

Rezoning Application: RZ PD 23-0884
Zoning Hearing Master Date: NOVEMBER 13, 2023
BOCC Land Use Meeting Date: JANUARY 9, 2024

1.0 APPLICATION SUMMARY

Applicant: LCD Acquisitions, LLC
FLU Category: RMU-35 OC-20
Service Area: Tampa
Site Acreage: 4.31 +/-
Community Plan Area: University
Overlay: None
Special District: None



Introduction Summary:

History: The site is presently zoned PD 83-0211; most recently modified by PRS 15-0667, approved for 45,000 SF of retail use.

Current Request: The applicant requests to rezone the subject site from Planned Development (PD 83-0211) to Planned Development (PD) for a mixed-use building utilizing the Flex Provision and Mixed-Use Bonus. This application seeks entitlements to construct a vertically integrated mixed-use project on the 4.31-acre site featuring a total of 215 dwelling units and ground-floor retail. The project proposes to include three separate courtyard areas totaling nearly 18,000 sf, 1,550 sf of ground level retail, a lobby/leasing/amenity space, and a rooftop amenity level. A companion PRS 24-0111 to remove the subject parcel from the current PD has been submitted.

Zoning:	Existing	Proposed
District(s)	PD	PD
Typical General Use(s)	University Interest Office, Institutional and Regional Commercial	Mixed-use Student Housing/retail
Acreage	19.42 +/-	4.37 +/-
Density/Intensity	.75 Max F.A.R.	50/DU Acre w/ 1,550 SF Retail / 0.0082 F.A.R.
Mathematical Maximum*	N/A	215 DU/Acre

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	PD	PD
Lot Size / Lot Width	4.31 +/-	4.31 +/- Acres / 381'
Setbacks/Buffering and Screening	Per PD	South 30' setback / 8' Type A North 30' setback / 5' Type A West 3' setback / 3' Type A East 30' setback / 5' Type A
Height	35'	80'

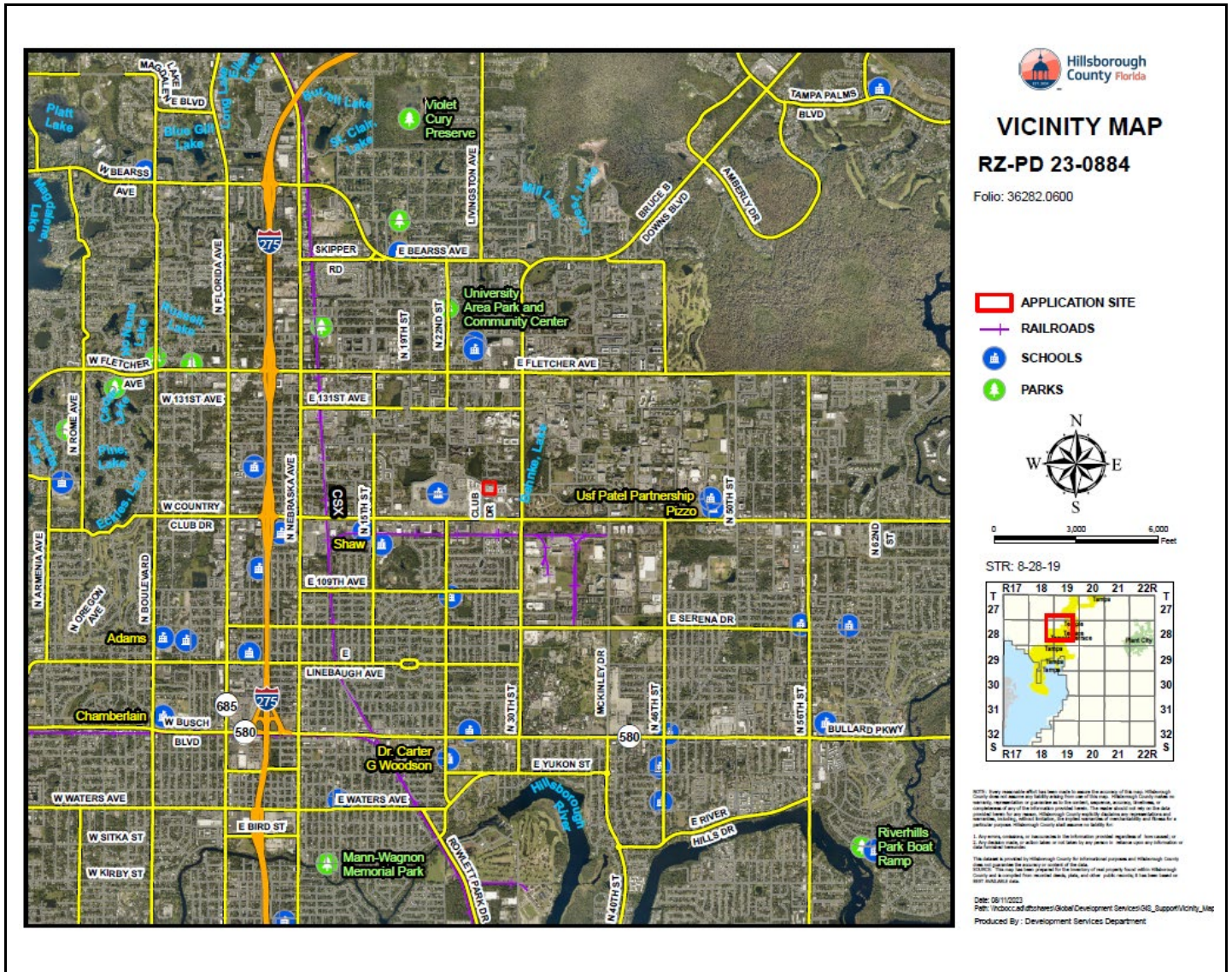
Additional Information:

PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering) LDC Part 6.05.00 (Parking/Loading)
Waiver(s) to the Land Development Code	

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

2.1 Vicinity Map

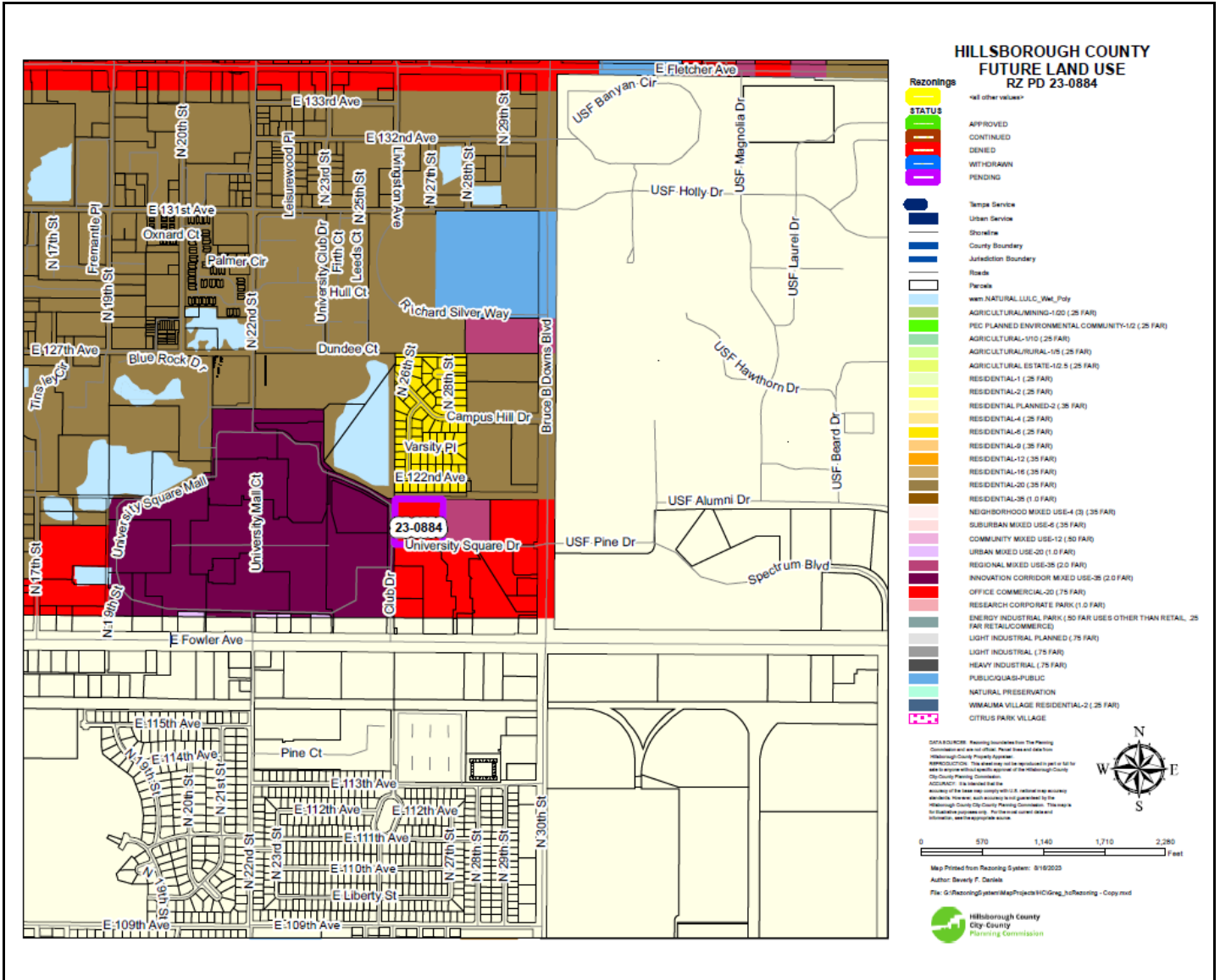


Context of Surrounding Area:

The subject site is located adjacent to Phase I to the east of the proposed project. Single-family residential areas and public institutional areas towards the north. Towards the east, there are multifamily and mixed-use buildings, while towards the south and west, there are light commercial uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

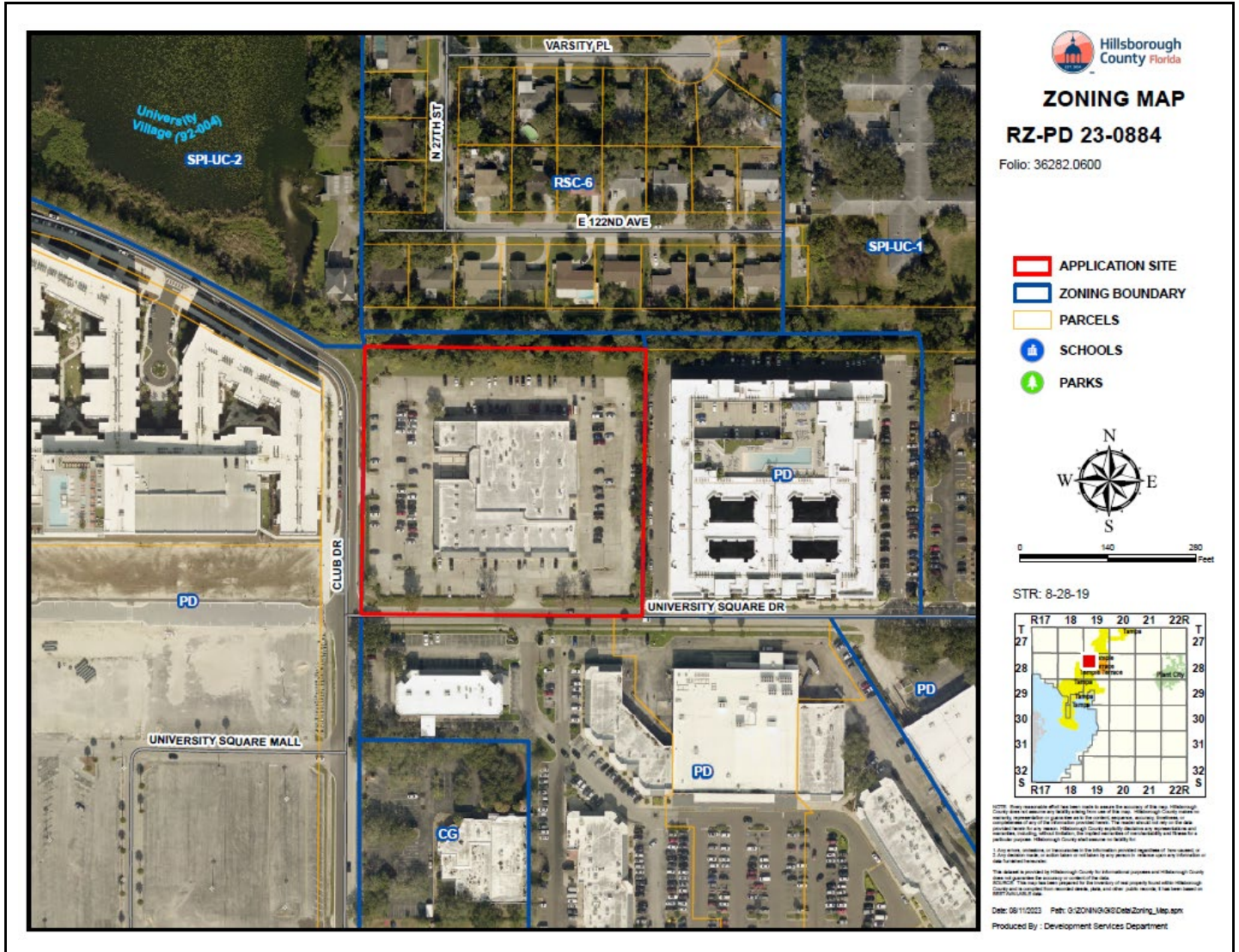
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Office Commercial-20 (OC-20)
Maximum Density/F.A.R.:	20 DU/ Acre .75 up to a maximum of 600,000 square feet, however, the commercial component cannot exceed 350,000 square feet. All development which exceeds .35 FAR must be for office or residential support uses, not retail.
Typical Uses:	Community commercial type uses, office uses, mixed-use developments, and comparable residential uses

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

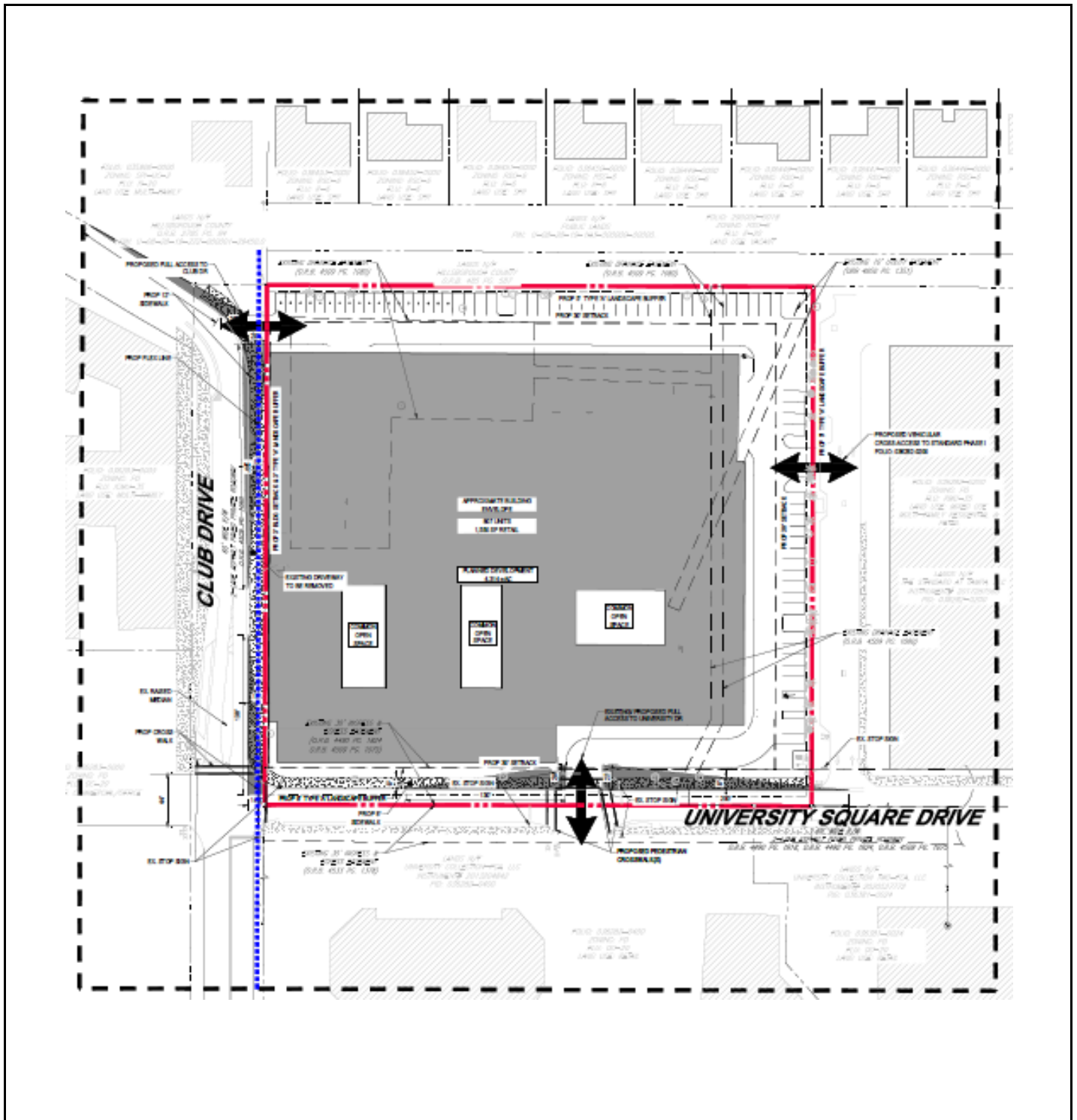


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6	6 DU/ Acre	Residential, Single-Family Conventional	Single Family Residential
South	PD 83-0211	.24	Commercial retail shopping center	Commercial retail shopping center
East	PD 16-1346	50 DU/Acre .01 F.A.R. Retail	Student Housing/Multi-Family Mixed Use	Student Housing/Multi-Family Mixed Use
West	PD 22-1640	35 DU/ Acre .50 F.A.R.	Mixed-use	Mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

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



3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
University Square Dr.	Private	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 checked="" type="checkbox"/> Other
Club Dr.	Private	8 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 checked="" type="checkbox"/> Other

Project Trip Generation			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	2,909	75	224
Proposed	2,370	65	189
Difference (+/1)	-530	-10	-35

*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		Vehicular	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East	X	None	None	Meets LDC
West	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
Notes:				

Design Exception/Administrative Variance: 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:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Pedestrian access improvements provided.
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input checked="" 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	
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<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	
Impact/Mobility Fees: Multi-Family Units 3-10 story) Fee estimate is based on a 1,200-square-foot Mobility: \$6,661 * 215 units = \$1,432,115 Parks: \$1,555 * 215 units = \$ 334,325 School: \$3,891 * 215 units = \$ 836,565 Fire: \$249 * 215 units = \$ 53,535 Total Multi-Family (3-10 story) = \$2,656,540		Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562*1.55 = \$21,021.10 Fire: \$313*1.55 = \$485.15		
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input 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 subject property is located at the intersection of University Square Drive and Club Drive on approximately 4.31 acres. The site has a Future Land Use Designation of Office Commercial-20 (OC-20), which allows for consideration of up to 20 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.75. The site is surrounded by Special Public Interest-University Community zoning to the north and PD zoning to the east, south, and west. There is residential, Single-Family Conventional to the immediate North. A continuation of the current PD to the south across University Drive contains Commercial General (CG) uses.

Phase I of this project located directly to the east of this proposed project was approved per PD 16-1346 with similar development standards. However, the site applied for Residential-35, through CPA 16-21A, in July 2016. The amendment was approved by the Board of County Commissioners as a small-scale amendment on December 8, 2016.

The Planning Commission has found the request inconsistent with Hillsborough County Comprehensive Plan. The applicant proposes to flex the adjacent Regional Mixed-Use 35 (RMU-35) category that is located to the east. In addition, per Policy 19.3, the applicant is requesting a density bonus by using 35 dwelling units per acre as a base density to achieve a total of 50 dwelling units per gross acre. The Planning Commission has opined that the Flex does not change the Future Land Use Map (FLUM) category and cannot be used as a basis for a bonus in the plan in accordance with Future Land Use Element (FLUE) Policies 7.3 and 7.4. The applicant contends that applicable policies do not preclude utilization of the both the flex and mixed-use density bonus as requested. To qualify for the mixed-use density bonus, the developer must allocate at least 10% of the total building square footage for uses other than the primary use when vertically integrating two uses. Despite the proposal's total building size being 187,926 square feet, only 1,550 square feet of retail is included, indicating that the second use proposed comprises less than 1% of the total square footage.

Per Section 6.06.06, *Buffering and Screening Requirements*: Along the Northern and Eastern property boundary of the subject property, the applicant is proposing (Type A screening) with a five (5) foot buffer in lieu of the required twenty (20) foot buffer with Type B screening. There is a County-owned drainage canal that acts as an additional buffer area between the proposed development and single-family properties to the north, in addition to the proposed 30-foot setback. Along the eastern boundary the existing Phase I of the "Standard" currently provides a 5' landscaped buffer. Adding 5' along the eastern portion of the subject site will result in a 10' landscape buffer between practically identical uses. Staff does not object and concurs with the applicant's justification for the variation.

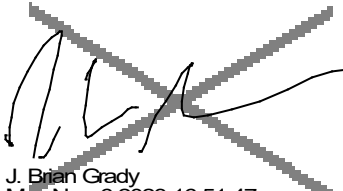
The subject property is within the Urban Service Area. Potable water and sanitary sewer services are provided to the subject property by the City of Tampa.

5.2 Recommendation

Notwithstanding the issue regarding whether utilization of both the flex and mixed-use density bonus can be considered for the project, the request is not in compliance with the mixed-use density bonus criteria. Therefore, while staff finds the proposed rezoning compatible with the development pattern of medium to high-density housing in the area, the request is not supportable based on non-compliance with the mixed-use density bonus criteria.

6.0 PROPOSED CONDITIONS

N/A

<p>Zoning Administrator Sign-Off:</p>	 <p>J. Brian Grady Mon Nov 6 2023 16:51:47</p>
<p>SITE, SUBDIVISION, AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>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 obtaining all necessary building permits for on-site structures.</p>	

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

The applicant has also requested variations from the Land Development Code, Parts 6.05.00 (Parking and Loading), and 6.06.06 (Landscaping/Buffering). The applicant's requests and justifications for variations are found to meet the applicable criteria of LDC Part 5.03.06.C.6.a.1-4.

Variations Requested:

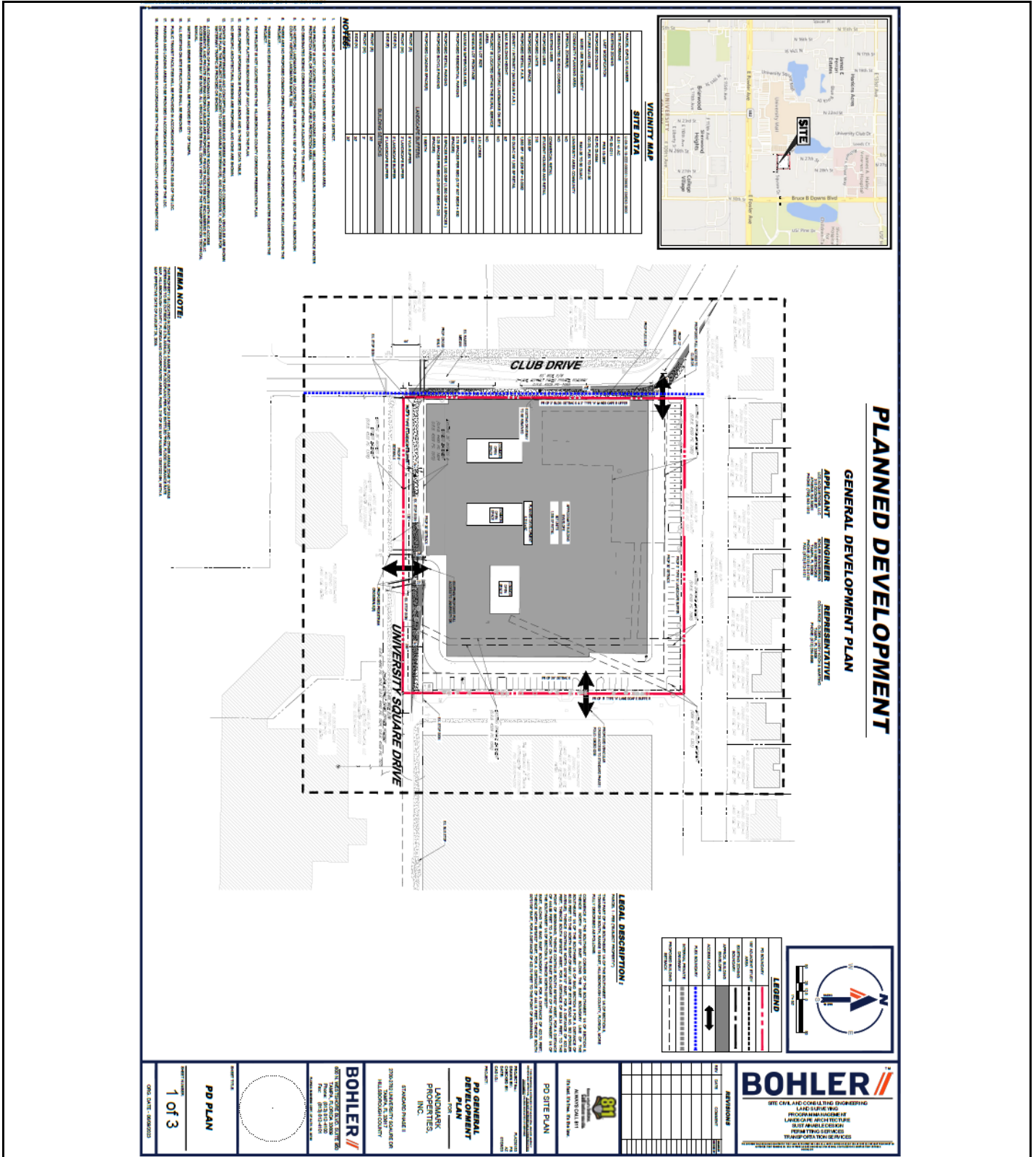
Variation Request 1: LDC Sec. 6.05.00 (Parking/loading)

- a. To allow .78 parking spaces per bed for a total of 638 and 8 for retail (with restricted uses)

Variation Request 2: The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements.

- a. To allow 5' Type A buffer along the north property boundary where 20' Type B is required
- b. To allow 5' Type A buffer along the east property boundary where 20' Type B is required

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: 11/02/2023

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: USF/ Northwest

PETITION NO: PD 23-0884

- 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 permit one vehicular and pedestrian access connections on University Square Dr. and one vehicular and pedestrian access connections on Club Dr. The developer shall construct one vehicular and pedestrian cross-access connection to the east as shown on the PD site plan.
2. As University Square Dr. is an unplatted roadway, that portion of the University Square Dr. owned and maintained the developer shall be designated as a Shared Access Facility.
3. Required Crosswalks:
 - a. A crosswalk shall be provided across the vehicular ingress/egress serving the property from University Square Drive.
 - b. Crosswalks shall be provided across University Square Drive along the existing/proposed vehicular access to the subject site and commercial development south of University Square Drive.
 - c. Crosswalks shall be provided on the north side and east side of the University Square Dr. and Club Dr. intersection.
4. Required Sidewalks:
 - a. A 12-foot concrete sidewalk will be provided along Club Drive.
 - b. An 8-foot concrete sidewalk will be provided along University Square Drive.
5. The building location proposed along University Square Drive shall not impede the ability to accommodate a future 3-lane section at the intersection of University Square Drive and Club Drive if warranted.
6. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
7. At least 90 percent of the residents at all times shall be registered students at the University of South Florida (USF). Proof of registration shall be in the form of a current valid student identification card issued by USF or the USF Medical Center, and a 120 Form or equivalent documentation issued by USF at registration. The information on these documents shall match.

- a. The owner/operator of the housing project shall maintain records to verify that at least 90 percent of the residents at all times are registered students at USF, as required above. Said records shall be provided to Hillsborough County for inspection and verification within 30 days of request.
 - b. Notwithstanding, nothing in these conditions shall be deemed to prohibit any individual who has not attained the age of 18 years from being domiciled with a parent or other legal custodian who is a registered student at USF, regardless of whether such individual is a registered student at USF. Additionally, nothing in these conditions shall be deemed to prohibit an individual from being domiciled with his or her spouse who is a registered student at USF, regardless of whether such individual is a registered student at USF.
8. Student housing vehicle parking shall be provided at a minimum rate of 0.78 spaces per resident allowed by final occupancy permit. Additionally, a minimum of .25 bicycle parking space per resident shall be provided pursuant to the standards contained within Section 6.05.02.P.2. of the Hillsborough County Land Development Code. Notwithstanding the above, any student housing related bicycle parking provided in excess of the above ratio shall make the student housing parking requirements eligible for consideration of an administrative parking reduction of up to five percent of all required student housing parking spaces (or one vehicle parking space, whichever is greater).
9. Accessory retail shall exclude the following uses:
- eating establishments,
 - drinking establishments,
 - convenience stores,
 - liquor stores,
 - marijuana dispensaries,
 - personal services, and
 - all drive thru uses.

Other Conditions

Prior to PD Site Plan Certification, the applicant shall revise the PD Site Plan to:

- Depict and callout the portion of University Square Dr. shown on the PD site plan within the easement area as a shared access facility.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.71 ac. parcel from Planned Development (PD) 83-0211, as most recently amended by PRS 15-0667, to a new PD. The subject property is identified within PD83-0211/PRS 15-0667 as Parcel “E” and current has mix of commercial uses. The applicant is seeking entitlements for an 807-unit bed student housing project, to occur within a maximum of 214 dwelling units. The applicant will be required to initiate a concurrent PD modification to remove the subject property from the larger PD 83-0211. The Future Land Use designation is Office Commercial 20 (OC-20).

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of trips generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Calculations are based on data from the 11th Edition of the Institute of Transportation Engineer’s Trip Generation Manual.

Staff notes that due to the proximity of HART service, USF’s Bullrunner Service, as well as the campus itself, a significant portion of these trips are anticipated to occur via transit, bicycle or pedestrian modes, rather than vehicular trips. The data below represents a worst-case scenario for vehicular trip impacts.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 43,093 sf Retail (ITE LUC 821)	2,909	75	224

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 807-beds, Off-Campus Student Apartment (ITE LUC 226)	2,074	57	169
PD, 1,550 sf Strip Retail Plaza “Retail” (ITE LUC 822)	296	8	20
TOTAL	2,370	65	189

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(-) 530	(-) 10	(-) 35

The proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel (by -530 average daily trips, -10 trips in the a.m. peak hour, and -35 trips in the p.m. peak hour).

Staff notes that the applicant’s submitted transportation analysis utilized the Strip Retail Plaza ITE land use code to analyze the trips generated from the 1,550 sf of “accessory retail”, but the applicant does not define specific retail uses. Without this information, staff cannot evaluate accurately the worst-case scenario trip generation for the “retail” uses because of many potential high trip generating retail uses that exceed the trip generation for a Strip Retail Plaza which could potentially occupy the space such as eating establishments, drinking establishments and convenience stores. As such staff has utilized the highest peak hour trip rate for the proposed “retail” uses based on the 1,550sf Strip Retail Plaza (20 trips / 1.55 thousand square feet) or 12.9 peak hour trips per 1,000 sf. Based on this rate, staff is proposing to prohibit the following retail uses that exceed 12.9 highest peak hour trips: eating establishments, drinking establishments, convenience stores, liquor stores, marijuana dispensaries, and all drive thru uses.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

University Square Dr. is a 2-lane, undivided, unplatted, private street (shared access facility) with +/- 12-foot lanes. There is a sidewalk along the south side of University Square Dr. and +/- 8-ft sidewalks on the north side east of the project. There are no marked bicycle facilities. There is a USF Bull Runner transit stop shelter located on the north side of University Square Drive approximately 260 feet east of the project.

The proposed PD site plan includes an 8-foot sidewalk along the project frontage to connect to the 8 foot sidewalk immediately adjacent to the east.

Club Dr. is a 2-lane, an undivided private street with +/- 10-foot lanes, a median treatment at the intersection with University Square Dr., and on-street parking on the west side. There is a +/- 12-foot sidewalk along the west side of Club Dr. There are no marked bicycle facilities.

The proposed PD site plan includes an 12-foot sidewalk along the project frontage.

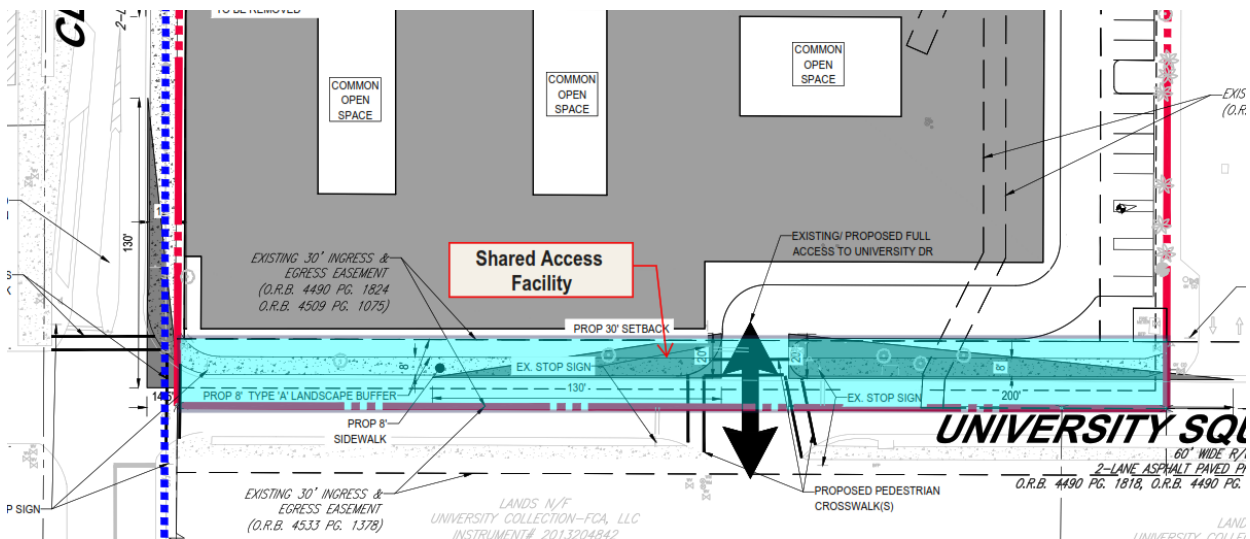
The closest functionally classified roadway is Bruce B. Downs Blvd. (aka 30th Street). It is a regulated 6 lane principal characterized by +/- 12 foot lanes. There are marked bicycle facilities on both sides. There are +/- 5 foot sidewalks on both sides of 30th Street south of University Square Boulevard, and a +/- 5 foot sidewalk on the west side of 30th Street north of University Square Boulevard.

SITE ACCESS AND CONNECTIVITY

Primary vehicular and pedestrian access to the site is proposed at the existing location on University Square Drive., and relocated access connection on Club Dr. Vehicular and pedestrian cross access is provided to east as required per LDC, Sec. 6.04.03.Q. and will connect to the existing stub out constructed by the adjacent development, Planned Development 16-1346.

Based on the applicant's submitted site access analysis, neither driveway requires turn lane improvements per LDC 6.04.04.D.

As University Square Dr. is an unplatted, private street it is deemed a shared access facility, as indicated in the existing PD, and has existing easements, recorded with the County Clerk of Court, over the portion of the roadway within the project, to allowing ingress and egress to adjacent properties. As such as condition of approval is recommended to depict and callout the area within the PD site plan within the easement areas as a shared access facility. See annotated excerpt of PD site plan below.



Additional, staff raised the concern for the proposed location of the building footprint potentially being an impediment to future access needs at the intersection of the University Square Dr. and Club Dr. which serves the remainder of the existing Planned Development and adjacent properties to the east fronting on University Square Dr. Based on the applicant’s submitted site access analysis, substantial number of westbound right and left turning movements (125 rights and 192 lefts in the PM peak hour peak season traffic plus project traffic) from University Square Dr. to Club Dr. are not shown to exceed intersection operational capacity. However, additional trips from existing entitlements in the immediate area and potential redevelopment the remaining commercial parcels within the existing PD, e.g. University Collection shopping center, future turn lanes may need to be accommodated at said intersection on the subject property’s portion of University Square Dr. The applicant has submitted analysis to demonstrated that a future turn lane can be accommodated at the intersection without impacting the proposed location of the new building footprint.

Staff notes that safe pedestrian access at the intersection of University Square Dr. and Club Dr. as well as between the project’s University Square Dr. driveway and the driveway serving the commercial shopping center on the south side will be addressed with marked crosswalk treatments as per the PD site plan and the proposed conditions of approval.

Staff notes that the HART service, USF’s Bullrunner Service, operates along University Square Dr. and has a sheltered stop located approximately 260 feet east of the subject property.

VEHICULAR AND BICYCLE PARKING

Consistent with student housing projects that have been previously approved within the last several years, vehicular parking was being proposed at a rate of .78 spaces per resident. Bicycle parking will be provided at a minimum rate of 1 bicycle parking space per 10.7 spaces beds. These rates were arrived at through earlier “modern” style student housing projects (such as this project) which have occurred in previous years, presumably through the Determination of an Unlisted Use process described in Section 6.05.02.G.1. and G.2. of the LDC. In recent years staff has allowed student housing developers to carry forward that rate. As staff believes the bicycle parking to be insufficient for the intended use, in order to incentivize the provision of additional bicycle parking, and consistent with Section 6.05.02.P.1. of the LDC, staff had previously included in other projects (and proposed to carry forward within this project) a condition which provided the possibility for a 5% vehicular parking reduction for any bicycle parking provided in excess of the minimums.

The applicant proposes to provide parking for the 1,550 sf of “retail” uses at a rate of 5 space per 1,000 sf or 8 parking spaces. Based on the County Land Development Code, Sec. 6.05.02 parking table there are several retail uses that require a higher parking rate than what is proposed. Since the applicant did not provide a specific list of retail uses that may occupy the “retail” space, staff cannot ensure that 8 parking spaces will be sufficient to meet the demand a said retail uses with a higher parking rate than 5 space per 1,000. As such, to ensure that sufficient parking is provided for this project, staff is recommending to prohibit the following retail uses: eating establishments, drinking establishments and personal services.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Bruce B. Downs Blvd.	Fletcher Ave.	Fowler Ave.	E	C

Source: Hillsborough County 2020 Level of Service Report.

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: November 13, 2023 Report Prepared: November 1, 2023	Petition: PD 23-0884 2700 University Square Drive <i>North of University Square Drive between Club Drive and Bruce B. Downs Boulevard</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Office Commercial-20 (20 du/ga; 0.35/0.75 FAR)
Service Area	Urban
Community Plan	University Area Community
Request	Rezoning from Planned Development (PD 83-0211) to Planned Development (PD) for a mixed-use building utilizing the Flex Provision and Mixed-Use Bonus
Parcel Size (Approx.)	4.31 +/- acres (187,743 square feet)
Street Functional Classification	University Square Drive - Local Club Drive - Collector Bruce B. Downs Boulevard - Arterial E. Fowler Avenue - Principal Arterial
Locational Criteria	N/A
Evacuation Area	None



Context

- The subject site is located north of University Square Drive between Club Drive and Bruce B. Downs Boulevard on approximately 4.31 acres. The site is north of East Fowler Avenue and east of the University Square Mall
- The site is in the Urban Service Area and within the limits of the University Area Community Plan.
- The site has a Future Land Use Designation of Office Commercial-20 (OC-20), which allows for consideration of up to 20 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.75. Typical allowable uses in OC-20 include community commercial type uses, office uses, mixed use developments, and compatible residential uses. The intent of the OC-20 category is to recognize existing commercial and office centers and provide for future development opportunities.
- The subject site is surrounded by Residential-20 (RES-20) and Residential-6 (RES-6) to the north, Regional Mixed Use-35 (RMU-35) to the east, OC-20 further east and to the south, and Innovation Corridor Mixed Use-35 (ICMU-35) to the west. Surrounding uses include single family residential and public institutional to the north, multifamily and mixed use to the east, and light commercial to the south and west. In addition to the west is multi-family.
- The subject site is zoned Planned Development (PD). The site is mainly surrounded by Residential, Single-Family Conventional-6 (RSC-6), and Special Public Interest-University Community (SPI-UC-1, SPI-UC-2) zoning to the north and PD zoning to the east, south, and west. Further south is the Commercial, General (CG) zoning district.
- The applicant requests to rezone the subject site from Planned Development (PD 83-0211) to Planned Development (PD) for a mixed-use building utilizing the Flex Provision and Mixed-Use Bonus.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

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.

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.*

Relationship to the Future Land Use Map

Policy 7.3:

The land use category boundaries may be considered for interpretation as flexible boundaries in accordance with the Flex Provision as follows:

- *Through application of the flex provision, the land use category boundaries shall be deemed to extend beyond the precise line to include property adjoining or separated by a man made or natural feature from the existing boundary line.*
- *The line may be relocated a maximum of 500 feet from the existing land use boundary of the adopted Land Use Plan Map. Right-of-Way is not included in the measurement of the 500 foot flex.*
- *No new flexes can be extended from an existing flexed area.*
- *All flexes must be parallel to the land use category line.*
- *Flexes are not permitted in the Rural Area or in areas specified in Community Plans. Flexes are also not permitted from the Urban Service Area into the Rural Area. All flexes in the Rural Area approved prior to July 2007 are recognized and are not to be considered non-conforming.*
- *Flexes to increase residential density are not permitted in the Coastal High Hazard Area.*
- *Flexes are not permitted from a municipality into the unincorporated county.*
- *A flex must be requested as part of planned development or site plan oriented rezoning application. Major Modification to approved zoning that changes the intensity, density or the range of uses will require that the previous flex request be re-evaluated for consistency and a new flex request may be required.*
- *Applicants requesting a flex must provide written justification that they meet the criteria for a flex as outlined below.*
- *The Board of County Commissioners may flex the plan category boundary to recognize or grant a zoning district which is not permitted in the land use category but lies within the distance of a conforming land use category, as described above. Prior to the determination by the Board of County Commissioner, the staff of the Planning Commission shall make a recommendation on the consistency of the request with the Comprehensive Plan*

Policy 7.4:

The criteria for consideration of a flex request are as follows:

- *The availability and adequacy of public facilities to serve the proposed development accommodated by the flex;*
- *The compatibility with surrounding land uses and their density and intensity;*
- *The utilization of the flex furthers other goals, objectives and policies of the Future Land Use Element.*

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

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

Policy 16.10: *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.*

Mixed Use Land Use Categories

Objective 19: *All Development In The Mixed Use Categories Shall Be Integrated And Interconnected To Each Other.*

Policy 19.3: *Incentives for Mixed Use*

The following incentives are available to encourage mixed use and vertically integrated mixed use projects within the Urban Service Area:

Parking structures shall not count towards the FAR for projects that include 3 or more land uses or vertically integrate two land uses.

Projects that either include 3 or more land uses or vertically integrate two land uses may utilize a density bonus to the next higher land use category or the following FAR bonus:

Property with a Future Land Use Category of 35 units per acre and/or 1.00 FAR and higher and within the USA – may increase up to 50 units and/or an additional .50 FAR

Property within a Future Land Use Category of 9 units per acre and/or .5 FAR and higher and within the USA – Increase in FAR by .25

Property within a Future Land Use Category of 4 units per acre and/or .25 FAR and higher and within the USA – Increase in FAR by .10

When considering mixed use projects of 3 or more land uses, a different housing type (multi-family, attached single family or detached single family) may be considered as one of the uses.

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.*

LIVABLE COMMUNITIES ELEMENT: University Area Community

Goal 2: Eliminate Obsolete Land Uses

The community supports:

- *providing greater flexibility in land-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced;*
- *creating unified pedestrian links between land uses by means of community Main Streets and sidewalks;*
- *encouraging the redevelopment of sub-standard and deteriorated housing focused along main streets through mixed land uses and higher densities; and*

Goal 3: Create Community Identity

The community supports:

- *using landscape buffers and urban design features/techniques to reduce conflicts between land uses, to promote high quality development, and to create an identifiable community character;*

Goal 5: Economic Development

The community supports:

- *implementing the Urban Infill and Redevelopment Area delineated on the Urban and Infill Redevelopment Area Map and as defined by s. 163.2514 (2), F.S. The geographic limits of this area is bounded by I-275 to the west, Skipper Road to the north, Bruce B. Downs to the east, and Fowler Avenue to the south. Within this area, the following components will be promoted: economic development; job creation; housing; transportation; crime*

prevention; neighborhood revitalization and preservation; and land use incentives to encourage urban infill and redevelopment within the University Area Community;

Staff Analysis of Goals Objectives and Policies:

The subject site is located north of University Square Drive between Club Drive and Bruce B. Downs Boulevard on approximately 4.31 acres. The site is in the Urban Service Area and within the limits of the University Area Community Plan. Surrounding uses include single family residential and public institutional to the north, multifamily and mixed use to the east, and light commercial to the south and west. In addition to the west is multi-family. The site is north of East Fowler Avenue and east of the University Square Mall. The applicant requests to rezone the subject site from Planned Development (PD 83-0211) to Planned Development (PD) for a mixed-use building with 1,550 square feet of retail and 215 residential units by utilizing the Flex Provision and Mixed-Use Bonus.

The site is in the Office Commercial-20 (OC-20) Future Land Use (FLU) category which allows consideration of up to 20 dwelling units per gross acre or a maximum Floor Area Ratio (FAR) of 0.75. The applicant proposes to flex the adjacent Regional Mixed-Use 35 (RMU-35) category that is located to the east in accordance with Future Land Use Element (FLUE) Policies 7.3 and 7.4. A flex does not ultimately change the Future Land Use Map (FLUM) category and therefore cannot be used as a base for a bonus in the Plan. Rather, it is something above and beyond what is underlying as the maximum density and intensity set on a site. Base densities and intensities are established by the FLUM and can only be changed through a Comprehensive Plan Map Amendment. While the density and intensity of the RMU-35 category may be compatible with the surrounding land uses and their density and intensity, the overall request does not further the Goals, Objectives, and Policies of the Comprehensive Plan, which is one of the criteria under Policy 7.4. The applicant is requesting a density bonus in accordance with Policy 19.3 by utilizing 35 dwelling units per acre as a base density to achieve 50 dwelling units per gross acre. A flex does not fundamentally change a parcel's Future Land Use designation and therefore, a bonus cannot be obtained on top of a flex. Furthermore, in order to achieve a density bonus, when vertically integrating two uses, at least 10% of the total building square footage in the project shall be used for uses other than the primary use. The proposal includes only 1,550 square feet of retail when the total building size is 187,926 square feet, indicating that the second use proposed comprises less than 1% of the total square footage. A density bonus is not something that is guaranteed by right, therefore a second use that is not substantially contributing to the overall project does not meet the intent of Policy 19.3.

The proposed Planned Development includes variations to building coverage, impervious surface, setbacks, parking, and buffers. The proposed rezoning does not meet the intent of the Neighborhood Protection Policies of the Future Land Use Element (Objective 16 and Policies 16.1, 16.2, 16.3, 16.5, 16.10) as there is no way to ensure a gradual transition in intensity between land uses with all of the variations requested. The proposed building is comparable to some of the developments in the immediate vicinity of the University Square Mall, however there is a single-family residential neighborhood directly to the north to consider. Due to the intensity of the proposed uses encroaching into the residential uses adjacent to the north, Planning Commission staff does not support multiple variations based on conflicts with several Comprehensive Plan compatibility policies.

FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2 require that all development meet or exceed the land development regulations in Hillsborough County. At the time of filing

this report, no comments were filed in Optix by the Development Services Department or County Transportation staff.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful. The development pattern and character in this area of the University Square Mall does contain mixed use commercial and residential developments, as well as single family residential to the north. However, the proposed site design variations cause compatibility concerns.

The proposed Planned Development meets the intent of Goals 2 and 5 of the University Area Community Plan as it includes a redevelopment opportunity within the Urban and Infill Redevelopment Area Map. However, Goal 3 in the plan aims to use landscape buffers and urban design features/techniques to reduce conflicts between land uses, and the proposed density in the OC-20 and site design variations may not provide the opportunity for a gradual transition in intensity between the single-family residential development to the north.

Overall, staff finds that the proposed Planned Development would allow for a development that is inconsistent with the intent of the flex provision, mixed use bonus, and compatibility policies outlined in the Future Land Use Element. The proposed Planned Development would allow for development that is inconsistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 23-0884

<all other values>

Rezoning

STATUS

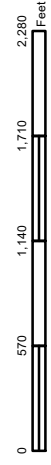
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

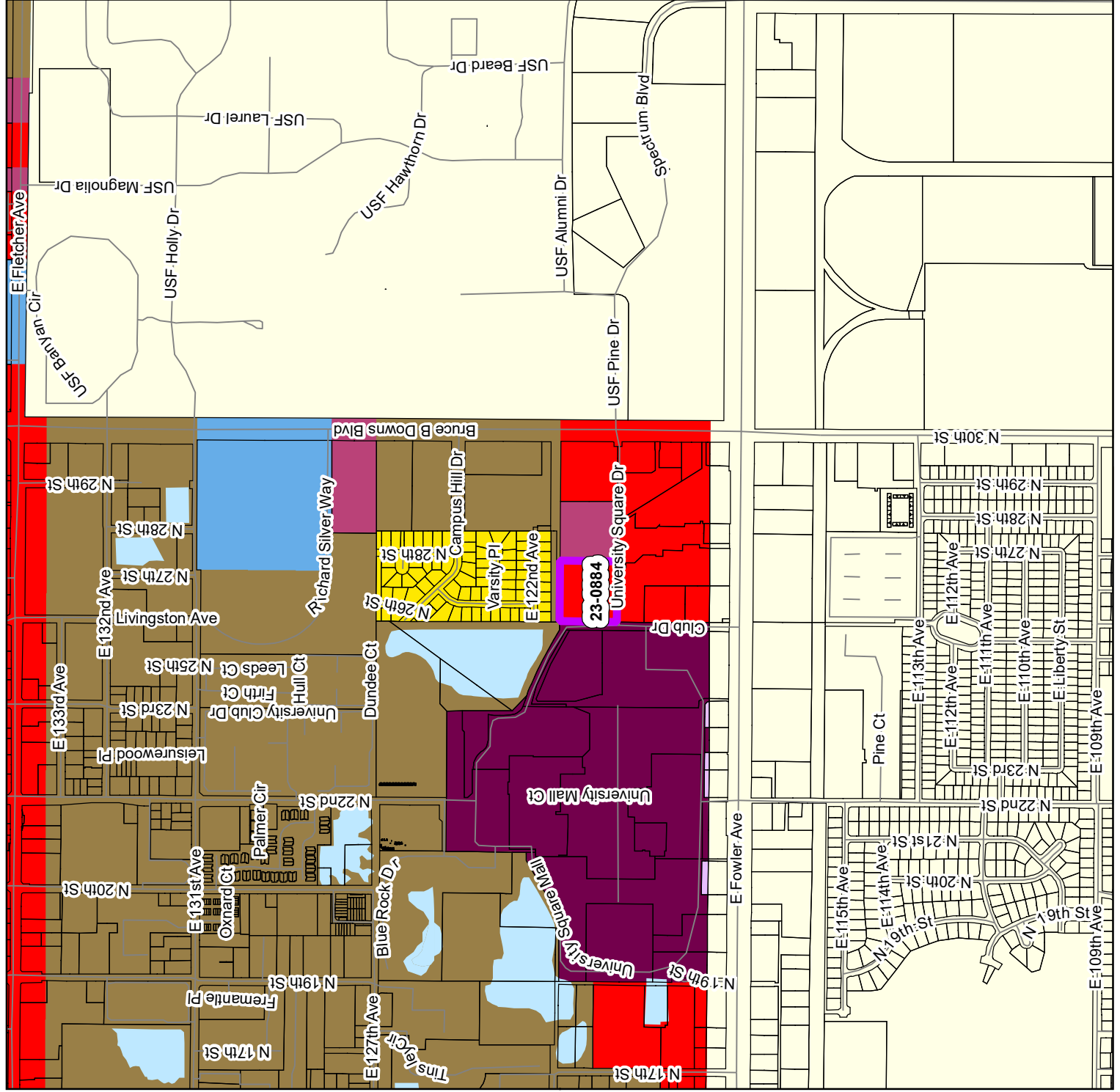
- WATER NATURAL LULC_We_Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-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/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning map is for informational purposes only and does not constitute an offer for approval without specific approval of the Hillsborough County City/County Planning Commission.

ACCURACY: It is intended that the information on this map is accurate to the best of our knowledge and belief. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 8/16/2023
 Author: Beverly F. Daniels
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