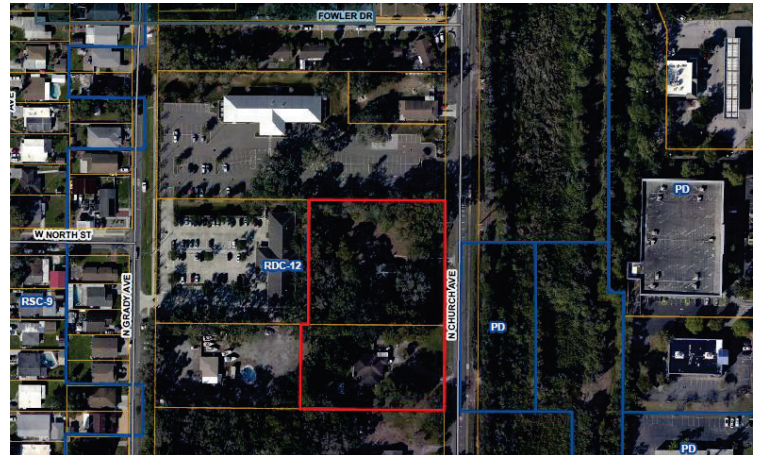


**Rezoning Application:** PD 22-1499  
**Zoning Hearing Master Date:** January 17, 2023  
**BOCC Land Use Meeting Date:** March 14, 2023

**1.0 APPLICATION SUMMARY**

**Applicant:** Shrute Fern, LLC  
**FLU Category:** RES-12  
**Service Area:** Urban  
**Site Acreage:** 2.59  
**Community Plan Area:** None  
**Overlay:** None



**Introduction Summary:**

The applicant seeks to rezone two parcels from RDC-12 (Residential – Duplex Conventional) to PD (Planned Development) to allow the development of a 31-unit multi-family project.

Zoning:	Existing	Proposed
District(s)	RDC-12	PD 22-1499
Typical General Use(s)	Single-Family and Two-Family (Conventional)	Multi-Family Residential
Acreage	2.59	2.59
Density/Intensity	12 du/gross acre	12 du/gross acre
Mathematical Maximum*	31 units	31 units

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RDC-12	PD 22-1499
Lot Size / Lot Width	3,500 sf / 40'	N/A
Setbacks/Buffering and Screening	20' Front 20' Rear 5' Sides	51.7' East Front 20' West Rear 10' North Side 8.8' South Side 10'/Type A buffering and screening along north 10'/Type A buffering and screening along northwest 5'/Type A buffering and screening along southwest 5'/Type A buffering and screening along south
Height	35'	33'-3"

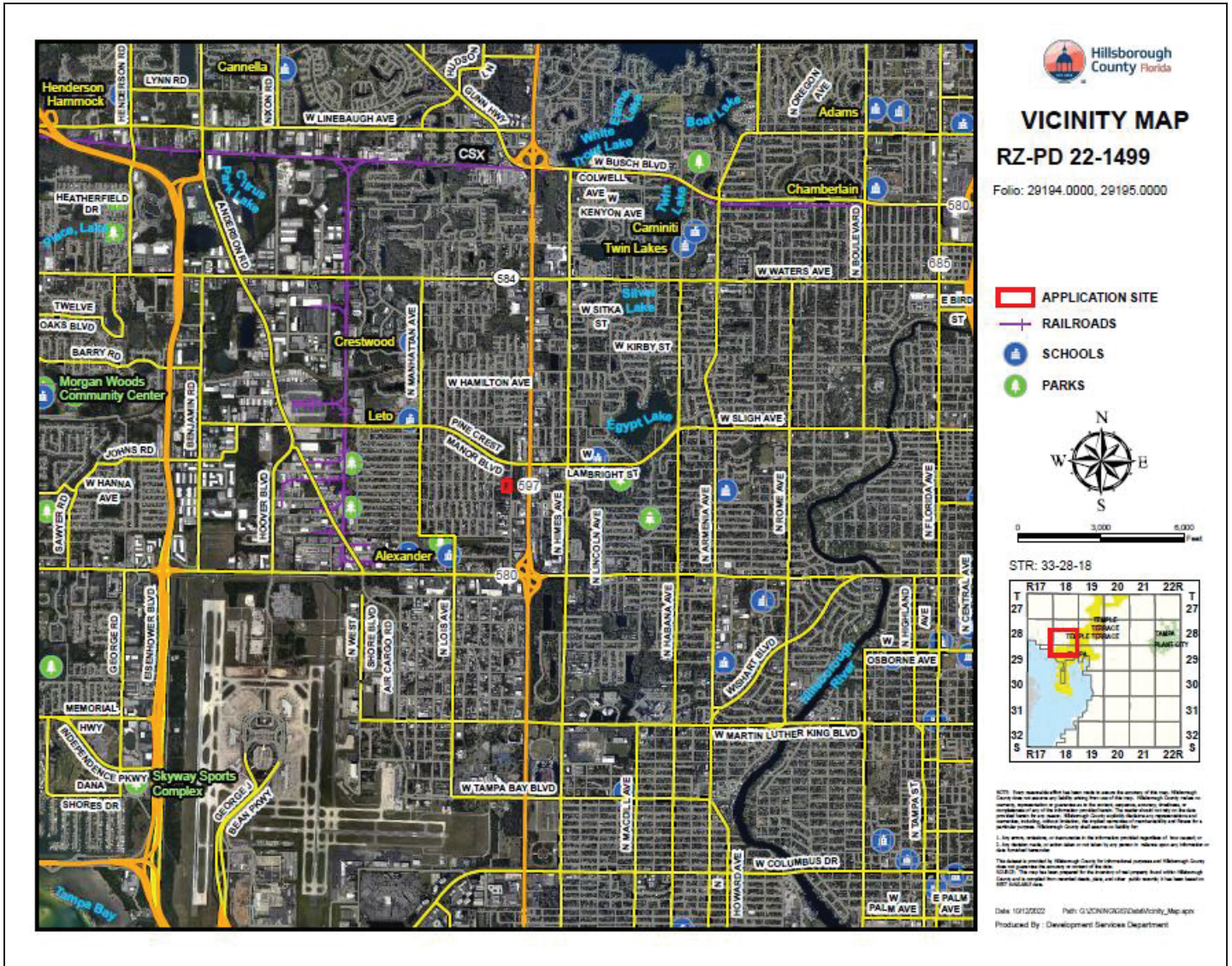
**Additional Information:**

PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	6.01.01:additional 2 foot setback for each foot of structure height of 20ft

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable, subject to proposed conditions
--	---

### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.1 Vicinity Map



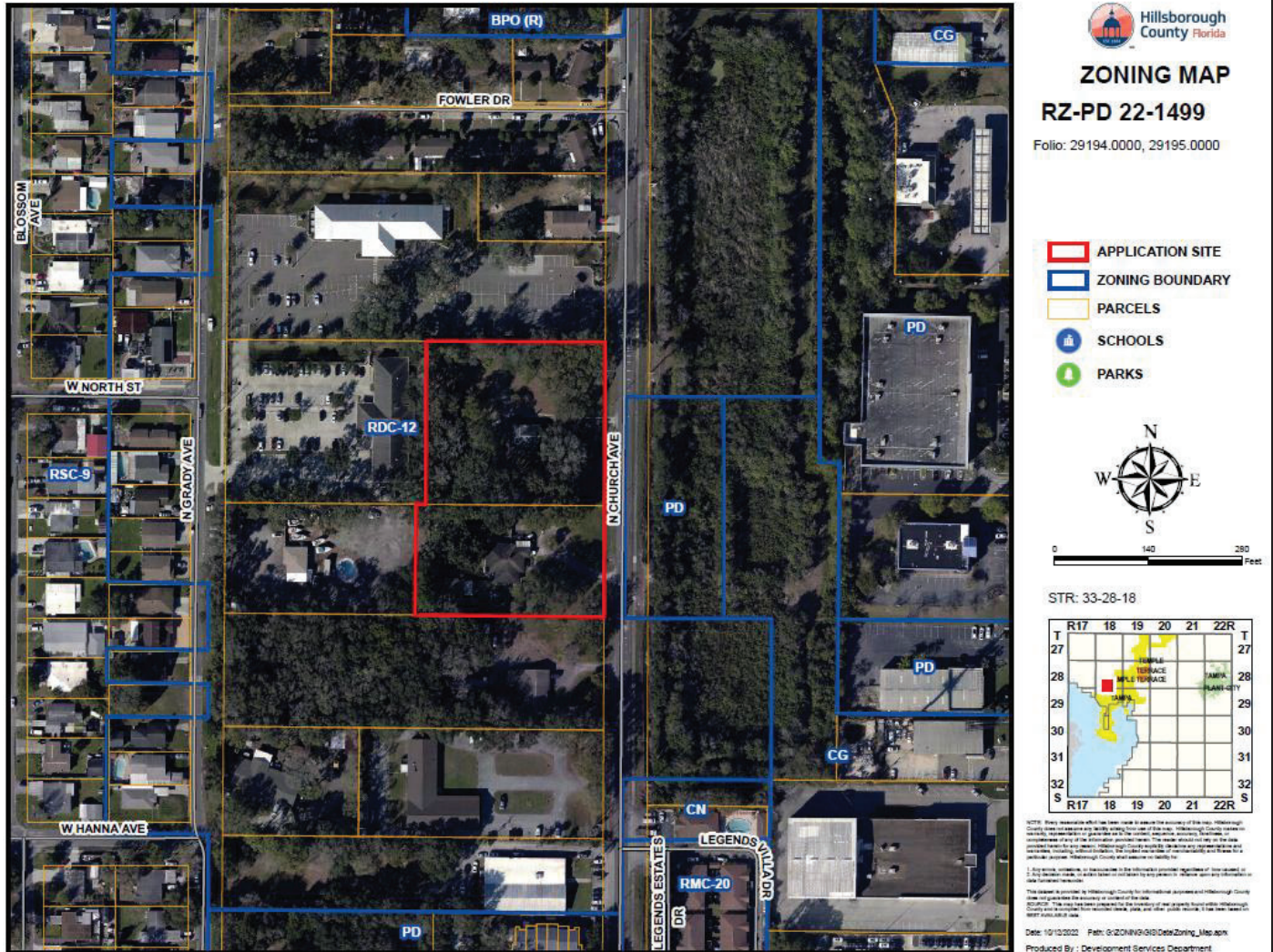
#### Context of Surrounding Area:

The site is located at 6212 & 6216 North Church Avenue. The general area is developed with residential (single-family and multi-family), religious institutions and commercial uses.



2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

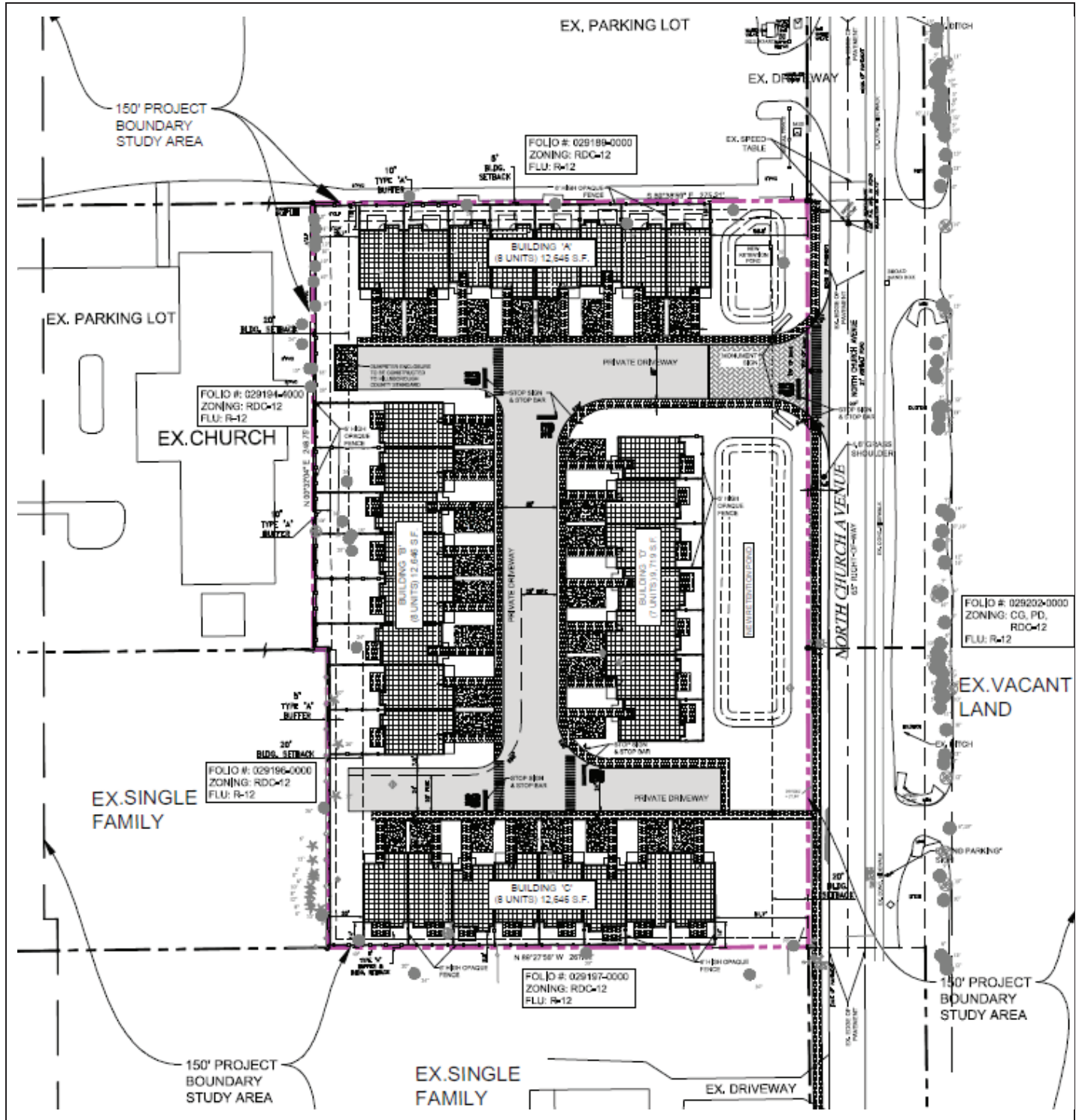


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RDC-12	12 du/gross acre	Single-Family and Two-Family (Conventional)	Churches
South	RDC-12	12 du/gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential
East	CG, PD 80-0080, RDC-12	CG: 0.27 F.A.R. PD: Per PD 80-0080 RDC-12: 12 du/gross acre	CG: General Commercial PD: Various RDC-12: Single-Family and Two-Family	Vacant
West	RDC-12	12 du/gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential, Church

### 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)



APPLICATION NUMBER: PD 22-1499

ZHM HEARING DATE: January 17, 2023

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

**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Church Avenue	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

**Project Trip Generation**  Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	293	23	31
Proposed	227	14	17
Difference (+/-)	-66	-9	-14

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

**Connectivity and Cross Access**  Not applicable for this request

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

Notes:

**Design Exception/Administrative Variance**  Not applicable for this request

Road Name/Nature of Request	Type	Finding
Church Avenue/ Substandard Road	Administrative Variance Requested	Approvable
	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	No wetlands present
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Staff Report.
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" 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	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$6,661 * 31 units = \$206,491 Parks: \$1,555 * 31 units = \$ 48,205 School: \$3,891 * 31 units = \$120,621 Fire: \$249 * 31 units = \$ 7,719 Total Multi-Family (1-2 story) = \$383,036				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input checked="" type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The approximate 2.59-acre property is comprised of two parcels zoned RDC-12 (Residential – Duplex Conventional) each with a single-family home. The subject property is located at 6212 & 6216 North Church Avenue. The applicant proposes a 31-unit multi-family project. The general area is developed with single-family and multi-family residential, religious institutions and commercial uses. The subject parcels are directly adjacent to religious institutions to the north and west zoned RDC-12 and single-family residential to the south and west zoned RDC-12. A vacant lot zoned CG (Commercial General), PD 80-0080 (Planned Development) and RDC-12 is located to the east across North Church Avenue. Further north and south on Church Avenue are multi-family apartments.

The applicant requests relief from the land development code section 6.01.01 to remove the additional setback of two feet for every one foot of structure height over 20 feet. Strictly adhering to this standard along with buffering and screening requirements would demand the applicant have a setback of 38 feet to the west and north, and 33 feet to the south which would severely limit the project area. Staff concurs with the applicant's justification for relief from this requirement.

The subject property is designated Residential-12 (R-12) on the Future Land Use map. The Planning Commission finds the proposed use consistent with the Comprehensive Plan. The surrounding uses are similar to the request; residential; which includes single-family, duplex, and multi-family. Therefore, the rezoning of the subject parcel from RDC-12 to PD with a multi-family use would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested PD zoning district compatible with the existing zoning and development pattern in the area.

### 5.2 Recommendation

Approval, subject to proposed conditions.



## 6.0 PROPOSED CONDITIONS

### Requirements for Certification:

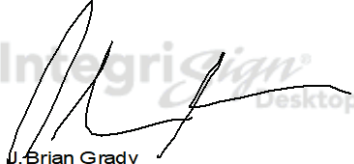
1. Building C Courtyards in buffer area to be removed

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted December 27, 2022.

1. The project shall be limited to a maximum of 31 multi-family residential units.
2. Development shall be in compliance with the following:  
Northern PD boundary minimum setback: 10 feet  
Western PD boundary minimum setback: 20 feet  
Eastern PD boundary minimum setback: 51.7 feet  
Southern PD boundary minimum setback: 8.8 feet  
Maximum building height: 33 feet 3 inches
3. A minimum 5-foot-wide buffer with Type A screening shall be provided along the southern and southwestern PD boundaries toward residential. A minimum 10-foot-wide buffer with Type A screening shall be provided along the northern and northwestern PD boundaries toward the church. A 6-foot-high opaque fence shall be utilized as the Type A screening, as depicted on the site plan.
4. Building, parking, and stormwater areas shall be developed where generally depicted on the site plan.
5. If PD 22-1499 is approved, the County Engineer will approve a Design Exception (dated December 22, 2022) which was found approvable by the County Engineer (on December 29, 2022) for Church Ave. substandard road improvements. As Church Ave. is a substandard local roadway, the developer shall make certain improvements to Church Ave. consistent with the Design Exception or as otherwise specified herein these conditions. Specifically, prior to or concurrent with the initial increment of development, the developer shall construct the following improvements along the project's Church Ave. frontage or as otherwise specified herein these conditions:
  - a. The developer shall construct 5-foot sidewalk on the west side of Church Avenue along the property and build +/- 170 additional feet of sidewalk south to connect to the existing sidewalk on the west side of Church Ave.
  - b. The developer shall design, fund, and build one pedestrian mid-block crossing per Hillsborough County Standards. The design, location, installation timing, and appropriateness of the midblock crossing to be reviewed and approved by Public Works.
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 project boundaries.
7. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General

Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

- 8. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Tue Jan 10 2023 12:45:46</p>
--	--

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

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

**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

None.



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Egypt Lake/ Northwest

DATE: 01/06/2023
AGENCY/DEPT: Transportation
PETITION NO: PD 22-1499

- Form checkboxes for agency comments: '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 PD 22-1499 is approved, the County Engineer will approve a Design Exception (dated December 22, 2022) which was found approvable by the County Engineer (on December 29, 2022) for Church Ave. substandard road improvements. As Church Ave. is a substandard local roadway, the developer shall make certain improvements to Church Ave. consistent with the Design Exception or as otherwise specified herein these conditions. Specifically, prior to or concurrent with the initial increment of development, the developer shall construct the following improvements along the project's Church Ave. frontage or as otherwise specified herein these conditions:
- The developer shall construct 5-foot sidewalk on the west side of Church Avenue along the property and build +/- 170 additional feet of sidewalk south to connect to the existing sidewalk on the west side of Church Ave.
- The developer shall design, fund, and build one pedestrian mid-block crossing per Hillsborough County Standards. The design, location, installation timing, and appropriateness of the midblock crossing to be reviewed and approved by Public Works.
• Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels totaling +/- 2.59 acres from Residential Duplex Conventional - 12 (RDC-12) to Planned Development (PD). The proposed Planned Development is seeking entitlements for 31 Multifamily Dwelling Units. The site is generally located on the west side of Church Ave, +/- 525 feet south of the intersection of Pine Crest Manor Blvd and Church Ave. The Future Land Use designation of the site is Residential - 12 (R-12).

Trip Generation Analysis

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation for the proposed project indicating the proposed project will generate less than 50 peak hour trips and as such a detailed traffic study was not required. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RDC-12, 31 Single Family Dwelling Units (ITE code 210)	293	23	31

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 31 Multi Family Dwelling Units (ITE code 220)	227	14	17

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>-66</b>	<b>-9</b>	<b>-14</b>

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 66 average daily trips, 9 trips in the a.m. peak hour, and 14 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The subject property has frontage on Church Avenue. Church Avenue is 2-lane, substandard, Hillsborough County maintained, local roadway, characterized by +/-10 ft. travel lanes. Church Ave lies within +/-76 ft of Right of way. There is a sidewalk on the eastern side of Church Avenue but no sidewalk on the western side in the vicinity of the proposed project.

**DESIGN EXCEPTION, SUBSTANDARD ROAD – CHURCH AVE.**

Given that Church Ave. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (DE) request (on December 22, 2022) for Church Ave. to determine the specific improvements that would be required by the County Engineer. Based on factors presented within the Design Exception request, the County Engineer found the DE approvable (on December 29, 2022). The deviations from the TS-7 Typical Section (2-Lane Undivided, Local and Collector Rural Roadways), include:

- The developer shall be permitted to utilize the existing 10 to 11-foot to travel lanes in lieu of the 12-foot wide travel lanes typically required by the Hillsborough County Transportation Technical Manual (TTM) TS-7;
- The developer shall construct 5-foot sidewalk on the west side of Church Avenue along the property and build +/- 170 additional feet of sidewalk south to connect to the existing sidewalk on the west side of Church Ave.
- The developer shall design, fund, and build one pedestrian mid-block crossing per Hillsborough County Standards. The design, location, and installation timing of the midblock crossing to be reviewed and approved by Public Works.

**SITE ACCESS**

The project is proposing a full access connection on Church Ave. Vehicular and Pedestrian cross access is not required per section 6.04.03.Q of the Hillsborough County Land Development Code.

**ROADWAY LEVEL OF SERVICE (LOS)**

Church Ave is not a regulated roadway and as such was not included in the Level of Service Report.

# Northside

*Engineering Inc.*

Project: North Church Apartments  
Date: December 22<sup>nd</sup>, 2022

Civil  
Land Planning  
Due Diligence Reports  
Re-Zoning, Land Use, Annexation  
Stormwater Management  
Utility Design  
Traffic  
Construction Administration

To: Michael J. Williams, P.E.  
Development Review Director  
County Engineer  
Hillsborough County  
601 East Kennedy Boulevard  
Tampa, FL 33602

Re: North Church Avenue Design Exception – Modified TS-7 Typical Section  
Folio # 29194.0000  
Zoning Case # RZ PD 22-1499

The purpose of this letter is to provide justification for the request for a Design Exception to Section 1.7 of the Hillsborough County Transportation Technical Manual (TTM), to meet the requirements of Section 6.04.03.L of the Land Development Code (LDC). The request stems from the current application to rezone a ±2.59 acre tract located at 6212 and 6216 N. Church Avenue, from Residential, Duplex Conventional (RDC-12) to Planned Development (PD) to allow the development of up to 31 multi-family dwelling units.

The project proposes to have one (1) full-access connection to N. Church Avenue. N. Church Avenue is a two-lane, local roadway with a posted speed of 30 miles per hour (mph). Within the existing 65 feet of right-of-way, there are currently 10 to 11-foot travel lanes, a 5-foot sidewalk on the east side of the roadway, and approximately 5 to 10 feet of open drainage ditch on the east side of the roadway.

As indicated in the Trip Generation Memorandum, submitted as part of the initial application package for PD 22-1499, the development is anticipated to generate fewer than fifty (50) peak-hour trips.

Due to existing right-of-way constraints including the wide ditch on the east side of the roadway, the proposed improvements to the western portion of N. Church Avenue adjacent to the property include the following modifications to the TS-7 Typical Section:

TS-7 requires 12-foot travel lanes, 5-foot paved shoulders, 5-foot sidewalk, and open drainage within a minimum right-of-way of 96 feet.

The request is to maintain the existing 10 to 11-foot travel lanes, 5-foot sidewalks (existing and proposed), and open drainage within the existing right-of-way of 65 feet.

**Exhibit A** illustrates the proposed cross section adjacent to the project site as a modification of **Exhibit B** (TS-7). **Exhibit C** provides a plan view of a proposed 5-foot sidewalk on the west side of the roadway adjacent to the project as well as an additional 170-feet of sidewalk on the west side of the roadway south of the project to connect to an existing sidewalk. In addition, the developer is committed to design, fund, and build one (1) pedestrian mid-block crossing per Hillsborough County standards and



specifications. The design, location, and installation timing of the mid-block crossing to be reviewed and approved by the Public Works Department during permitting.

The pedestrian mid-block crossing will be a pedestrian amenity that connects the western side of N. Church Avenue to the existing sidewalk on the eastern side of the roadway. The existing sidewalk extends from Pine Crest Manor Boulevard to the north to Henry Avenue to the south.

Based on the information above, it is anticipated that the proposed improvements to N. Church Avenue will improve the pedestrian experience along the local roadway and meet the intent of the Transportation Technical Manual to the extent feasible.

Please reach out if there are any further questions or you need clarification.

Respectfully,



Digitally signed by Daniel E Shockey  
DN: C=US, O=Florida,  
dnQualifier=A01410D0000017C6029C9  
EC00016FEB, CN=Daniel E Shockey  
Reason: I am the author of this document  
Location: 300 South Belcher Road,  
Clearwater, FL., 33765  
Date: 2022.12.22 15:13:33-05'00'  
Foxit PDF Editor Version: 11.2.3

Daniel E. Shockey, P.E.

727-443-2869

[daniel@northsideengineering.net](mailto:daniel@northsideengineering.net)

---

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

\_\_\_\_\_ Disapproved

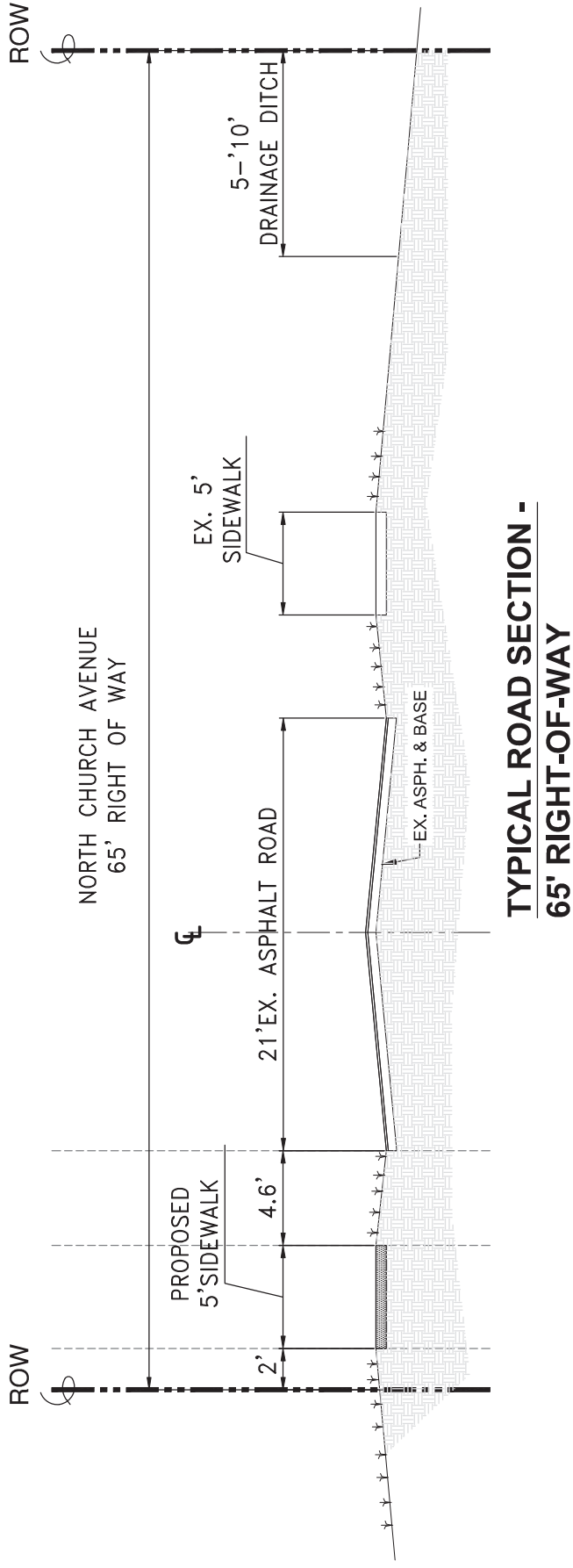
\_\_\_\_\_ Approved

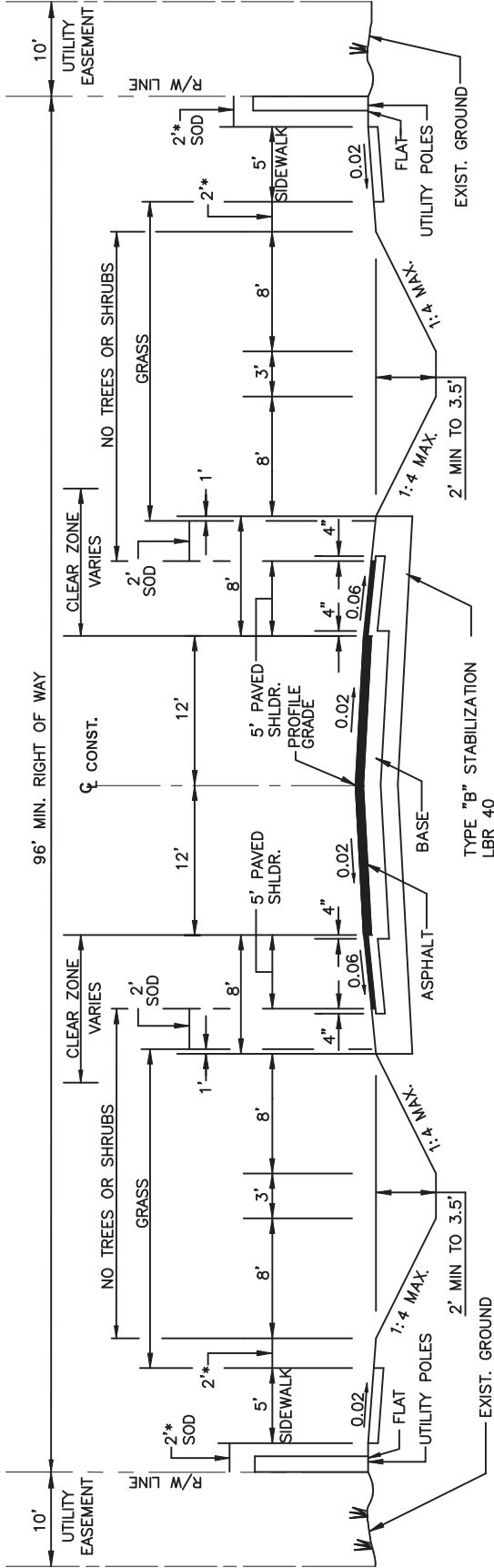
\_\_\_\_\_ Approved with Conditions

Exhibits:

- A. Proposed Typical Section
- B. TTM TS-7
- C. Zoning Site Pan with Plan View of Additional Sidewalk South of Property

**EXHIBIT A**





**TYPICAL SECTION**

N.T.S.

FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED – 50 MPH

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

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



**TRANSPORTATION  
TECHNICAL  
MANUAL**

REVISION DATE:  
10/17





**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> January 17, 2023	<b>Petition: PD 22-1499</b>
<b>Report Prepared:</b> January 5, 2023	<b>6212 &amp; 6216 N. Church Avenue</b>  <i>West side of Church Avenue, south of Pine Crest Manor Blvd and west of Dale Mabry Hwy</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-12 (12 du/ga; 0.50 FAR)</b>
<b>Service Area:</b>	<b>Urban</b>
<b>Community Plan:</b>	None
<b>Rezoning Request:</b>	Residential, Duplex Conventional (RDC-12) to Planned Development (PD) to develop 31 townhomes
<b>Parcel Size (Approx.):</b>	2.59 +/- acres (112,820 square feet)
<b>Street Functional Classification:</b>	Church Avenue – <b>Local</b> Pine Crest Manor Boulevard – <b>Arterial</b>
<b>Locational Criteria:</b>	N/A
<b>Evacuation Area:</b>	E



## **Context**

- The subject site is located on approximately 2.59 ± acres on west side of Church Avenue, south of Pine Crest Manor Boulevard and west of Dale Mabry Highway. The site is in the Urban Service Area and not within the limits of a Community Plan.
- The subject site's Future Land Use designation is Residential-12 (RES-12). Typical uses in the RES-12 include 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. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is surrounded by RES-12 on all sides. Further east, Office Commercial-20 (OC-20) is designated along Dale Mabry Highway. Further west is designated as Residential-9 (RES-9). To the south is Residential-20 (RES-20). The subject site is surrounded by a mix of uses including single family residential, multi-family residential, churches, and conservation land. Further east along Dale Mabry Highway there are light commercial uses.
- The subject site is zoned Residential, Duplex Conventional (RDC-12). In the general vicinity, the site is mainly surrounded by RDC-12 zoning, with some Planned Development (PD) and Commercial General (CG) zoning to the east.
- The applicant requests to rezone from Residential, Duplex Conventional (RDC-12) to Planned Development (PD) to develop 31 townhomes.

### **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***

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

### ***Policy 1.2: Minimum Density***

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

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

***Policy 1.4:*** Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements

affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### **Land Use Categories**

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

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

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

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

**Policy 9.2:** 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 16.7:** *Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.*

**Policy 16.8:** *The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.*

**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.*

**Policy 16.11:** *Within residential projects, site planning techniques shall be encouraged to ensure a variety and variation of lot sizes, block faces, setbacks and housing types.*

**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.*

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

**The subject site is located on approximately 2.59 ± acres on west side of Church Avenue, south of Pine Crest Manor Boulevard and west of Dale Mabry Highway. The site is in the Urban Service Area and not within the limits of a Community Plan. The applicant requests to rezone from Residential, Duplex Conventional (RDC-12) to Planned Development (PD) to develop 31 townhomes.**

**The subject site is in the Urban Service Area and per Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county’s growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that “Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals**



in maintaining the character of existing development.” The proposed density in the RES-12 FLU designation is compatible with the existing character of development in the area. The site is surrounded by the RES-9, RES-12, RES-20, and OC-20 designations. The area contains a mix of uses including single-family residential, multi-family residential, churches, conservation land, and light commercial. The proposal is consistent with Policy 1.2 as it meets minimum density expected for the acreage of this site.

The proposed rezoning meets the intent of Objective 16 and policies 16.1, 16.2, 16.3, 16.7, 16.8, 16.10, 16.11 and 17.7. The proposal includes four (4) buildings with 7 to 8 townhomes in each. Each townhome unit has its own driveway access. Type A buffers and 6’ opaque fencing is proposed along the north, west and southern boundaries of the site. There are stormwater retention areas on the east side of the site, providing the residents a buffer from Church Avenue. The proposed housing type is reflective of the surrounding multi-family neighborhoods to the north, east and south. The site plan appears to show an efficient system of internal circulation with main access off Church Avenue. There are adequate pedestrian facilities within the site and sidewalks are proposed along the site’s frontage on Church Avenue.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character of this area contains multi-family residential, commercial, and public institutional uses and therefore the proposed residential use is compatible with the surrounding development pattern.

Overall, staff finds that the proposed residential development is consistent with policy direction in the Urban Service Area. The proposed Planned Development would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*. The request is compatible with the existing development pattern found within the surrounding area.

### **Recommendation**

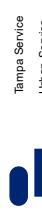
Based upon the above considerations, Planning Commission staff finds the proposed Planned Development **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the conditions proposed by the Development Services Department.

# HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 22-1499

Rezonings



STATUS



Urban Service

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

Wm NATURAL LULC, Wet Poly

AGRICULTURAL/MINING-120 (.25 FAR)

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

AGRICULTURAL-RURAL-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)

OC-20

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.50 FAR)

LIGHT INDUSTRIAL (.50 FAR)

HEAVY INDUSTRIAL (.50 FAR)

PUBLIC/QUASI-PUBLIC

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE



DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning is subject to the approval of the Hillsborough County Planning Commission. ACCURACY: It is intended that the information shown 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: 10/12/2022  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Reg\_h\Rezoning - Copy.mxd

