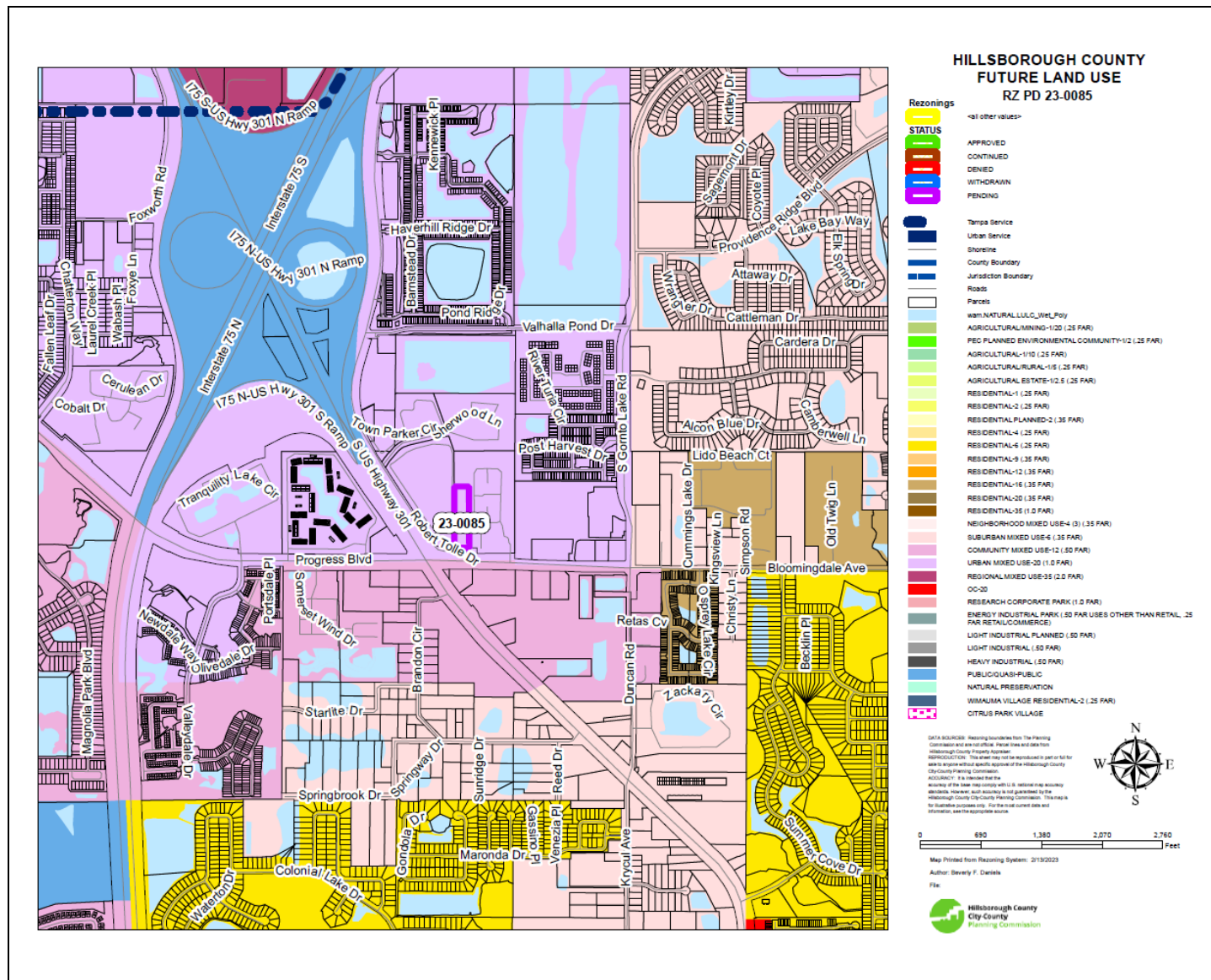


Context of Surrounding Area:

The parcel is located along Robert Tolle Dr. , a local road. The property is located approximately 300 feet northeast of the intersection of W Bloomingdale Ave. and US Highway 301 S. The surrounding properties to the north, east and west are zoned PD, and approved for Multifamily uses with a maximum density of 20 DU/AC.

2.0 LAND USE MAP SET AND SUMMARY DATA

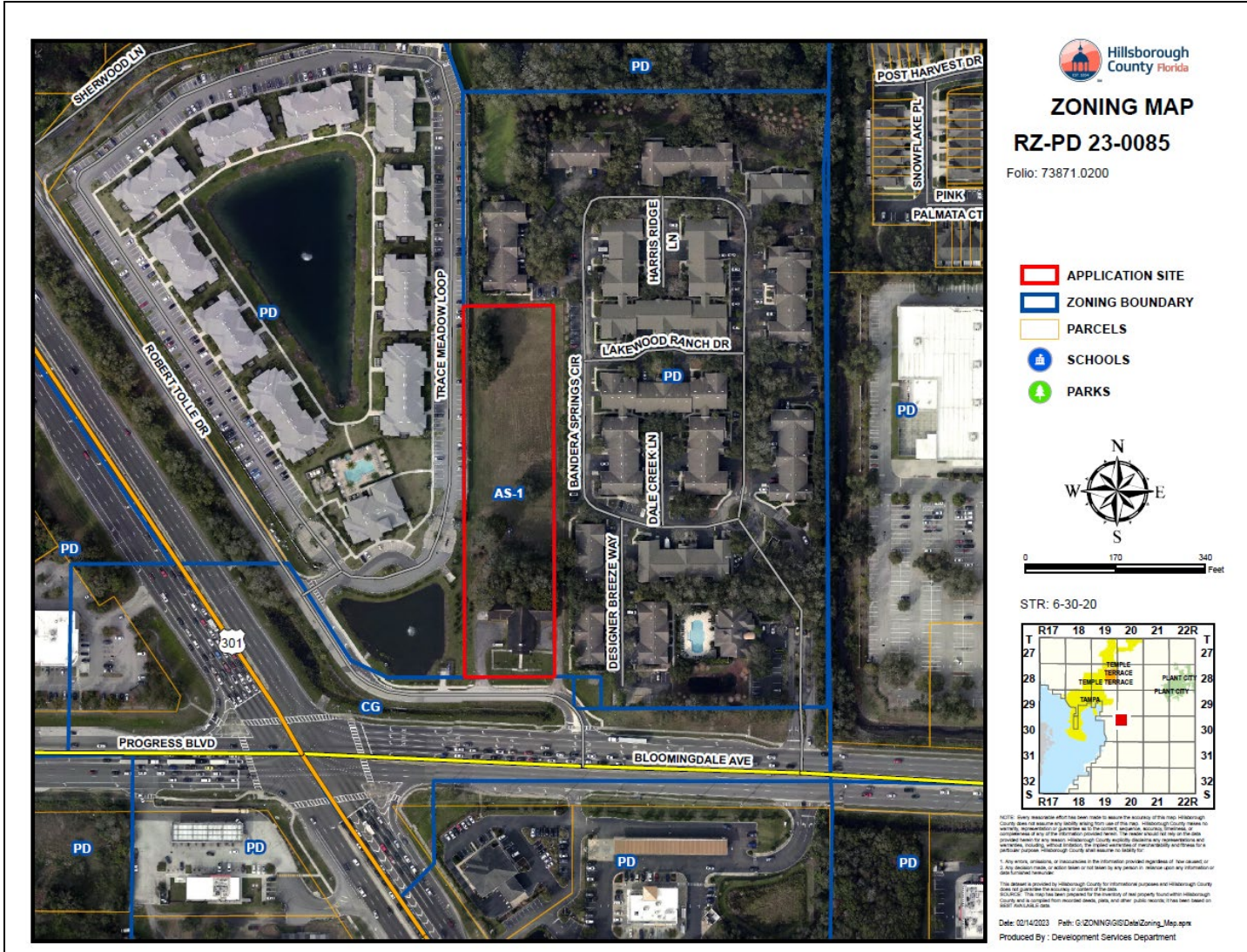
2.2 Future Land Use Map



Subject Site Future Land Use Category:	UMU-20 (Urban Mixed-Use 20)
Maximum Density/F.A.R.:	20 DU/AC, 1.0 FAR
Typical Uses:	Residential, regional commercial, offices, business parks, research park, light industrial, multipurpose, clustered residential, 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	PD	20 DU/AC	Multifamily	Multifamily
South	PD	0.27 FAR	Commercial Intensive	Office
East	PD	20 DU/AC	Multifamily	Multifamily
West	PD	20 DU/AC	Multifamily	Multifamily

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Robert Tolle Dr.	FDOT Local - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" 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

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	135	11	15
Proposed	377	26	34
Difference (+/1)	(+) 15	(+) 19	

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

Connectivity and Cross Access

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

Design Exception/Administrative Variance

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input 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
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input 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 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	
Impact/Mobility Fees (Fee estimate is based on a 1,200 square foot, Multi-Family Units 3-10 story) Mobility: \$4,864 * 75 units = \$364,800 Parks: \$1,555 * 75 units = \$116,625 School: \$3,891 * 75 units = \$291,825 Fire: \$249 * 75 units = \$ 18,675 Total Multi-Family (1-2 story) = \$791,925				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments

Planning Commission				
<input type="checkbox"/> Meets Locational Criteria	<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Locational Criteria Waiver Requested		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> No
<input type="checkbox"/> Minimum Density Met	<input type="checkbox"/> N/A			

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The proposed residential use is comparable to the adjacent multifamily developments and commercial development to the south. The proposed Affordable Housing density bonus allows for up to 33.36 DU/AC, exceeding the UMU-20 FLU 20 DU/AC maximum density, and surpassing the surrounding existing density pattern. However, the proposed 62+ age restriction will not add to the existing school capacity. Furthermore, the existing church 0.36 FAR will remain under the 0.75 Maximum FAR allowable in the UMU-20 Comprehensive Plan category.

The proposed building area will intrude into the required east side setbacks. However, the front, rear and west side setbacks will not create a significant change in the visual character of the area.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping the general development pattern of the area.

5.2 Recommendation

Staff recommends approval of the applicant’s request, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted April 16, 2023.

Prior to certification the following condition shall be met:

A note placed on the face of the plan shall indicate that this project is deed restricted.

1. The project shall be limited to a Housing for Older Persons (multi-family) development, consisting of a maximum of 75 apartment dwelling units (35 units per acre if developed in compliance with Affordable Housing Density Bonus provision of the Hillsborough County Comprehensive Plan) with and a 150-seats Church and its ancillary uses. If not developed in compliance with the Affordable Housing Density Bonus provision of the Hillsborough County Comprehensive Plan, the project shall be limited to a maximum of 55 units (20 units per acre).

1.1 Deed shall restrict the property prohibiting the permanent occupancy of a resident under the age of 62. Such restriction must be recorded and irrevocable for at least 30 years.

2. Development in excess of 55 units shall require compliance with the Affordable Housing Density bonus provisions in the Hillsborough County Comprehensive Plan Housing Section Policy 1.3.2, which includes the following:

2.1. The units shall remain affordable for a minimum of 30 years.

2.2 The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney’s Office.

2.3 A minimum of 15 units (20% of the total number of units proposed) shall be deemed affordable to households making 100% or less AMI. A minimum of 8 units (50% of required affordable units) shall be set aside for incomes at 60% or below AMI. The units deemed affordable to households shall remain affordable for a minimum of 30 years. The distribution of affordable units shall be:

- 8 units set aside for households earning 30% or less of the area median income ("AMI"),
- 7 units at 50% or less of the AMI,
- 34 units at 60% or less of the AMI,
- 26 units at 70% or less of the AMI.

2.4 Units shall be equitably and evenly distributed by location, type, and construction.

3. Lot Development Standards shall be as follows:

3.1 The residential site area shall meet the following development standards:

Minimum front yard building setback:	25 feet (South)
Minimum side and rear yard building setback:	15 feet (East); 65 feet (West)
Maximum Height:	50 Feet (4 Stories)

(No additional setback over 20 feet in height shall apply)

Maximum Building Coverage:	40%
Maximum Impervious Surface:	70%
Minimum Area per Dwelling unit:	550 Square Feet
Minimum Lot Size	21,780 Feet (0.50 Acres)
Minimum Lot Width	100 Feet

3.2 The Church site area shall meet the following development standards:

Minimum front yard building setback:	20 feet (South)
Minimum side and rear yard building setback:	15 feet (East); 0 feet (West)
Maximum Height:	50 Feet (4 Stories)

(No additional setback over 20 feet in height shall apply)


Maximum Building Coverage:	30%
Maximum Impervious Surface:	90%
Minimum Lot Size	21,780 Feet (0.50 Acres)
Minimum Lot Width	100 Feet

- 4. A 5 feet buffer, Type A screening shall be provided to the North, East, and West property lines.
- 5. Parking shall be regulated by the Land Development Code (LDC) Part 6.05.00, unless otherwise specified herein:
 - 5.1 Housing for Older Persons (multi-family) units shall be permitted a parking ratio of 0.33 spaces per dwelling unit. Additionally, 1 parking space shall be required per facility vehicle .
- 6. The project shall be limited to a church with a maximum of 150 seats and a maximum of 6,757 g.s.f. Accessory Family Support Services uses shall also be permitted within the church structure. Up to 75 multi-family dwelling units serving as Housing for Older Persons shall also be permitted within the site. As such, these units shall comply with Sec. 6.11.51 of the LDC.
- 7. The project shall be served by, and limited to, two (2) access connections to Robert Tolle Dr. as shown on the PD site plan. The westernmost access connection shall be a full access connection. The easternmost access connection shall be restricted to inbound movements only.
- 8. Prior to or concurrent with the initial increment of development, the developer shall construct minimum 5-foot-wide sidewalks (or in widths as otherwise labeled) as shown on the PD site plan, and reconfigure existing project access, driveways, and drive aisles as shown on the proposed PD site plan.
- 9. As shown on the PD site plan, prior to or concurrent with the initial increment of development the church shall close and remove the existing entrance on the western side of the church which would otherwise conflict with the new driveway running along the western portion of the site.
- 10. If the notes and/or graphics 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 regulations in effect at the time of preliminary plan/plat approval.

- 11. 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.
- 12. 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:



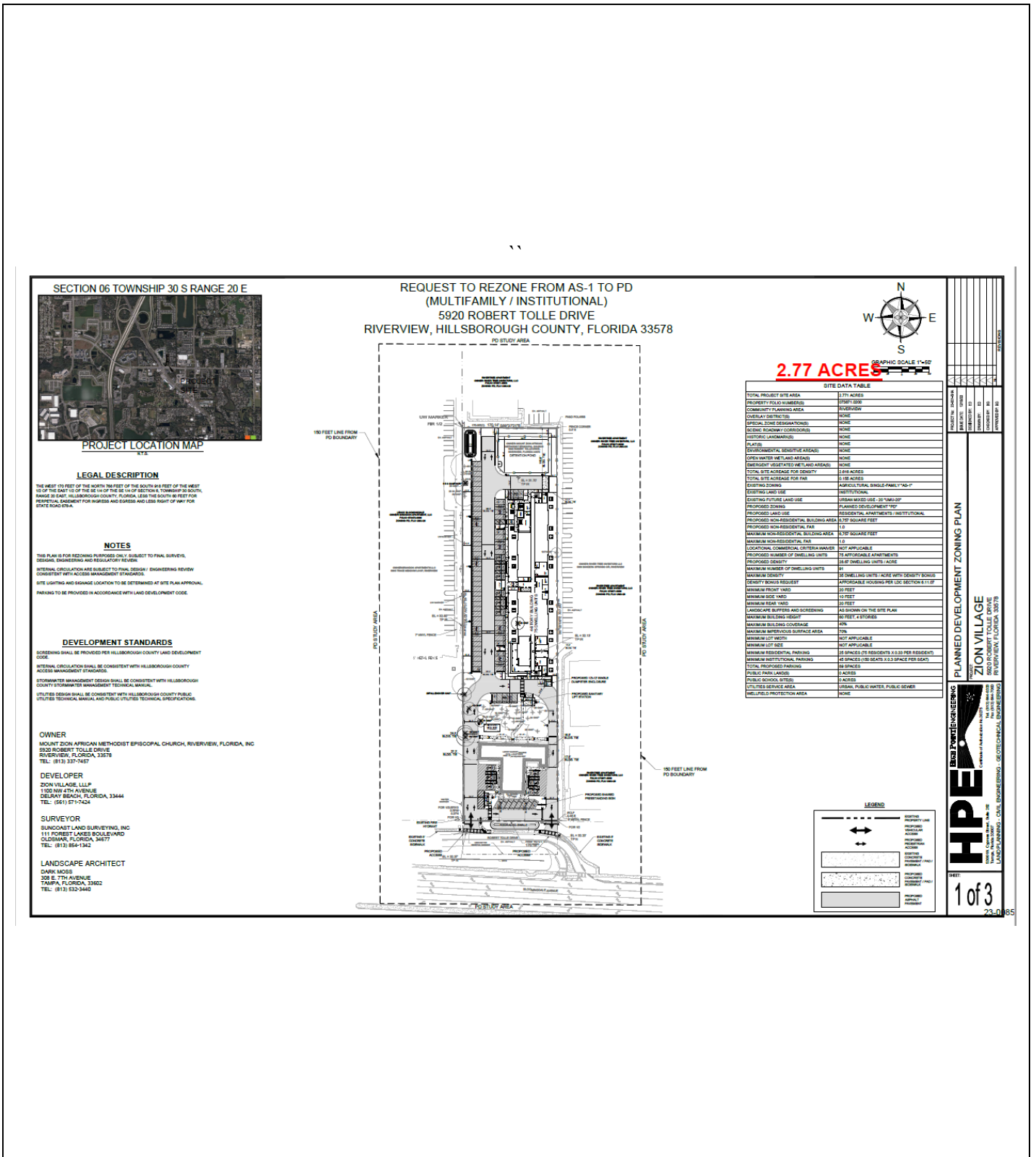
Brian Grady
Mon May 8 2023 14:34:00

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

8.0 PROPOSED SITE PLAN (FULL)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 5/4/2023

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: BR/ Central

PETITION NO: RZ 23-0085

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

CONDITIONS OF APPROVAL

1. The project shall be limited to a church with a maximum of 150 seats and a maximum of 6,757 g.s.f. Accessory Family Support Services uses shall also be permitted within the church structure. Up to 75 multi-family dwelling units serving as Housing for Older Persons shall also be permitted within the site. As such, these units shall comply with Sec. 6.11.51 of the LDC.
2. The project shall be served by, and limited to, two (2) access connections to Robert Tolle Dr. as shown on the PD site plan. The westernmost access connection shall be a full access connection. The easternmost access connection shall be restricted to inbound movements only.
3. Prior to or concurrent with the initial increment of development, the developer shall construct minimum 5-foot-wide sidewalks (or in widths as otherwise labeled) as shown on the PD site plan, and reconfigure existing project access, driveways, and drive aisles as shown on the proposed PD site plan.
4. As shown on the PD site plan, prior to or concurrent with the initial increment of development the church shall close and remove the existing entrance on the western side of the church which would otherwise conflict with the new driveway running along the western portion of the site.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 2.77 ac. parcel, from Agricultural Single-Family - 1 (AS-1) to Planned Development (PD). The proposed PD is seeking entitlements for up to allow a church (which is currently existing on site) with a maximum of 150 seats and a maximum of 6,757 g.s.f. The church also operates a food bank service, and therefore applicant is requesting accessory Family Support Services uses be permitted within the church structure. Up to 75 multi-family dwelling units serving as Housing for Older Persons shall also be permitted within the site. As such, these units shall comply with Sec. 6.11.51 of the LDC.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access letter for the proposed project indicating that, because the project generates less than 50 peak hour trips in any peak hour, no site access analysis was required to be performed. Staff has prepared the below comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Zoning (Existing Use):

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 150 seat Church (ITE LUC 560)	135	11	15

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 150 seat Church (ITE LUC 560)	135	11	15
PD, 75 multi-family dwelling units with Housing for Older Persons Restrictions (ITE LUC 252)	242	15	19
Subtotal:	377	26	34

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 242	(+) 15	(+) 19

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Robert Tolle Dr. is a 2-lane, undivided, local roadway, publicly maintained and under the permitting authority of the Florida Department of Transportation (FDOT), and is characterized by +/- 10 to 11-foot wide travel lanes in average condition. According to the County’s GIS roadway inventory, the roadway lies within an undifferentiated/combined right-of-way +/- 242 feet in width which serves both Bloomingdale Ave. and the subject roadway. There are +/- 5-foot wide sidewalks along the north side of Robert Tolle Dr. the vicinity of the proposed project. There are no bicycle facilities present on Robert Tolle Dr.

SITE ACCESS AND CONNECTIVITY

The applicant is proposing two access connections to serve the proposed project, given the constrained nature of the site and location of the existing building which is to remain. The westernmost access will be a full access connection and the easternmost access is proposed to be restricted to inbound movements only. FDOT staff reviewed this configuration and had no objection to this proposal.

The applicant will be required to construct a sidewalk connection between the existing sidewalk along Robert Tolle Dr. and proposed apartments on the north side of the site (as shown on the PD site plan).

TRANSIT FACILITIES

Given the size of the proposed project, transit facilities are not required pursuant to Sec. 6.03.09 of the LDC. Staff notes that there are existing HART bus stops located approximately 1,000 feet east of the subject site on Bloomingdale Ave.

ROADWAY LEVEL OF SERVICE

Robert Tolle Dr. is not included in the Hillsborough County Level of Service Report, and therefore LOS information cannot be provided. Level of Service (LOS) information for the adjacent segment of Bloomingdale Ave. is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Bloomington Ave.	US 301	Gornto Lake Dr.	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
Robert Tolle Dr.	FDOT Local - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	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	135	11	15
Proposed	377	26	34
Difference (+/-)	(+) 15	(+) 19	

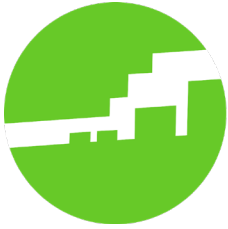
*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input 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**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 15, 2023	Petition: PD 23-0085
Report Prepared: May 3, 2023	5920 Robert Tolle Drive <i>Northeast side of Robert Tolle Drive and east of U.S. Highway 301 South</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Urban Mixed Use-20 (20 du/ga; 1.0 FAR)
Service Area	Urban
Community Plan:	Brandon
Requested Zoning:	Rezoning from Agricultural Single Family (AS-1) to Planned Development (PD) for 75 multi-family affordable housing units.
Parcel Size (Approx.):	2.76 +/- acres
Street Functional Classification:	Robert Tolle Drive – Local Road U.S. Highway 301 South – State Principal Arterial
Locational Criteria	N/A
Evacuation Zone	E



Context

- The approximately 2.76 +/- acre subject property is located on the northeast side of Robert Tolle Drive and east of U.S. Highway 301 South.
- The subject property is located in the Urban Service Area (USA). It is within the limits of the Brandon Community Plan, specifically the Urban General district on the Brandon Character Districts Map.
- The subject site is designated as Urban Mixed Use-20 (UMU-20) on the Future Land Use Map. Typical allowable uses in the UMU-20 Future Land Use category include residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. UMU-20 surrounds the subject site on the north, east and west. South of the site is the Community Mixed Use-12 (CMU-12) designation. Further northwest of the site is the Public/Quasi-Public (P/QP) Future Land Use category. Further east of the site is the Suburban Mixed Use-6 (SMU-6) Future Land Use category.
- Multi-family residential surrounds the site on the north, east and west. South across West Bloomingdale Avenue is public institutional, light and heavy commercial.
- The subject property is zoned as Agricultural Single Family (AS-1). PD zoning districts surround the subject site on the north, east, and west. To the south is the Commercial General (CG) zoning district.
- The applicant is requesting a rezoning from Agricultural Single Family (AS-1) to Planned Development (PD) for 75 multi-family affordable housing units.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

Policy 1.2: Minimum Density

All new residential or mixed-use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.

Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

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

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 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 16.2: *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 16.10: *Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

Objective 17: Neighborhood and Community Serving Uses

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;*

Policy 17.7: *New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.*

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

GOAL 12: *Design neighborhoods which are related to the predominant character of the surroundings.*

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.*

LIVABLE COMMUNITIES ELEMENT: BRANDON COMMUNITY PLAN

Goal 1: *Establish a balanced transportation system by prioritizing options to serve local and regional needs and facilitating multi-modal choices.*

5. *As roads are improved, require the addition of amenities for pedestrians and bicyclists. Provide intersection improvements, turn lanes, bicycle lanes, traffic signalization, roadway maintenance, crosswalks, and landscape improvements that maintain the adopted level of service and reflect the best practices of the Livable Roadways Guidelines.*

a. *New development and transportation infrastructure investments should place emphasis on proximity to community and social services, walkability and creating a healthy street life.*

b. *Accommodate all modes of transportation by providing safe and functional infrastructure and services for driving, walking, biking and transit compatible with the community character.*

i. *The community recognizes the need for a system of bike lanes and trails.*

Goal 6: *Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.*

5. *General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.*

b. *Urban General, including Brandon Main Street - Mixed use building types immediately adjacent to the Urban Center District designed to accommodate retail, offices and dwellings including row houses, town houses and multi-family housing. This district will contain a tight network of streets and blocks with wide sidewalks, consistent street tree planting and buildings 2-5 stories set close to the building setback line. Property within the Brandon Main Street (BMS) zoning districts shall be governed by the Brandon Main Street Development Regulations as set forth in the Land Development Code.*

HOUSING SECTION:

Policy 1.1.10: *Support rental housing opportunities, encouraging permanently affordable rental units.*

Objective 1.3: *Density bonuses will be utilized as an incentive to encourage the development of more affordable housing.*

Policy 1.3.1: *The maximum level of residential density and/or the maximum retail commercial Floor Area Ratio (FAR) permitted in each land use category may be increased, with project*

specific approval by the Board of County Commissioners and without requiring a Comprehensive Plan amendment, when the purpose for the increase is to provide moderate, low, very low, or extremely low-income affordable housing. Such an increase in density and/or Floor Area Ratio shall be part of an official request to rezone the subject parcel.

Policy 1.3.2: *In order to qualify for use of the Affordable Housing Density Bonus, the project shall meet the following criteria:*

- a. The site shall be wholly located within the Urban Service Area.*
- b. The site shall be in one of the residential or commercial Future Land Use categories as indicated in Table 1: Allowable Densities and Intensities for the Provision of Affordable Housing. The density bonus does not change the Future Land Use Map designation.*
- c. The site shall be serviced by public water and sewer and have access to public streets.*
- d. The units shall remain affordable for a minimum of 30 years.*
- e. The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office.*
- f. For projects that are proposed to be a mix of market rate and affordable units: The affordable units must be developed within the same project site as any market rate units provided; the affordable units shall not be transferred to a different site.*
- g. Units shall be equitably and evenly distributed by location, type, and construction.*
- h. A minimum 20% of the total number of units proposed shall be deemed affordable to households making 100% or less Area Median Income. The distribution of affordable units shall be as follows for properties greater than one acre:
 - i. A minimum fifty percent (50%) of affordable units shall be set aside for incomes at 60% or below Area Median Income,*
 - ii. The remaining affordable units not to exceed fifty percent (50%) shall be set aside for incomes at 100% or below Area Median Income.**
- i. To encourage residential infill and appropriate scale of transition, properties one acre or less may provide all required affordable units at or below 80% AMI.*

Objective 1.6: *Promote, facilitate, and provide housing opportunities to serve persons with a physical or developmental disability, people experiencing homelessness, those with intensive medical needs, the older population, farmworkers, and other groups protected by Title VI of the Civil Rights Act, the Fair Housing Act of 1968, and the Americans with Disabilities Act.*

Policy 1.6.15: *Promote and prioritize senior housing and opportunities to age in place.*

Staff Analysis of Goals, Objectives and Policies:

The approximately 2.76 +/- acre subject property is located on the northeast side of Robert Tolle Drive and east of U.S. Highway 301 South. The subject property is located in the Urban Service Area (USA). It is within the limits of the Brandon Community Plan, specifically the Urban General district on the Brandon Character Districts Map. The applicant is requesting a rezoning from Agricultural Single Family (AS-1) to Planned Development (PD) for 75 multi-family affordable housing units. Part of this application includes a density bonus for affordable housing. There is an existing church on site that would remain as part of this PD.

The subject site is designated as Urban Mixed Use-20 (UMU-20) on the Future Land Use Map. Typical allowable uses in the UMU-20 Future Land Use category include residential, regional scale commercial uses such as a mall, office and business park uses, research

corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects.

UMU-20 surrounds the subject site on the north, east and west. South of the site is the Community Mixed Use-12 (CMU-12) designation. Further northwest of the site is the Public/Quasi-Public (P/QP) Future Land Use category. Further east of the site is the Suburban Mixed Use-6 (SMU-6) Future Land Use category.

The proposal meets the intent of Objective 1 and Policy 1.4 of the Future Land Use Element of the Comprehensive Plan (FLUE) by providing residential use within the Urban Service Area where 80 percent of future growth is to be directed. The proposal meets the compatibility requirements of Policy 1.4 as the character of the area contains a wide variety of uses. Multi-family residential surrounds the site on the north, east and west. South across West Bloomingdale Avenue is public institutional, light and heavy commercial. Further west and east of the site contains a mix of multi-family, commercial, vacant, public institutional and single family properties.

The proposal supports the intent of Policy 1.6.15 by providing affordable housing options for the elderly. Per Policy 1.3.1 of the Housing Section, the affordable housing density bonus would allow for the maximum level of residential density in each land use category to be increased. In order to qualify for the bonus, certain criteria per Policy 1.3.2 must be met. The applicant has submitted a narrative stating how the project will meet the criteria. The site is in the Urban Service Area, serviced by public water and sewer and is one of the future land use map designations that is permitted the bonus. The density bonus does not change the Future Land Use Map designation. The site will be accessed at Robert Tolle Drive. The applicant has stated that the bonus will remain for 30 years and will be memorialized as determined by the County Attorney's Office. The site does not need to meet criteria F, as the entire project consists of affordable units. The proposed project is for 65% of the units that will be for households below or at 60% AMI and 35% of the units for households below or at 100% AMI. Consistency with the Comprehensive Plan's affordable housing density bonus criteria is based on the following conditions of approval.

- The units shall remain affordable for a minimum of 30 years.
- The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office.
- Units shall be equitably and evenly distributed by location, type, and construction.

Per FLUE Objective 8, the Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. UMU-20 allows up to a 1.0 FAR, or a maximum of 20 du/a on the subject site. The applicant is asking to retain the existing church and add 75 affordable housing units. The church sits on 0.5178 acres of the total subject site and is 6,757 sq. ft., which is far less than the maximum allowed on site of 22,555 sq. ft. Part of this application includes a density bonus for affordable housing. In the UMU-20 category, an affordable housing density bonus would permit up to 35 du/a. This would allow for a maximum of 78 units on site, the applicant is requesting 75 units. The intensity and density of the proposal is consistent with Objective 8.

Objective 17 and Policy 17.1 permit the development of residential support uses in all residential Future Land Use categories, subject to compatibility. The applicant is requesting to keep the existing church on site. The subject site is located in the UMU-20

Future Land Use category and the proposed use may be considered. Residential support uses are not subject to Commercial-Locational Criteria in the Comprehensive Plan.

FLUE Objective 9 and Policy 9.2 require that all developments be consistent with the Plan and meet all Land Development Regulations in Hillsborough County. The applicant has submitted a waiver to Sections 6.01.01 of the Land Development Code. In addition, at the time of filing this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

At the time of filing this report, Planning Commission staff did receive comments from the Affordable Housing Department. The department is the technical expert that guides staff in determining if a proposed development meets the criteria for an affordable housing project. The Affordable Housing Department has submitted a memo stating that the project is eligible for the Affordable Housing Density Bonus per the Hillsborough County Comprehensive Plan criteria under Policy 1.3.2. The memo states that the units deemed affordable to households shall remain affordable for a minimum of 30 years. The distribution of affordable units shall be:

- 8 units set aside for households earning 30% or less of the area median income ("AMI"),
- 7 units at 50% or less of the AMI,
- 34 units at 60% or less of the AMI,
- 26 units at 70% or less of the AMI

The proposal meets the intent of FLUE Objective 16 and its accompanying policies 16.1, 16.2, 16.3 and 16.10 that require new development, infill and redevelopment to be compatible to the surrounding area in character, lot size and density. Goal 12 and Objective 12-1 of the Community Design Component (CDC) in the FLUE requires new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is mostly public institutional, commercial, vacant and multi-family and the proposed residential use will complement the surrounding area. The applicant will also provide a five foot wide Type A buffer on all sides of the site.

The subject site is in the Urban General Character District of the Brandon Community Plan. The proposed use meets the intent of the Community Plan which includes a multi-family use in an area designed for retail, office, row houses, townhomes, and multi-family. The site is not within the Brandon Main Street zoning district. There is already an existing sidewalk on Bloomingdale Avenue. Due to the apartment building being behind the existing church, the close setback line requirement for buildings 2-5 stories does not apply.

Overall, the proposed Planned Development is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*, as it is compatible with the surrounding development pattern and meets the affordable housing density bonus requirements.

Recommendation

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

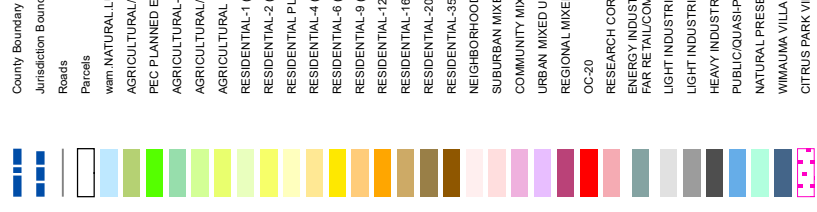
HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 23-0085

Rezonings
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tempa Service
Urban Service
Shoreline
County Boundary
Jurisdiction Boundary
Roads
Parcels

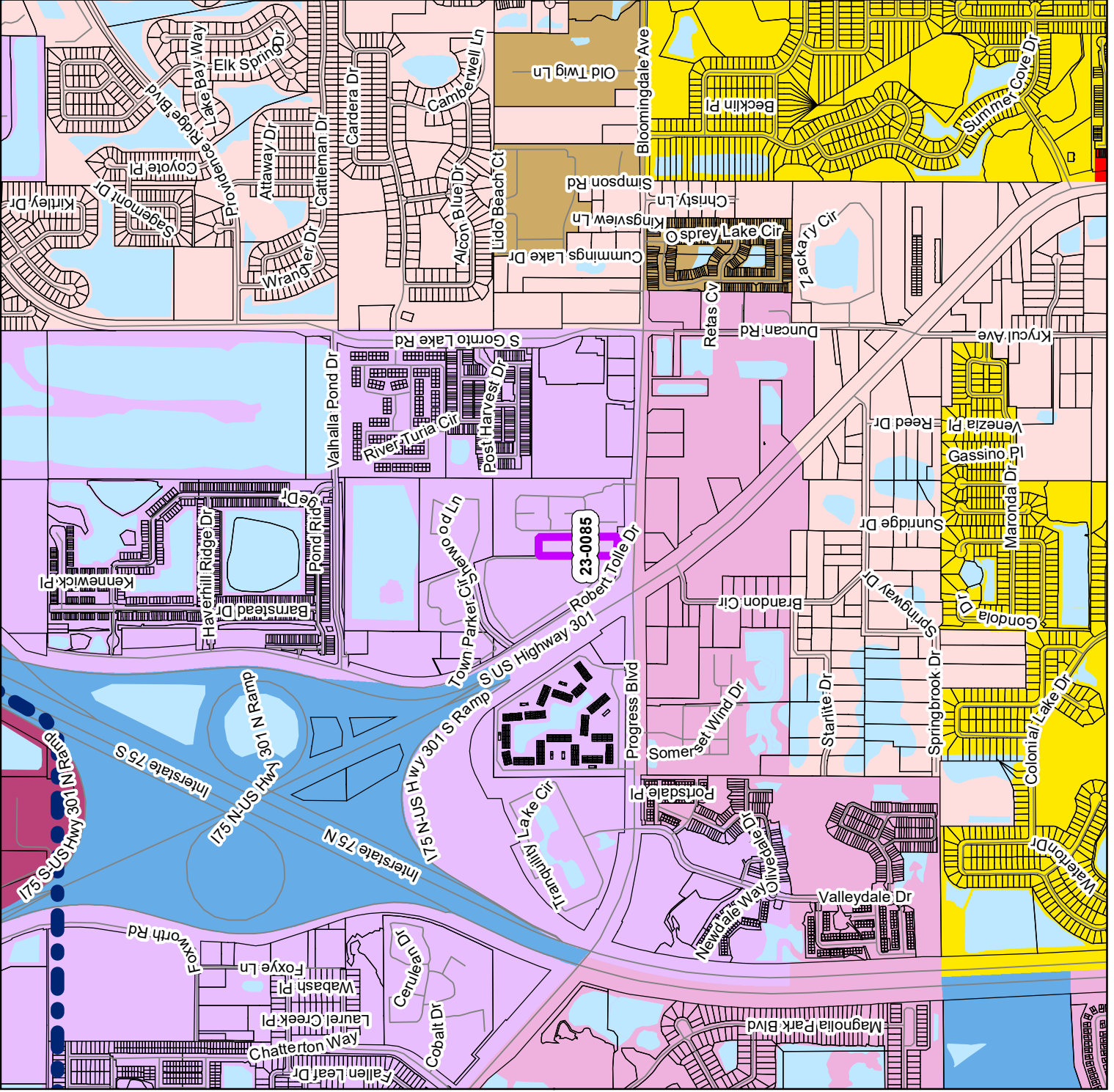
wam NATURAL LULC, Wet Poly
AGRICULTURAL/MINING-120 (.25 FAR)
PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
AGRICULTURAL-1/10 (.25 FAR)
AGRICULTURAL-1/5 (.25 FAR)
AGRICULTURAL-1/2.5 (.25 FAR)
RESIDENTIAL-1 (.25 FAR)
RESIDENTIAL-2 (.25 FAR)
RESIDENTIAL-4 (.25 FAR)
RESIDENTIAL-6 (.25 FAR)
RESIDENTIAL-9 (.35 FAR)
RESIDENTIAL-12 (.35 FAR)
RESIDENTIAL-16 (.35 FAR)
RESIDENTIAL-20 (.35 FAR)
RESIDENTIAL-35 (1.0 FAR)
NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
SUBURBAN MIXED USE-6 (.35 FAR)
COMMUNITY MIXED USE-12 (.50 FAR)
URBAN MIXED USE-20 (1.0 FAR)
REGIONAL MIXED USE-35 (2.0 FAR)
OC-20
RESEARCH CORPORATE PARK (1.0 FAR)
ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
LIGHT INDUSTRIAL PLANNED (.50 FAR)
LIGHT INDUSTRIAL (.50 FAR)
HEAVY INDUSTRIAL (.50 FAR)
PUBLIC/QUASH-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. The rezoning data set is for use as a planning tool and does not constitute an offer for rezoning. It is intended that the rezoning data set be used in conjunction with the official zoning map of Hillsborough County. The rezoning data set is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 2/13/2023
Author: Beverly F. Daniels
File:



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