Special Use Application: SU-SCH 23-0746

LUHO Meeting Date:

December 19, 2023

Case Reviewer: Camille Krochta



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Diocese of St. Petersburg, Inc.

Zoning: RMC-12 CN

FLU Category: RES-12 OC-20

Service Area: Urban

Site Acreage: 12.15 +/-

South Shore

Community Plan Area: Ruskin Areawide

Systems

Overlay: None

Special District: None

Request: Special Use Permit for a Private

School

Location: 1131 N. US 41 Ruskin



Request Details:

Pursuant to Land Development Code (LDC) Section 6.11.88, Schools, the request is for a new Special Use Permit to construct a private school on the property of the existing St. Anne Catholic Church located at 1131 N. US 41 in Ruskin. The total acreage of the parcel for the school is approximately 12.15 acres; however, pursuant to LDC Section 2.02.02, School, Private, and Charter (K - 12) is a permitted use by-right in the Commercial Neighborhood (CN) zoning district. Therefore, the only portion subject to this request is the approximate 4.77-acre RMC-12 portion.

Setbacks:	Proposed Setbacks		Proposed Buffer/Screening
North	10'		None required
South	RMC-12: 25'	CN: 30'	N/A
East	25′		N/A
West	30′		N/A

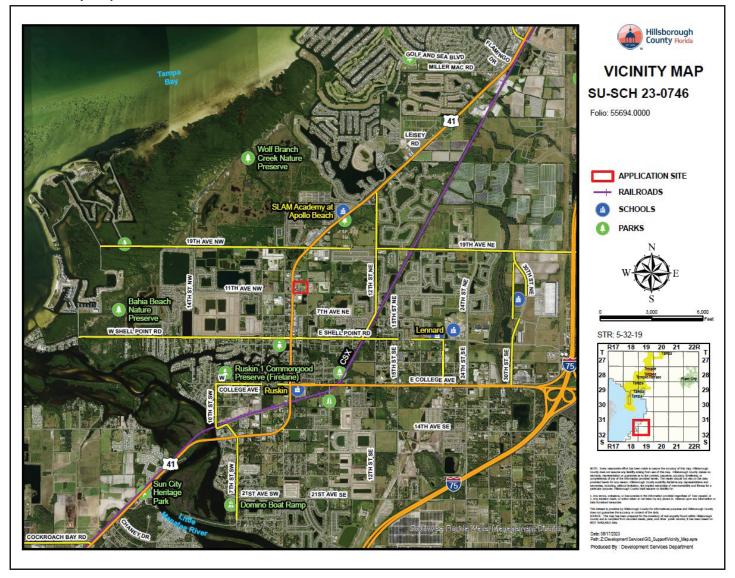
Additional Information:		
Waiver(s) to the Land Development Code	None requested as part of this application.	
Variances(s) to the Land Development Code	None requested as part of this application.	

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, Subject to Conditions

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

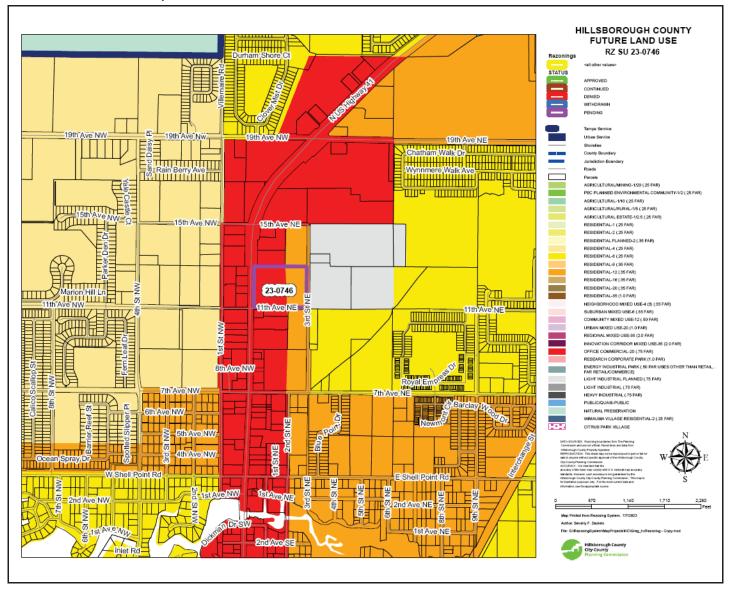


Context of Surrounding Area:

The property is located on the northeast corner of N. US Highway 41, a principal arterial roadway, and 11th Ave NE, a collector roadway. Development along Hwy 41, south and east of the subject property is primarily commercial in nature, with a church with institutional use located directly to the north. There are light and heavy industrial uses on the parcels to the east and northeast.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map

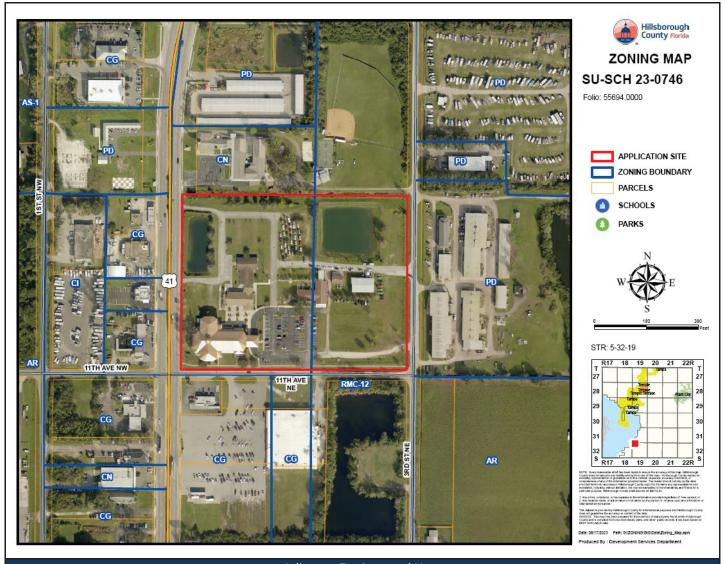


Subject Site Future Land Use Category:	Office Commercial- 20 (OC-20)	Residential -12 (RES-12)
Maximum Density/F.A.R.:	20 DU/Acre .75 FAR	12 DU/ Acre
Typical Uses:	Community commercial type uses, office uses, mixed-use developments, and compatible residential uses.	Residential, urban scale neighborhood commercial, office uses, multi-purpose projects, and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use.

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



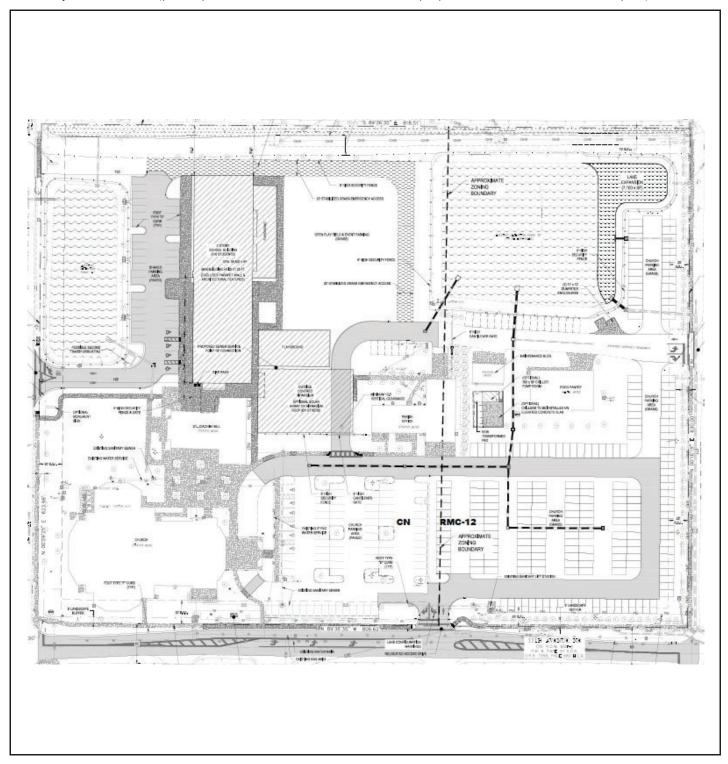
Adjacent Zonings and Uses							
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:		Allowable Use:		Existing Use:	
North	CN, RMC-12	.27	1DU /.08 Acre	Commercial Neighborhood	Multi Family	Church/ Ir	stitutional
South	CG	.27		Commercia	l General	Retailar	ıd vacant
East	PD 93-0077	.4		Manufactu Agricultural In	•	Light In	dustrial
West	CN, CG	.20	.27	Commercial Neighborhood	Commercial General	Restaurant	Auto Repair

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2.0 LAND USE MAP SET AND SUMMARY DATA

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



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3.0 REQUESTED W	AIVERS TO LDC SECTION 6.11.XX (IF AP	PPLICABLE)	
Requested Waiver		Result	
N/A			
Justification:			
Requested Waiver		Result	
N/A		Result	
Justification:			
	ARIANCES (IF APPLICABLE)		
LDC Section:	LDC Requirement:	Variance:	Result:
NI/A			
N/A			
*The applicant !		ith their application. The	hooring officer will be required to
i ne applicant nas	provided variance criteria responses w	itii tileli application. The	: nearing officer will be required to

make a separate decision on each variance in conjunction with the subject Special Use application.

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5.0 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
US Hwy 41	FDOT Principal Arterial - Urban	4 Lanes □Substandard Road □Sufficient ROW Width	 □ Corridor Preservation Plan ⋈ Site Access Improvements □ Substandard Road Improvements ⋈ Other
11 th Ave NE	County Collector - Urban	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements □ Substandard Road Improvements □ Other
3 rd Street NE	County Collector - Rural	3 Lanes ☐ Substandard Road ☑ Sufficient ROW Width	 □ Corridor Preservation Plan ⋈ Site Access Improvements ⋈ Substandard Road Improvements □ Other

Project Trip Generation				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	1,093	85	121	
Proposed	2,367	398	202	
Difference (+/1)	+1,274	+313	+81	

^{*}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	Х	None	None	Meets LDC
East	Х	None	None	Meets LDC
West	Х	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance		
Road Name/Nature of Request	Туре	Finding
11 Ave NE/ Substandard Roadway	Design Exception Requested	Approvable
3 rd St NE/ Substandard Roadway	Administrative Variance Requested	Approvable
3 rd St NE/ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

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6.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	□ Yes ⊠ No	
Natural Resources		□ Yes ⊠ No	⊠ Yes □ No	
Conservation & Environ. Lands Mgmt.	☐ Yes ⊠ No	□ Yes ⊠ No	☐ Yes ⊠ No	
Check if Applicable: ☐ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☐ Surface Water Resource Protection Area	 □ Potable Water Wellfield Protection Area □ Significant Wildlife Habitat □ Coastal High Hazard Area □ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property □ Other 			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ⊠ Design Exc./Adm. Variance Requested ⊠ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	See Report
Service Area/ Water & Wastewater ⊠ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	□ Yes ⊠ No	□ Yes ⊠ No	□ Yes ⊠ No	
Hillsborough County School Board Adequate □ K-5 □6-8 □9-12 ⊠ N/A Inadequate □ K-5 □6-8 □9-12 ⊠ N/A	□ Yes ⊠ No	□ Yes ⊠ No	□ Yes ⊠ No	
Impact/Mobility Fees N/A				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission ☐ Meets Locational Criteria ☑ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☑ N/A	⊠ Yes □ No	☐ Inconsistent ☑ Consistent	□ Yes ⊠ No	See PC Report

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7.0 IMPLEMENTATION RECOMMENDATIONS

7.1 Compatibility

The site is located at the intersection of North US Highway 41 and 11th Avenue NE on approximately 12.15 acres. A private school is proposed as a new expansion on the site of the existing St. Anne Catholic Church that shares the site with accessory uses and a food pantry operation. The school will accommodate a maximum of 310 students at the Pre-K through 8th grade levels, with a total of 11 classrooms, an outdoor gymnasium, a playground, open space areas, and administrative support offices. The Private School building itself is proposed to be located on the CN portion of the site.

The operations of the private school will directly occur on the RMC-12 zoned portion and therefore require a special use permit for that portion of the site to include an extension of the church parking lot and special event school parking, reconfigured access drive to 3rd Street, expansion of existing retention pond, and a new chiller room structure.

The existing food pantry shall remain but shall not be permitted to receive any traffic during the drop-off and pick-up hours associated with the school special use.

The Planning Commission staff has found the application consistent with the Hillsborough County Comprehensive Plan. Moreover, the proposed uses of the property are consistent with the allowable uses under the OC-20 and RES-12 and do not exceed the permitted Floor Area Ratio (F.A.R.) in either the OC-20 or RES-12 categories. The subject site meets the intent of the Ruskin Community Plan and the Southshore Areawide Systems Plan as schools, recreational amenities, and public services are identified as goals.

Should this application be approved, the site will be subject to site development review requirements. The conditions staff has proposed will set forth a framework for site development review (including but not limited to compliance with LDC Sections 6.11.88 and 6.03.13) and will be examined at the time of site and construction plan review.

7.2 Recommendation

Based on the above findings, staff finds the Special Use request complies with LDC Section 6.11.88 Schools, and recommends approval, subject to the recommended conditions.

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8.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the revised general site plan submitted on November 7, 2023.

- 1. This Special Use Permit shall be limited to extension of the parking lot, including a reconfigured access drive to 3rd Street; expansion of the existing retention pond; and a new chiller room structure in conjunction with a private school located on the western portion of the subject site, zoned CN.

 Development of the site shall be consistent with LDC Section 6.11.88 and as shown on the site plan.
- 2. Buffering and screening between uses shall be provided in accordance with the requirements of LDC Section 6.06.06.
- 3. Development standards shall be in accordance with Hillsborough County LDC Section 6.01.01, unless otherwise specified on the site plan.
- 4. Parking shall be in accordance with Hillsborough County LDC Section 6.05.02 and as shown on the site plan.
- 5. If SU 23-0746 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 11th Ave. The developer shall construct improvements to 11th Ave. consistent with the Design Exception (dated October 5, 2023 and submitted October 20, 2023) and found approvable by the County Engineer (November 1, 2023). The developer shall construct the improvements consistent with the approved Design Exception, which includes:
 - a. 11-foot wide travellanes,
 - b. a 10-foot wide turn lane, and
 - c. F-type curb along the north side.
- 6. If SU 23-0746 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated October 3, 2023 and submitted on October 20, 2023) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L, which was found approvable on November 1, 2023. Approval of this Administrative Variance will waive the substandard roadway improvements on 3rd St. NE in association with the proposed development.
- 7. If SU 23-0746 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated October 3, 2023 and submitted on October 20, 2023), which was found approvable on November 1, 2023. Approval of this Administrative Variance will permit reduction of the minimum access spacing (between the 3rd St. NE project access and next closest existing driveway to the south) such that a minimum spacing of +/- 35 feet is permitted.
- 8. Access management, vehicle queuing, and staff placement shall occur consistent with the Private School Circulation Plans (dated 11/1/2023), as applicable. Modifications to these plans may be permitted as approved by Hillsborough County Public Works.
- 9. Prior to opening of the school, the developer shall construct the following site access improvements on US Hwy 41, which shall be subject to design review and approval by the Florida Department of Transportation during site/construction plan review:
 - a. Extend the length of existing southbound left turn at 11th Ave NE.

- b. Remove temporary delineated directionalization in median opening at 11th Ave NE and replace as permanent.
- c. Construct a northbound left/U-turn lane for the median opening in front of the adjacent parcel immediately to the north.
- d. Close existing full median opening in front of existing pond "A".
- 10. Prior to opening of the school, the developer shall construct an eastbound left turn lane on 11th Ave NE at the project entrance.
- 11. Annually, at the beginning of each school year during the fourth week of class, the school shall conduct traffic monitoring to assess the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. The monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 310 students.
- 12. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include (but shall not be limited to) staggered arrival/departure times, police-enforced traffic control, increasing and/or relocating on-site staff, and/or other revisions to the site and/or circulation plan which alleviates off-site queuing. Such revised plan(s) shall be subject to review and approval by Hillsborough County Public Works.
- 13. Notwithstanding anything shown on the site plan, an internal sidewalk connection shall be provided to the site arrival point on 3rd St NE at the time of site construction plan approval.
- 14. There is an existing food pantry operation on the project campus, in connection with the existing church. During the drop-off and pick-up hours associated with the school special use, the food pantry shall not be permitted to receive any traffic, including but not limited to drop-offs of food or supplies, arrival of employees or volunteers for shifts, or arrival of clients to receive meals or supplies.
- 15. The location, arrangement, and lighting of play fields and playgrounds will be such as to avoid interference with the use of adjacent residential property.
- 16. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.
- 17. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.
- 18. The construction and location of any proposed environmental impacts are not approved by this correspondence but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.

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19. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

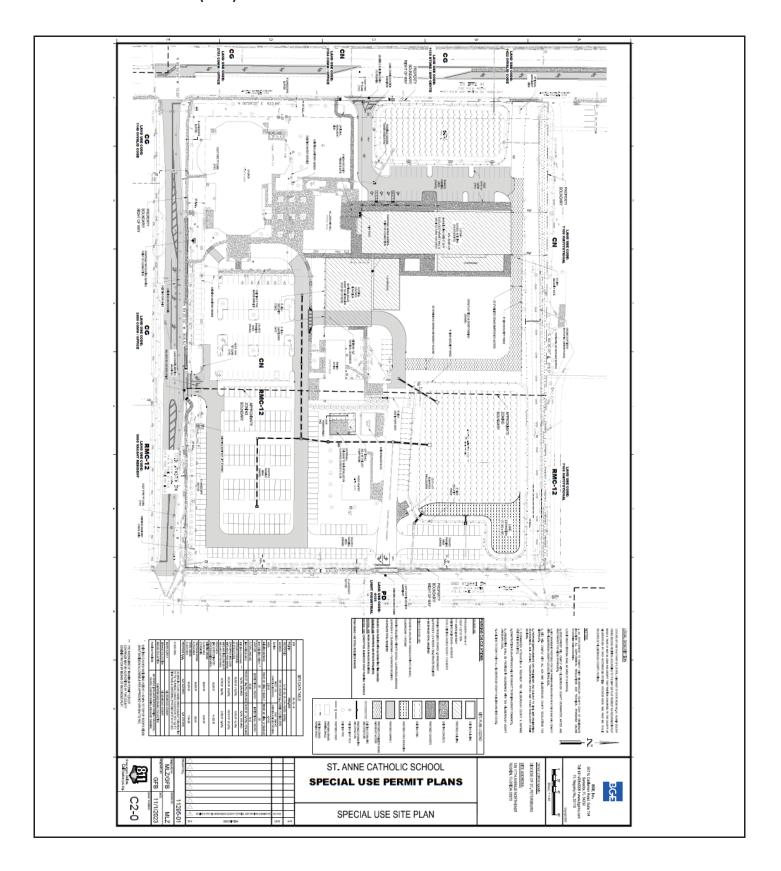
Zoning Administrator Sign-Off:

Colleen Marshall Fri Dec 8 2023 12:11:51

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 obtaining all necessary building permits for on-site structures.

9.0 PROPOSED SITE PLAN (FULL)



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10.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

DATE: 12/07/2023

TO: Z	TO: Zoning Technician, Development Services Department				
REV	REVIEWER: Richard Perez, AICP AGENCY/DEPT: Transportation				
PLA1	NNING AREA/SECTOR: RU/South	PETITION NO: SU-GEN 23-0746			
	This agency has no comments.				
	This agency has no objection.				
X This agency has no objection, subject to the listed or attached conditions.					
	This agency objects for the reasons set forth below.				

CONDITIONS OF APPROVAL

- If SU 23-0746 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 11th Ave. The developer shall construct improvements to 11th Ave. consistent with the Design Exception (dated October 5, 2023 and submitted October 20, 2023) and found approvable by the County Engineer (November 1, 2023). The developer shall construct the improvements consistent with the approved Design Exception, which includes:
 - a. 11-foot wide travel lanes,
 - b. a 10-foot wide turn lane, and
 - c. F-type curb along the north side.
- If SU 23-0746 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated October 3, 2023 and submitted on October 20, 2023) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L, which was found approvable on November 1, 2023. Approval of this Administrative Variance will waive the substandard roadway improvements on 3rd St. NE in association with the proposed development.
- If SU 23-0746 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated October 3, 2023 and submitted on October 20, 2023), which was found approvable on November 1, 2023. Approval of this Administrative Variance will permit reduction of the minimum access spacing (between the 3rd St. NE project access and next closest existing driveway to the south) such that a minimum spacing of +/- 35 feet is permitted.
- Access management, vehicle queuing, and staff placement shall occur consistent with the Private School Circulation Plans (dated 11/1/2023), as applicable. Modifications to these plans may be permitted as approved by Hillsborough County Public Works.
- Prior to opening of the school, the developer shall construct the following site access improvements on US Hwy 41, which shall be subject to design review and approval by the Florida Department of Transportation during site/construction plan review:
 - a. Extend the length of existing southbound left turn at 11th Ave NE.
 - b. Remove temporary delineated directionalization in median opening at 11th Ave NE and replace as permanent.

- c. Construct a northbound left/U-turn lane for the median opening in front of the adjacent parcel immediately to the north.
- d. Close existing full median opening in front of existing pond "A".
- Prior to opening of the school, the developer shall construct an eastbound left turn lane on 11th Ave NE at the project entrance.
- Annually, at the beginning of each school year during the fourth week of class, the school shall conduct traffic monitoring to assess the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. The monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 310 students.

In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include (but shall not be limited to) staggered arrival/departure times, police enforced traffic control, increasing and/or relocating on-site staff, and/or other revisions to the site and/or circulation plan which alleviates off-site queuing. Such revised plan(s) shall be subject to review and approval by Hillsborough County Public Works.

- Notwithstanding anything show on the site plan, an internal sidewalk connection shall be provided to the site arrival point on 3rd St NE at the time of site construction plan approval.
- There is an existing food pantry operation on the project campus, in connection with the existing church. During the drop-off and pick-up hours associated with the School Special Use, the food pantry shall not be permitted to receive any traffic, including but not limited to drop-offs of food or supplies, arrival of employees or volunteers for shifts, or arrival of clients to receive meals or supplies.

SPECIAL USE REQUEST SUMMARY AND ANALYSIS

The applicant is requesting special use approval to allow a 310-student, K-8 private school on a +/- 11.85-acre parcel with existing church/religious institutional uses and accessory food pantry operation. The subject property is zoned Residential Multi-Family Conventional 12 (RMC-12) and Commercial Neighborhood (CN). The subject site is located at the northeast corner of US Hwy 41 and 11th Ave. NE. The future land use designation is Office Commercial 20 (OC-20) and Residential 12 (R-12).

Staff has prepared a comparison of the potential trips generated by development site currently and with the proposed special use, based upon the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 11th Edition, utilizing a generalized worst-case scenario. However, staff notes that there are significant commercial and residential entitlements that the property could otherwise construct without obtaining any additional zoning approvals that are not contemplated herein.

Existing Uses:

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume		PM
1,214 Seat, Church (ITE LUC 560)	1,093	85	121

Proposed Special Use:

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
Land Ose, Size	Way Volume	AM	PM
310 students, K-8 Private School (ITE LUC 530)	1,274	313	81

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
Zonnig, Lane Ose/Size	Volume	AM	PM
Difference (+/-)	(+)1,274	(+)313	(+)202

The proposed special would generally result in a potential increase of trips generated by +1,274 average daily trips, +313 trips in the a.m. peak hour, and +202 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE AND SITE ACCESS

<u>US Hwy 41</u> is a 4-lane, urban, divided principal arterial roadway under the jurisdiction of FDOT. It is characterized by +/-12-foot lanes with +/- 5-foot bikelanes, curb and gutter and sidewalks on both sides within +/-105 feet of right of way.

<u>11th Ave NE</u> is a substandard collector roadway. The roadway consists of +/- 20-foot paved surface in average condition, lying within +/-50-foot of right-of-way. There is a sidewalk along the project frontage.

Pursuant to the County Transportation Technical Manual, a TS-4 collector roadway requires a minimum of 64 feet of right of way with 11-foot lanes, 7-foot buffered bike lane, F-type curb, and 5-foot sidewalk. The applicant has submitted a design exception to make certain improvements found approvable by the County Engineer as discussed herein under the section titled "Requested Design Exception".

 $\underline{3^{\text{rd}} \text{ St. NE}}$ is a substandard, rural roadway. The roadway consists of a paved surface ranging between +/-20 to 26-feet in average condition, lying within a +/- 62-foot wide right-of-way along the project's boundary. There is a sidewalk along the project frontage.

Pursuant to the County Transportation Technical Manual, a TS-7 rural local/collector roadway requires a minimum of 96 feet of right of way with 12-foot lanes, 5-foot paved shoulder, open drainage, and 5-foot sidewalks on both sides. The applicant has submitted an administrative variance to waive required improvements discussed herein under the section titled "Requested Administrative Variance".

SITE ACCESS AND CONNECTIVITY

The existing site has multiple access connection to the adjacent roadways as follows:

- Two (2) restricted right-in/right-out accesses on US Hwy 41,
- One full access connection on 11th Ave NE, and
- Two (2) full access connections on 3rd St NE.

The applicant is proposing eliminate the northernmost access on US Hwy 41, eliminate the southernmost access on 3rd St NE, and relocate the access on 11th Ave NE further east to align with an existing driveway on the south side of the roadway.

The applicant's transportation analysis and FDOT comments indicate the need for the following site access improvements on US Hwy 41, which will be subject to FDOT design review and permitting:

- a. Extend the length of existing southbound left turn at 11th Ave NE.
- b. Remove temporary delineated directionalization in median opening at 11th Ave NE and replace as permanent.
- c. Construct a northbound left/U-turn lane for the median opening in front of the adjacent parcel immediately to the north.
- d. Close existing full median opening in front of existing pond "A".

Additionally, the 11th Ave NE access connection meets warrants for an eastbound left turn lane into the site.

The existing 3rd St NE access connection proposed to remain does not meet LDC, Sec. 6.04.07 minimum spacing criteria from an existing driveway on the opposite side of the roadway approximately 35 feet to the south. The applicant's is requesting a Sec. 6.04.02. b administrative variance to allow the existing driveway to remain and is addressed in greater detail herein under the section titled "Requested Administrative Variance".

Staff has reviewed the revised Circulation Plans and determined that it meets the requirements of Section 6.03.13 of the Hillsborough County Land Development Code, governing vehicle circulation, queuing and parking. The proposed site layout is providing 1,905 linear feet of vehicle stacking whereas a minimum of 1,899 linear feet of stacking is required. Staff notes that student drop off and pick up traffic shall enter the site from 11th Ave NE and exit the site via 3rd St NE. On an annual basis and continuing until 1 year after the private school reaches its maximum enrollment of 310 students, the developer will be required to assess the sufficiency of queuing both on and off-site at the project access point(s). Should deficiencies be found to exist, the school will be required to work with the Hillsborough County Public Works Dept. to identify and implement additional on or off-site corrective measures.

Notwithstanding anything depicted on the special use site plan dated Nov. 1, 2023, an internal sidewalk connection shall be provided to the site arrival point on 3rd ST NE at the time of site construction plan approval to ensure that the site meets internal ADA pedestrian requirements consistent with LDC, Sec. 6.03.02.

REQUESTED DESIGN EXCEPTION- 11th AVE NE SUBSTANDARD ROADWAY

As 11th Ave NE is a substandard roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated October 5, 2023 on October 20, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 1, 2023). The developer will be required to construct the improvements consistent with the approved Design Exception, which includes:

- a. 11-foot wide travel lanes,
- b. a 10-foot wide turn lane, and
- c. F-type curb along the north side.

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

REQUESTED ADMINITRATIVE VARIANCE – 3rd ST NE SUBSTANDARD ROADWAY

The applicant's EOR submitted (on October 20, 2023) a Section 6.04.02.B. Administrative Variance request (dated October 3, 2023) for 3rd Street NE requesting relief from the Section 6.04.03.L requirement to improve the roadway between the project access and 11th Ave NE, to current County standards for a Type TS-7, Local/Collector Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM). On November 1, 2023 the County Engineer found the variance approvable. As such, no improvements to that portion of 3rd St NE would be required.

If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

The applicant's Engineer of Record (EOR) submitted, on October 20, 2023, a Section 6.04.02.B. Administrative Variance Request (dated October 3, 2023) from the Section 6.04.07. LDC requirement, governing spacing for the existing 3rd St NE access connection. Per the LDC, an access connection on a Class 6 roadway requires minimum connection spacing of 245 feet. The applicant is proposing the retain an existing driveway in a location which is +/- 35 feet from the closest driveway to the south. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on November 1, 2023.

If this rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. 11^{th} Ave NE and 3^{rd} St NE are not regulated roadways.

FDOT Generalized Level of Service				
Roadway	l From l To			Peak Hr Directional LOS
US HWY 41	7 TH ST SW	19 th AVE NE	D	С

Source: 2020 Hillsborough County Level of Service (LOS) Report





Unincorporated Hillsborough (County Special Use
Hearing Date: December 19, 2023 Report Prepared: December 7, 2023	Petition: SU 23-0746 1131 North US Highway 41 On the east side of North US Highway 41, north of 11 th Avenue Northeast & south of 15 th Avenue Northeast
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Office Commercial-20 (20 du/ga; 0.75 FAR) & Residential-12 (12 du/ga; 0.5 FAR)
Service Area	Urban
Community Plan	Ruskin & Southshore Areawide Systems
Special Use Request	Special Use for a Pre-K through 8 th grade private school
Parcel Size	11.85 ± acres
Street Functional Classification	North US Highway 41 – State Principal Arterial 11 th Avenue Northeast – Local 3 rd Street Northeast – Local 15 th Avenue Northeast – Local
Locational Criteria	N/A
Evacuation Area	A



Plan Hillsborough planhillsborough.org planner@plancom.org 813 - 272 - 5940 601 E Kennedy Blvd 18th floor Tampa, FL, 33602

Context

- The 11.85 ± acre subject site is located on the east side of North US Highway 41, north of 11th Avenue Northeast & south of 15th Avenue Northeast.
- The site is in the Urban Service Area and within the limits of the Ruskin Community Plan and Southshore Areawide Systems Plan.
- The site has a Future Land Use designation of Office Commercial-20 (OC-20) and Residential-12 (RES-12). OC-20 allows for consideration of up to 20 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.75. The intent of OC-20 is to recognize existing commercial and office centers and provide for future development opportunities. Typical uses within OC-20 include community commercial type uses, office uses, mixed use developments, and compatible residential uses. RES-12 allows for consideration of up to 12 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.5. The intent of RES-12 is to designate areas that are suitable for medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments. Typical uses within RES-12 include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.
- OC-20 extends to the north, west, and south. RES-12 extends to the north, south, and southeast. Light Industrial-Planned (LI-P) is located directly east. Residential-6 (RES-6) is located southeast. Residential-4 (RES-4) is located further west.
- Saint Anne Catholic Church is located on the subject site and is designated as a public
 institutional use. Additional public institutional uses owned by the Northside Baptist Church
 are located directly north. Light industrial, vacant, and agricultural uses are located further
 north. Light commercial, heavy commercial, heavy industrial, multi-family and singlefamily uses are interspersed west of the site across North US Highway 41. Light
 commercial and vacant uses are located south. Light industrial uses are located directly
 east. The area has a wide range of commercial, public institutional, vacant, and industrial
 uses.
- The subject site is zoned Commercial Neighborhood (CN) and Residential Multi-Family Conventional (RMC-12). CN and RMC-12 extend north. Commercial General (CG) and RMC-12 zoning extend south. The Commercial Intensive (CI), CN, and CG zoning districts are interspersed west of the subject site across North US Highway 41. Planned Development (PD) zoning is located directly east, further north, and further northeast. Agricultural Rural (AR) zoning is located southeast of the subject site.
- The applicant requests a Special Use approval for new construction of a Pre-K through 8th grade private school.

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

Land Use Categories

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

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

Policy 8.2: Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.

Policy 8.8: For projects whose boundaries encompass more than one land use category, density and intensity calculations will allow for the blending of those categories across the entire project. All portions of the project must be contiguous to qualify for blending. Blending of densities and intensities is not permitted across improved public roadways or between the Urban Service Area (USA) and Rural Service Area (RSA) boundary. The combined total number of dwelling units and/or FAR possible under all the land use categories within the project will be used as a ceiling for review purposes. This provides maximum design flexibility for those projects, because the location or clustering of those units on the project site need not conform to the land use category boundary on the site as long as the maximum number of dwelling units permitted for the entire project are not exceeded.

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 16.2: 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

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: 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 (CDC)

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.

LIVABLE COMMUNITIES ELEMENT: Ruskin Community Plan

Goal 6: Education - Provide quality education opportunities for Ruskin.

Strategies:

- Support the development of a community college.
- Secure future neighborhood school sites concurrent with the rezoning of property for homes.
- Elementary schools should be located internal to neighborhoods and should avoid locations along arterial streets.
- Every effort should be made to co-locate schools with park facilities.
- Require applicants of rezonings containing 50 or more residential units to consult with the Hillsborough County School District regarding potential school sites.

LIVABLE COMMUNITIES ELEMENT: Southshore Areawide Systems Plan

Cultural/Historic Objective

The community desires to:

- 3. Enhance community capacity and retain the unique character of communities in SouthShore.
- **a.** Encourage citizens to participate in their civic associations, chambers of commerce, schools and homeowners associations to work toward implementation of the vision.
- **f.** Work with local and regional groups, civic associations and chambers of commerce to identify opportunities for the co-location of future recreational, community, cultural, civic centers, with civic amenities (e.g. schools, libraries, emergency services, post offices, government agencies), and use those facilities as focal points of the communities.

Staff Analysis of Goals Objectives and Policies:

The approximately 11.85 ± acre subject site is located on the east side of North US Highway 41, north of 11th Avenue Northeast & south of 15th Avenue Northeast. The site is in the Urban Service Area and within the limits of the Ruskin Community Plan and the Southshore Areawide Systems Plan. The applicant requests a Special Use approval for a pre-k through 8th grade private school.

The subject site is in the Urban Service Area, where at least 80% of all population growth shall occur during the horizon of the Comprehensive Plan. The proposal is consistent with this guideline. Similarly, the site is located adjacent to a variety of commercial, industrial, public institutional, and vacant uses. There is a church that exists on the site. The proposed use compatible and complementary to the surrounding development pattern and is consistent with Future Land Use Element (FLUE) Policy 1.4.

The subject site is in the Office Commercial-20 (OC-20) and Residential-12 (RES-12) Future Land Use categories. More specifically, approximately 7.38 acres of the site are located

within OC-20 and 4.47 acres are located within RES-12. Both categories allow for the consideration of residential support uses. The applicant is proposing a 35,600 square foot pre-k through 8th grade private school on the western side of the subject site, which is designated as OC-20. The application also includes a proposed 300 square foot chiller pump room on the eastern boundary of the site, which is designated as RES-12. The total maximum building area proposed within the OC-20 area is 0.18 FAR (64,274 sq. ft.). The total maximum building area proposed within the RES-12 area is 0.04 (7,044 sq. ft.). These totals, which include the existing gross floor area to remain, are within the maximum allowable FAR totals for their respective Future Land Use categories. The proposal is consistent with the allowable uses under the OC-20 and RES-12 Future Land Use categories and is therefore consistent with Objective 8 and Policies 8.1 and 8.8 of the Future Land Use Element (FLUE).

According to FLUE Objective 9 and Policy 9.2, all development proposals must meet or exceed all local, state and federal land development regulations. The Natural Resources Agency within the Hillsborough County Development Services Department has stated no objection to the application, subject to conditions that were submitted on September 28, 2023. At the time of uploading this report, Transportation comments were not yet available and thus were not taken into consideration for analysis of this request.

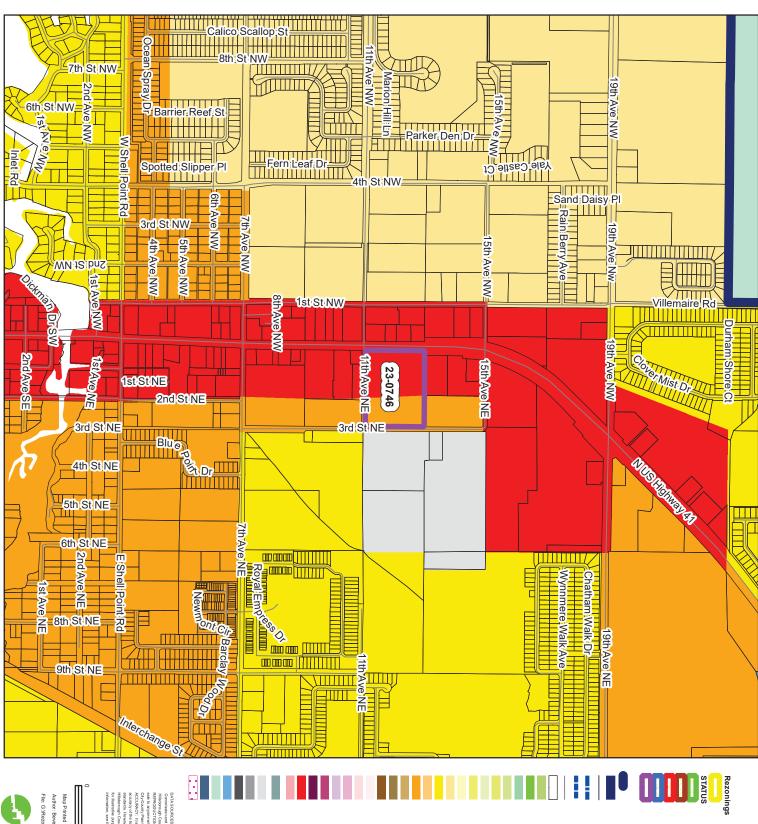
The proposed rezoning meets the intent of Objective 16 and associated policies relating to neighborhood protection. The subject site is surrounded by a variety of commercial, industrial, public institutional, and vacant uses. Single family and multi-family uses are located further west across North US Highway 41. The proposed private school will not only provide a neighborhood serving use to the established residential areas near the site, but it will also provide for an adequate transition in intensity between the light industrial and commercial uses to the west, south, and east. Existing access to the subject site will be located on North US Highway 41, 11th Avenue Northeast, and 3rd Street Northeast, which will minimalize adverse traffic impacts in the area. The proposal is consistent with the existing surrounding development. The application is consistent with Objective 12 and Policy 12-4.1 of the CDC as well as Policies 16.1, 16.2, and 16.3 of the FLUE. The proposal also meets the intent of Objective 17 and Policy 17.1 as the school is a residential support use and the improvements are designed to fit the character of a neighborhood.

The subject site meets the intent of the Ruskin Community Plan and the Southshore Areawide Systems Plan as schools, recreational amenities, and public services are identified as goals. The proposed Pre-K-12 charter school will further the goals outlined in the Community Plans.

Overall, staff finds that the proposed Special Use request would allow for development that is consistent with the Urban Service Area and the OC-20 and RES-12 Future Land Use categories. The proposed Special Use would allow for development that is consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

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



HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ SU 23-0746

<all other values:

APPROVED

DENIED PENDING WITHDRAWN CONTINUED

Urban Service Tampa Service

County Boundary Shoreline

Jurisdiction Boundary

AGRICULTURAL/MINING-1/20 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR) PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)

AGRICULTURAL/RURAL-1/5 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL-2 (.25 FAR) RESIDENTIAL-1 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR)

RESIDENTIAL-6 (.25 FAR) RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-16 (.35 FAR) RESIDENTIAL-20 (.35 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)

RESIDENTIAL-35 (1.0 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)

OFFICE COMMERCIAL-20 (.75 FAR) INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.75 FAR)

LIGHT INDUSTRIAL (.75 FAR)

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) NATURAL PRESERVATION PUBLIC/QUASI-PUBLIC HEAVY INDUSTRIAL (.75 FAR)

CITRUS PARK VILLAGE



Map Printed from Rezoning System: 7/7/2023

Author: Beverly F. Daniels

Fle: G:\RezoningSystem\MapProjects\HC\Greg_hcRezoning - Copy.mxd







305 p. w. REE: 1922 PG 397 tola This Quit-Claim Deed, Executed this 17th day of June , A. D. 19 68 , by PAUL TANNER as Bishop of the Diocese of St. Augustine, first party, to CHARLES B. McLAUGHLIN, as Bishop of the Diocese of St. Petersburg, his successors in office, a Corporation sole, whose postoffice address is Post Office Box 13109, St. Petersburg, Florida 33733 second party: Witnesseth, That the said first party, for and in consideration of the sum of \$ 10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or percel of land, situate, lying and being in the County of Hillsharough State of Floridae to the local transfer. Hillsborough State of Florida . to-wit: Lots 676, 677 and that part of Lot 678 lying East of State Road No. 41, RUSKIN COLONY FARMS SECOND ADDITION, as per map or plat thereof recorded in Plat Book 6 on pages 37 and 38 of the public records of Hillsborough County, Florida. E O O. 5 5 JUL 25168 2 3 3 ₹00.30 To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim what-socuer of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of: as Bishop of the Diocese of St. Augustine STATE OF FLORIDA, COUNTY OF St. Johns I HEREBY CERTIFY that on this day, before officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared PAUL TANNER as Bishop of the Diocese of St. Augustine to be the person described in and who executed the foregoing instrument and him before me that he executed the same. WITNESS my hand and official seal in the County and State last 17th day of June Notary Public My Commission Expires: NOTARY PUBLIC, STATE OF FLORIDA AT LARGE This Instrument prepared by: JOHN J. DIVITO MY COMMISSION EXPIRES JUNE 17, 1972 ATTORNEY AT LAW
P. O. BOX 12047
ST. PETERSBURG, FLA. 33723



Development Services



SPECIAL USE (GENERAL)

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.

All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted.				
Property 1	Information			
Address:1131 N 41 HwyCity/State/Zip:R	TWN-RN-SEC: 32-19-05			
Folio(s): 055694-0000 Zoning: CN, RMC-1	2 Future Land Use: OC-20, R-12 Property Size: 11.854 ac			
	ner Information			
Name: Diocese of St Petersburg, Inc.	Daytime Phone: <u>727-344-1611</u>			
Address: 6363 Ninth Avenue North	City/State/Zip:St. Petersburg, FL 33710			
Email:	FAX Number: 727-345-2143			
Name: Same as Property Owner	InformationDaytime Phone:			
Address:	City/State/Zip:			
Email:	FAX Number:			
Applicant's Representation Name: _Kami Corbett, Esq. / Hill Ward Henderson, P.A	ative (if different than above)Daytime Phone: _813-227-8421			
Address: 101 E. Kennedy Blvd., Suite 3700	City / State/Zip: Tampa, FL 33602			
Email: kami.corbett@hwhlaw.com	FAX Number: 813-221-2900			
I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.			
Signature of Applicant	Signature of Property Owner			
Kami Corbett, Esq., as Agent Type or Print Name	Kami Corbett, Esq., as Agent			
Type of Fine Name	Type or Print Name			
Office Use Only				
Intake Staff Signature: Keshia Rivas	Intake Date: 06/30/2023			
Case Number:Public Hearing Date: LUHO 09/26/2023 Receipt Number:282603				
Type of Application: SU-GEN 23-0746				
Development Services, 601 E Kennedy Blvd. 19 th Floor Revised 07/02/2014				



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

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Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CN
Description	Commercial - Neighborhood
Zoning Category	Residential
FLX	f
Zoning	RMC-12
Description	Residential - Multi-Family Conventional
Flood Zone:AE	BFE = 9.0 ft
FIRM Panel	0656H
FIRM Panel	12057C0656H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120656C
County Wide Planning Area	Ruskin
Community Base Planning Area	SouthShore
Community Base Planning Area	Ruskin
Census Data	Tract: 014122 Block: 1032
Future Landuse	OC-20
Future Landuse	R-12
Future Landuse	OC-20
Future Landuse	OC-20
Future Landuse	R-12
Future Landuse	R-12
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	4
Fire Impact Fee	South
Parks/Schools Impact Fee	SOUTH
ROW/Transportation Impact Fee	ZONE 9
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



RS, Sources: Esrl, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 55694.0000
PIN: U-05-32-19-1V4-000000-00676.0
Diocese Of St Petersburg
Mailing Address:
Hi 16
Po Box 40200
Saint Petersburg, Fl 33743-0200
Site Address:
1131 N 41 Hwy
Ruskin, Fl 33570

SEC-TWN-RNG: 05-32-19 Acreage: 12.15450001 Market Value: \$9,575,408.00 Landuse Code: 7100 Institutional

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