

PD Modification Application: PRS 23-0509

Zoning Hearing Master Date: NA

BOCC Land Use Meeting Date: 07-18-23



Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Harborside Suites, LLC

FLU Category: Residential-6

Service Area: Urban

Site Acreage: Approx. 16.22 acres

Community Plan Area: Seffner Mango

Overlay: None



Introduction Summary:

PD 05-1779 was approved in 2006 to rezone a 327.14-acre parcel located at the northeast corner of 32nd Street NW and Shell Point Road to a planned development. The purpose of this rezoning was to remove the “lift station” parcel which was approximately 12 acres in size from the existing Bahia Beach planned development (80-33) and add approximately 70 acres located directly south of the existing Bahia Beach project. No additional development entitlements were requested beyond that which was currently approved within the Bahia Beach project which has vested rights for the development of 1,500 residential units, commercial uses, and a marina development.

Minor Modifications: PRS 07-1429 WD,04-1655,05-1003,95-0264,93-0416,13-0375, 16-1360

Major Modifications: MM 07-1430,04-1067,03-1611,98-0434

Most Recent Amendment: PRS 16-1360, was a minor modification to 1) require the developer to indicate the type of residential units that are encroaching between PD 05-1779 and PD 05-1926 and the PD from which the units should be subtracted from prior to Preliminary Plat / Plan approval for the affected portion of the development and 2) allow cross access along the entire common boundary of the PD as well as relocation internal roadway(s) within the project.

Existing Approval(s):	Proposed Modification(s):
The current condition 6 and 17 reference condominium as the type of multi-family.	The requested change is to conditions 6 and 17 to clarify allowance for Multi-Family Dwelling Units and townhomes on Tracts 4, 5, and 7 located in Section A.

Additional Information:	
PD Variation(s):	None Requested
Waiver(s) to the Land Development Code:	None Requested.

APPLICATION NUMBER: PRS 23-0509

ZHM HEARING DATE: NA

BOCC LUM MEETING DATE: July 18, 2023

Case Reviewer: Tim Lampkin, AICP

Planning Commission Recommendation:

N/A

Development Services Recommendation:

Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



The subject site is located along Bahia del Sol Drive and south of Bahia Beach Boulevard, approximately 3,200 feet northwest of West Shell Point Road. The folios subject to the request is surrounded by other folios located within the same development, PD 05-1779. To the immediate west is the Little Manatee River and Tampa Bay.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential - 6
Maximum Density/F.A.R.:	6 du per acre / Max. FAR: 0.25
Typical Uses:	Typical uses include residential, suburban commercial, offices, multi-purpose, and mixed-use development.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

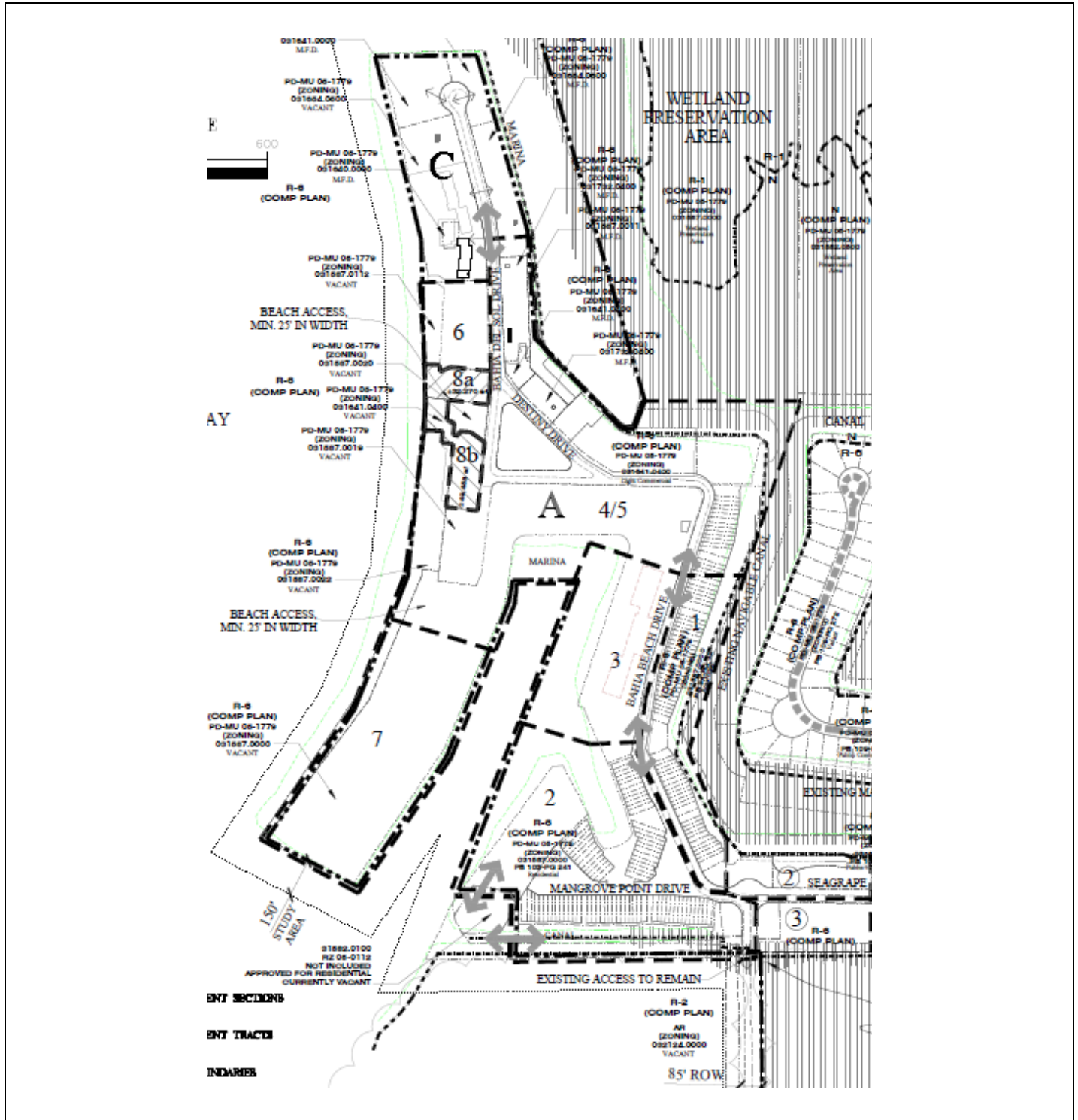


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 05-1779, as amended	Tracts 4/5 and 7 allows a max. 735 dwelling units (condition 17)	Townhomes, condominiums, single-family detached homes	Townhomes, condominiums, single-family detached homes and vacant
South	PD 05-1779, as amended	Tracts 4/5 and 7 allows a max. 735 dwelling units	Townhomes, condominiums, single-family detached homes	Townhomes, condominiums, single-family detached homes and vacant
East	PD 05-1779, as amended	Tracts 4/5 and 7 allows a max. 735 dwelling units	Townhomes, condominiums, single-family detached homes and marina	Townhomes, condominiums, single-family detached homes, marina and vacant
West	PD 05-1779, as amended	Tracts 4/5 and 7 allows a max. 735 dwelling units	Townhomes, condominiums, single-family detached homes	Townhomes, condominiums, single-family detached homes and vacant

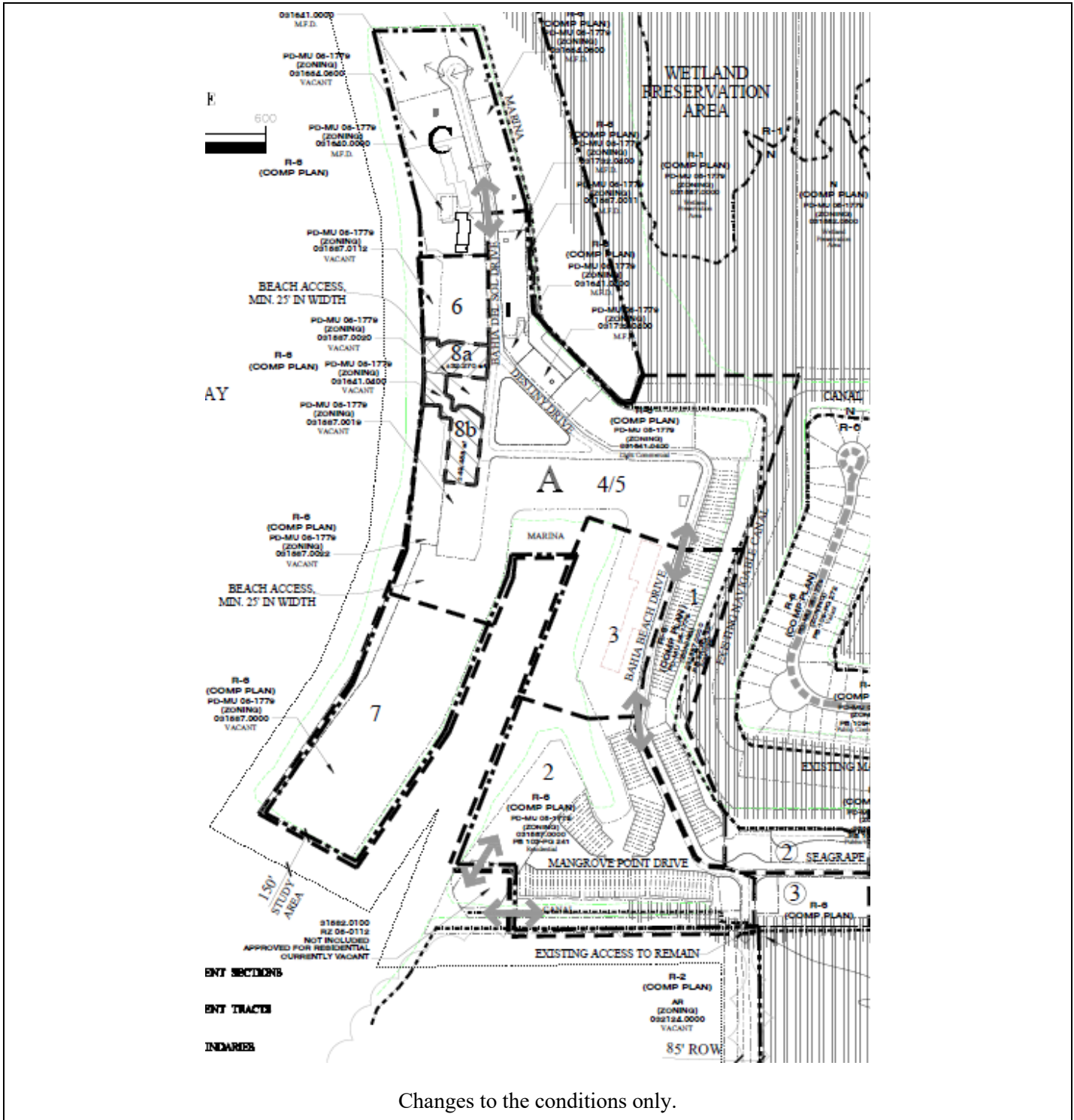
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
32 nd St. NW	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Beach Blvd.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Del Sol Dr.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	See Staff Report	See Staff Report	See Staff Report
Proposed	See Staff Report	See Staff Report	See Staff Report
Difference (+/-)	No Change	No Change	No Change

*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	X	Vehicular & Pedestrian	None	Meets LDC
East		Vehicular & 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
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input checked="" 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 checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See "Transportation Comment Sheet".
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The applicant is not proposing to change the existing residential entitlements.
Impact/Mobility Fees No comment				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	Applicant is not proposing to change the existing residential entitlements.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is requesting minor modification request, to a previously approved PD most recently modified via PRS 16-1360. The entire Planning Development consists of multiple parcels totaling +/- 327.89 acres. The PD has current approvals for a maximum of 1,500 townhomes and/or condominiums and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses.

The +/-16.22-acre subject site is located along Bahia del Sol Drive and south of Bahia Beach Boulevard, approximately 3,200 feet northwest of West Shell Point Road. The folios subject to the request is surrounded by other folios located within the same development, PD 05-1779. To the immediate west is the Little Manatee River and Tampa Bay.

The requested change is to conditions 6 and 17 to clarify allowance for the construction of Multi-Family Dwelling Units on Tracts 4, 5, and 7. The Planned Development does allow Multi-Family Dwelling Units; however, it references their type as Condominium, which is a term not defined in the LDC. The effect of this change is that Tracts 4, 5, and 7 will be regulated as multi-family as defined by the LDC. There are no changes to the current density or mix of units that are already in place.

As there are no proposed changes to the current density, there are no transportation impacts to the site resulting from the proposed change. Pursuant to the Development Review Procedures Manual, this project is not required to submit a transportation analysis.

The application requests no additional variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code, Site Development and Technical Manuals.

5.2 Recommendation

Staff finds the request approvable subject to the conditions of approval.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2023.

1. No additional seawalls shall be allowed to be constructed beyond those presently existing.
2. Any addition or expansion to the sewage treatment or other facilities must be above the base flood plain (100 year) elevation unless otherwise approved by Hillsborough County.
3. In the course of development, the overall project will be subject to periodic reviews to determine the adequacy of public facilities and services based upon standards established during the period of site development plan submittal. The remaining number of dwelling units and commercial square footage as yet not permitted shall be allocated equally to at least three future stages for review.
4. Subject to periodic traffic analysis the stages of the proposed development shall be permitted to occur providing that the existing or projected volumes of traffic on Shell Point Road do not exceed the design capacity at any stage of the development. On reaching the design capacity the developer will be required to either terminate development or upgrade Shell Point Road by providing operational improvements adequate to accommodate additional traffic generated by continued development of the project.
5. The adequacy of the water supply and sewage treatment facilities of the project at each stage of the project must be approved by Hillsborough County.
6. The project shall be permitted a maximum of 1,500 townhomes and/or ~~condominiums and/or~~ multi-family units (subject to restrictions described herein) and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. A maximum of 86 of the 1,500 residential units shall be allocated to Tax Folios 31641.0000, 31654.0500, 31654.0600 and 31654.660. The remainder of the residential units and all other permitted uses shall be distributed as described below.
 - 6.1 Prior to Site Plan Certification, the zoning conditions shall be removed from the General Site Plan.
 - 6.2 The area designated as “potential ELAPP” property on the site plan shall be reserved for open space and preservation land.
7. The project is approved for 390 boat slips, 240 of which were constructed prior to 1973. Of the remaining 150 slips approved, no more than 99 shall be constructed without either a binding letter from the Department of Community Affairs (DCA), or a written determination by DCA that a binding letter is not required, or a Court order.

THE FOLLOWING CONDITIONS APPLY ONLY TO SECTION B OF THE PROJECT:

- 8. The marina district shown on the site plan submitted by the petitioner shall be considered the most intensive area of the development and all permitted residential, commercial, and recreational and marina support uses shall be allowed.
- 9. A maximum of 6,900 & 7,000 square feet of new commercial space shall be permitted in the project, excluding space occupied by the marina at the time of rezoning CU 80-33. Expanded Marina/Commerce/Residential Tracts 1, 2 and 3 and related development entitlement shall be developed as generally depicted on the site plan submitted on June 6, 2004.
 - 9.1 Commercial uses shall be located within the marina district. Permitted commercial uses shall include all C-N (Commercial, Neighborhood) uses and accessory uses associated with the marina. No drive-through facilities shall be permitted for restaurants.
 - 9.2 Where commercial uses share buildings with residential units, all storage, loading and solid waste management shall occur within the building or architecturally compatible outbuildings, or shall be located adjacent to parking or other nonresidential uses. Parking and traffic for commercial uses shall not directly encroach into residential areas outside the marina district. Parking for existing wet slips and proposed dry boat storage shall be 0.2 spaces per boat or slip based on 20% peak use. All other parking requirements shall be in accordance with the Land Development Code.
- 10. A maximum of 447 residential units shall be permitted within Tract B. The units may be arranged throughout the project without regard to type. Residential units shall be allowed immediately adjacent to and within the marina district and may be placed above or beside commercial uses. No buffers shall be required between on-site residential and commercial uses. However, residential units shall not be placed below commercial uses. In no case shall residential units be considered commercial apartments, per Section 2.6.4.14 of the Land Development Code.
 - 10.1 Except as otherwise provided in this condition, townhomes shall have a maximum of two stories over parking. Flats and townhomes over flats shall have a maximum of three stories over parking. Notwithstanding, structure heights shall not exceed 49.5 feet above the first finished floor above the 100-year flood elevation, with the exception of Districts 1, 2, 3, and 4 which are permitted to have a maximum elevation of 100 feet above grade. The marina center building shall not exceed 53 feet above 100-year flood elevation. Building height calculations shall not include architectural design features such as cupolas which provide no usable residential or commercial space.
 - 10.2 Single-family residential development standards for Tracts 4, 5, 6, 7, 8 and 9 shall be as follows:

Minimum Lot Size:	None
Minimum Lot Width:	50 feet
Minimum Front Yard:	20 feet for primary structure
	10 feet for stairs
	20 feet for front-loading garages
	10 feet for side-loading garages

Corner Lots:	Minimum lot width shall be 45 feet. The front yard which functions as a side yard shall have a 10-foot setback provided that front-loading garages shall be setback 20 feet.
Minimum Side Yard:	0-5 feet, a minimum of 10 feet to be maintained between buildings
Minimum Rear Yard:	10 feet, with the exception that covered patios may project up to 5 feet into the required rear yard
Minimum Lot Coverage:	70 percent
Maximum Building Height:	49.5 feet above the first finished floor above the 100-year flood elevation

10.2.1 Development standards for single-family lots abutting the eastern property shall be the same as above, except for the minimum rear yard:

Minimum Rear Yard:	20 feet for primary structures; accessory structures would be subject to Section 6.11.04 of the Land Development Code and any projections into the rear yard shall be subject to 6.01.03.I of the Land Development Code.
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10.3 Along the common boundary with the adjacent PD to the east (PD 05-1926) residential units shall be permitted and partially located in both the subject PD and the adjacent PD (PD 05-1926) as part of a unified plan of development. The entitlements for these units shall be assigned from either the subject PD or the adjacent PD (PD 05-1926).

10.3.1 The Preliminary Plat / Plan for the affected portion of the site shall indicate the type of residential units proposed and the PD from which the units are being counted as part of a unified plan of development with the portion of the project located within PD 05-1926.

10.3.2 The unified plan of development permitted herein shall not be considered a substantial change to this planned development, as defined in Section 11.02.04 of the Land Development Code, nor affect in any manner the development's current vested rights.

11. Except as otherwise allowed to accommodate a unified plan of development, all structures shall have a minimum setback of 30 feet from the project boundary, with the exception of single-family development which shall have a primary structure setback of 20 feet. Buffers along the project boundary shall be provided as required by the Land Development Code. Setback and buffer requirements shall not apply to internal development of the project. No minimum separations shall be required between structures, except as required by Fire Department and Building Department regulations. Structures may directly abut, overhang and/or span roadways and drives within the project, except as required to comply with intersection visibility standards of Hillsborough County, if applicable.

12. All roads dedicated to Hillsborough County for maintenance shall have a minimum right of way width of 50 feet and shall conform with all design standards of Hillsborough County. Roadways in the project not dedicated to Hillsborough County shall be privately maintained. Such notice shall appear on all

deeds, community covenants and ownership agreements. Private roads shall have a minimum right-of-way width of 30 feet and shall not be required to parallel the street centerline.

12.1 The location of internal roadway(s) within the project may be relocated to permit approval of a unified plan of development with PD 05-1926. Cross access shall be allowed along the entire common boundary with PD 05-1926.

13. Sidewalks shall not be required along roadways internal to the project except within Tracts 4, 5, and 7 of Development Section A (which shall be subject to applicable Land Development Code and Transportation Technical Manual standards pertaining to the presence, location and design of sidewalks).

14. The developer shall be required to utilize public water and public sewer and shall pay all costs for service delivery.

15. Development of the project shall comply with all applicable regulations of the Hillsborough County Environmental Protection Commission.

16. The developer shall screen, prior to the issuance of Certificates of Occupancy, service areas, trash receptacles, dumpsters, compactors, etcetera from view from public places and neighboring properties through the use of features, such as berms, fences, false facades, and dense landscaping.

THE FOLLOWING CONDITIONS APPLY ONLY TO SECTION A OF THE PROJECT:

17. A maximum of 983 residential units, 15,000 square feet of floor space for CN uses, a 100-unit hotel, a 15,839 square foot restaurant/lounge with meeting facilities and a marina facility with 150 boat slips shall be permitted in this portion of the development.

17.1 A maximum of 26 of the 983 residential units may be developed on Tax Folio 031582.0100 (RZ 05-0112), a.k.a., the "West" parcel, that is located adjacent to the southwest corner of Tract 2.

17.2 A maximum of 158 dwelling units in Tract 3 may be converted to hotel units on a 1:1 bases up to a maximum of 250,000 square feet and as conditioned herein.

17.2.1 The 158 units may be developed as lodging units, without independent kitchen facilities, or as townhouse and/or condominium dwelling units that may be leased on a daily basis. The facility shall function as a part of the resort area and shall not become a one-night rental only hotel.

17.2.2 The 158 units shall be limited to the existing structure located on Tract 3 at the time of approval of MM 07-1430.

17.3 At a minimum, 64 multi-family dwelling units of the 983 residential units and the 15,839 sq. ft. restaurant/lounge with meeting facilities may be constructed in Tract 8.

17.3.1 Buffers along the exterior project boundary of the Planned Development shall be provided as required by the Land Development Code. Setbacks and buffer requirements shall not apply to internal development of the project. No minimum

separations shall be required between structures except as required by the Fire Department and Building Department regulations.

The uses shall be distributed as follows:

Tract 1	Townhomes/Condominiums/Single Family Detached
Tract 2	Townhomes/Condominiums/Single Family Detached/Marina
Tract 3	Townhomes/Condominiums/Single Family Detached/Marina/Hotel
Tract 4/5	Townhomes/ <u>Multi-Family (Tax Folios 31587.0000, 31587.0050, and 31587.0021)</u> /Condominiums/Single Family Detached/Commercial/Hotel/Marina/Restaurant/Lounge/Meeting Facility
Tract 6	Townhomes/Condominiums/Single Family Detached
Tract 7	Townhomes/ <u>Multi-Family (Tax Folios 31587.0000 and 31587.0021)</u> / Condominiums /Single Family Detached
Tract 8	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/Restaurant/Lounge/Meeting Facility

18. All new buildings located between the beach access points in Tract 7 and/or Tract 4 and/or Tract 8 shall be setback a minimum of 50 feet from the western project boundary.
19. Maximum building height shall be 120 feet.
20. Beach access locations shall be as generally shown on the site plan and shall be a minimum of 25 feet in width.
21. Billboards and pole signs shall be prohibited within the project.

THE FOLLOWING CONDITIONS SHALL APPLY TO THE ENTIRE DEVELOPMENT

22. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
23. The developer shall provide a signed, publicly accessible bike route within Port Bahia's road network to allow a future bikeway connection between Shell Point Road and 19th Avenue, consistent with the BOCC-approved Hillsborough Greenways Master Plan.
24. The developer shall allow free public pedestrian and vehicular access to all project roadways.
25. The developer shall allow free public access to beach areas within the project.
26. Approval of this petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands and does not grant any implied or vested right to environmental approvals.
27. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed

in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

28. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

29. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.


2730. In the event there is a conflict between a zoning condition of approval, as stated herein, and any written or graphic notation on the general site plan, the more restrictive requirement shall apply unless specifically conditioned otherwise.

28 31. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a Revised General Development Plan for certification reflecting all the conditions listed above.

2932. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

33. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

Zoning Administrator Sign Off:


J. Brian Grady
Thu Jul 6 2023 13:56:10

APPLICATION NUMBER: PRS 23-0509

ZHM HEARING DATE: NA

BOCC LUM MEETING DATE: July 18, 2023

Case Reviewer: Tim Lampkin, AICP

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

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 6/27/2023

Revised: 7/6/2023

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RU/ South

PETITION NO: PRS 23-0509

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

NEW AND REVISED CONDITIONS OF APPROVAL

Revised Conditions

6. The project shall be permitted a maximum of 1,500 townhomes and/or condominiums and/or [multi-family units \(subject to restrictions described herein\)](#) and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. A maximum of 86 of the 1,500 residential units shall be allocated to Tax Folios 31641.0000, 31654.0500, 31654.0600 and 31654.660. The remainder of the residential units and all other permitted uses shall be distributed as described below.
- 6.1 Prior to Site Plan Certification, the zoning conditions shall be removed from the General Site Plan.
- 6.2 The area designated as “potential ELAPP” property on the site plan shall be reserved for open space and preservation land.

[Transportation Review Section staff recommends modification of this condition to comport with its understanding of the applicant’s request. See further explanation in the project summary, below.]

17. A maximum of 983 residential units, 15,000 square feet of floor space for CN uses, a 100-unit hotel, a 15,839 square foot restaurant/lounge with meeting facilities and a marina facility with 150 boat slips shall be permitted in this portion of the development.
- 17.1 A maximum of 26 of the 983 residential units may be developed on Tax Folio 031582.0100 (RZ 05-0112), a.k.a., the “West” parcel, that is located adjacent to the southwest corner of Tract 2.
- 17.2 A maximum of 158 dwelling units in Tract 3 may be converted to hotel units on a 1:1 bases up to a maximum of 250,000 square feet and as conditioned herein.
- 17.2.1 The 158 units may be developed as lodging units, without independent kitchen facilities, or as townhouse and/or condominium dwelling units that may be leased on a daily basis. The facility shall function as a part of the resort area and shall not become a one-night rental only hotel.
- 17.2.2 The 158 units shall be limited to the existing structure located on Tract 3 at the time of approval of MM 07-1430.

17.3 At a minimum, 64 multi-family dwelling units of the 983 residential units and the 15,839 sq. ft. restaurant/lounge with meeting facilities may be constructed in Tract 8.

17.3.1 Buffers along the exterior project boundary of the Planned Development shall be provided as required by the Land Development Code. Setbacks and buffer requirements shall not apply to internal development of the project. No minimum separations shall be required between structures except as required by the Fire Department and Building Department regulations.

The uses shall be distributed as follows:

Tract 1	Townhomes/Condominiums/Single Family Detached
Tract 2	Townhomes/Condominiums/Single Family Detached/Marina
Tract 3	Townhomes/ Multi-Family (Tax Folios 31587.0000, 31587.0050, and 31587.0021) /Condominiums/Single Family Detached/Marina/Hotel
Tract 4/5	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility
Tract 6	Townhomes/Condominiums/Single Family Detached
Tract 7	Townhomes/ Multi-Family (Tax Folios 31587.0000 and 31587.0021) /Condominiums/Single Family Detached
Tract 8	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility

[Transportation Review Section staff recommends modification of this condition to comport with its understanding of the applicant's request. See further explanation in the project summary, below.]

13. Sidewalks shall not be required along roadways internal to the project [except within Tracts 4, 5 and 7 of Development Section A \(which shall be subject to applicable Land Development Code and Transportation Technical Manual standards pertaining to the presence, location and design of sidewalks\)](#).

[Since this project was first approved, a number of changes in regulations, standards and policy have been made, including new regulations and standards governing the presence, placement and design of sidewalks. The Hillsborough County BOCC also adopted a Vision Zero policy which seeks to avoid the unnecessary loss of life on Hillsborough County roadways. Staff notes that despite this condition, much of the development was constructed with sidewalks, consistent with current practice. Transportation Review Section staff is recommending modification of this condition such that development within the tracts being modified will be required to comply with current regulations and practice. Staff is unable to affect a project wide change to the condition, since other portions of the project are not within the zoning modification area.]

PROJECT SUMMARY

The applicant is requesting minor modification request, also known as a Personal Appearance (PRS), to a previously approved PD whose provenance is unclear, but was most recently modified via PRS 16-1360. The project consists of multiple parcels totaling +/- 327.89 ac. The PD has current approvals for a maximum of 1,500 townhomes and/or condominiums and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. There are a variety of conditions affecting the project, including conditions which also permit on certain tracts the exchange to more "resort" hotel rooms (subject to certain other restrictions including length of stay requirements).

At the time of this report writing there were a variety of issues with the project application that had not been corrected in Optix, and so Transportation Review Section staff prepared this report based on conversation with the zoning case planner as far as location of the zoning modification, project intent, etc.

Transportation staff’s understanding is that the applicant is proposing to modify development within Tracts 4, 5 and 7 to permit the addition of alternative types of multi-family units besides those already permitted. This could take the form of traditional apartments or any other permitted form of development (i.e. a rental single-family or rental townhome community) subject to compliance with zoning conditions and development standards.

Given the nature of the proposed change, the applicant submitted a letter indicating that no transportation analysis would be required. Staff notes the inclusion of an additional use (additional multi-family housing types) will not result in a higher trip generation potential for the subject project, since the tracts in question all permit single-family detached units (which are the highest trip generator when compared on a unit-by-unit basis). Similarly, multi-family apartments would have the same or lower trip generation potential compared to other multi-family product forms including townhomes. Given the above, and given that the proposed number of residential units are remaining unchanged and no access points are proposed to be added or removed, transportation review section staff concurs that a trip generation and site access analysis was not required to process this zoning request, consistent with Development Review Procedures Manual (DRPM) requirements.

Staff notes is proposing one modification to an existing condition (number 13) for the reasons redescribed hereinabove.

Staff notes that, as described above, the maximum trip generation potential of the subject property is unchanging due to the subject request. Although an exhaustive search was not undertaken, staff made a reasonable effort but was unable to locate a previous traffic analysis from earlier approved zoning efforts which would summarize traffic impacts as they had been previously presented to the BOCC. Staff notes that due to the highly variable nature of the project entitlements (vis-a-vie various conversation mechanisms as noted above), staff cannot accurately estimate trip impacts; however, staff again notes that no change to the maximum trip generation potential of the project will result for approval of the subject request.

SITE ACCESS AND CONNECTIVITY/ TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

No changes in site access or connectivity are proposed. The roadways and infrastructure serving the site are also remaining unchanged. Staff notes the developer will be required to comply with all zoning conditions and land development regulations at the time of plat/site/construction plan approval.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Shell Point Rd.	Dead End	US Hwy 41	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
32 nd St. NW	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Beach Blvd.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Del Sol Dr.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input checked="" type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	See Staff Report	See Staff Report	See Staff Report
Proposed	See Staff Report	See Staff Report	See Staff Report
Difference (+/-)	No Change	No Change	No Change

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

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

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

Transportation Comment Sheet

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

**CURRENTLY
APPROVED**



Development Services

November 7, 2016

Board of County Commissioners

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Stacy R. White

County Administrator
Michael S. Merrill

County Administrator Executive Team
Lucia E. Garsys
Carl S. Harness
Gregory S. Horwedel
Ramin Kouzehkanani
Liana Lopez
Bonnie M. Wise

County Internal Auditor
Peggy Caskey

County Attorney
Chip Fletcher

Development Services
PO Box 1110
Tampa, FL 33601-1110

**Reference: PRS 16-1360 RU
Michael Brooks, Esq.**

Michael Brooks, Esq.
4830 W. Kennedy Blvd., Ste. 475
Tampa, FL 33609-2599

Dear Applicant:

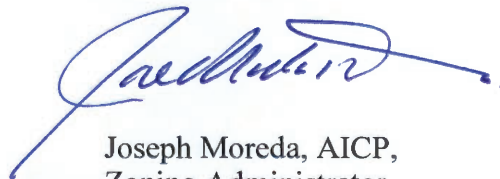
At the regularly scheduled public meeting on November 3, 2016, the Board of County Commissioners approved your request for a minor modification to PD 05-1779, with the attached amended final conditions.

A condition of approval is that the applicant submit a revised General Site Plan reflecting all changes, within 90 days of approval. Failure to submit the site plans within the time period will place your property in violation.

To comply with this condition, please complete and submit to the Development Services Department, 20th floor of the County Center, 601 E. Kennedy Boulevard, the enclosed application for General Site Plan Review/Certification. For information concerning the certification process, please contact our office at 272-5600.

Please keep this letter for your records. If we may be of service to you in the future, feel free to contact me at 272-5600.

Sincerely,



Joseph Moreda, AICP,
Zoning Administrator

JM/ml
Attachments

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: PRS 16-1360 RU
MEETING DATE: November 3, 2016
DATE TYPED: November 7, 2016

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted September 21, 2016.

1. No additional seawalls shall be allowed to be constructed beyond those presently existing.
2. Any addition or expansion to the sewage treatment or other facilities must be above the base flood plain (100 year) elevation unless otherwise approved by Hillsborough County.
3. In the course of development, the overall project will be subject to periodic reviews to determine the adequacy of public facilities and services based upon standards established during the period of site development plan submittal. The remaining number of dwelling units and commercial square footage as yet not permitted shall be allocated equally to at least three future stages for review.
4. Subject to periodic traffic analysis the stages of the proposed development shall be permitted to occur providing that the existing or projected volumes of traffic on Shell Point Road do not exceed the design capacity at any stage of the development. On reaching the design capacity the developer will be required to either terminate development or upgrade Shell Point Road by providing operational improvements adequate to accommodate additional traffic generated by continued development of the project.
5. The adequacy of the water supply and sewage treatment facilities of the project at each stage of the project must be approved by Hillsborough County.
6. The project shall be permitted a maximum of 1,500 townhomes and/or condominiums and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. A maximum of 86 of the 1,500 residential units shall be allocated to Tax Folios 31641.0000, 31654.0500, 31654.0600 and 31654.660. The remainder of the residential units and all other permitted uses shall be distributed as described below.
 - 6.1 Prior to Site Plan Certification, the zoning conditions shall be removed from the General Site Plan.
 - 6.2 The area designated as "potential ELAPP" property on the site plan shall be reserved for open space and preservation land.
7. The project is approved for 390 boat slips, 240 of which were constructed prior to 1973. Of the remaining 150 slips approved, no more than 99 shall be constructed without either a binding letter from the Department of Community Affairs (DCA), or a written determination by DCA that a binding letter is not required, or a Court order.

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THE FOLLOWING CONDITIONS APPLY ONLY TO SECTION B OF THE PROJECT:

8. The marina district shown on the site plan submitted by the petitioner shall be considered the most intensive area of the development and all permitted residential, commercial, and recreational and marina support uses shall be allowed.
9. A maximum of 6,900 & 7,000 square feet of new commercial space shall be permitted in the project, excluding space occupied by the marina at the time of rezoning CU 80-33. Expanded Marina/Commerce/Residential Tracts 1, 2 and 3 and related development entitlement shall be developed as generally depicted on the site plan submitted on June 6, 2004.
 - 9.1 Commercial uses shall be located within the marina district. Permitted commercial uses shall include all C-N (Commercial, Neighborhood) uses and accessory uses associated with the marina. No drive-through facilities shall be permitted for restaurants.
 - 9.2 Where commercial uses share buildings with residential units, all storage, loading and solid waste management shall occur within the building or architecturally compatible outbuildings, or shall be located adjacent to parking or other nonresidential uses. Parking and traffic for commercial uses shall not directly encroach into residential areas outside the marina district. Parking for existing wet slips and proposed dry boat storage shall be 0.2 spaces per boat or slip based on 20% peak use. All other parking requirements shall be in accordance with the Land Development Code.
10. A maximum of 447 residential units shall be permitted within Tract B. The units may be arranged throughout the project without regard to type. Residential units shall be allowed immediately adjacent to and within the marina district and may be placed above or beside commercial uses. No buffers shall be required between on-site residential and commercial uses. However, residential units shall not be placed below commercial uses. In no case shall residential units be considered commercial apartments, per Section 2.6.4.14 of the Land Development Code.
 - 10.1 Except as otherwise provided in this condition, townhomes shall have a maximum of two stories over parking. Flats and townhomes over flats shall have a maximum of three stories over parking. Notwithstanding, structure heights shall not exceed 49.5 feet above the first finished floor above the 100-year flood elevation, with the exception of Districts 1, 2, 3, and 4 which are permitted to have a maximum elevation of 100 feet above grade. The marina center building shall not exceed 53 feet above 100-year flood elevation. Building height calculations shall not include architectural design features such as cupolas which provide no usable residential or commercial space.
 - 10.2 Single-family residential development standards for Tracts 4, 5, 6, 7, 8 and 9 shall be as follows:

Minimum Lot Size:	None
Minimum Lot Width:	50 feet
Minimum Front Yard:	20 feet for primary structure 10 feet for stairs

FINAL CONDITIONS
OF APPROVAL

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DATE TYPED: November 7, 2016

-
- Corner Lots: 20 feet for front-loading garages
10 feet for side-loading garages
Minimum lot width shall be 45 feet. The front yard which functions as a side yard shall have a 10-foot setback provided that front-loading garages shall be setback 20 feet.
- Minimum Side Yard: 0-5 feet, a minimum of 10 feet to be maintained between buildings
- Minimum Rear Yard: 10 feet, with the exception that covered patios may project up to 5 feet into the required rear yard
- Minimum Lot Coverage: 70 percent
- Maximum Building Height: 49.5 feet above the first finished floor above the 100-year flood elevation
- 10.2.1 Development standards for single-family lots abutting the eastern property shall be the same as above, except for the minimum rear yard:
- Minimum Rear Yard: 20 feet for primary structures; accessory structures would be subject to Section 6.11.04 of the Land Development Code and any projections into the rear yard shall be subject to 6.01.03.I of the Land Development Code.
- 10.3 Along the common boundary with the adjacent PD to the east (PD 05-1926) residential units shall be permitted and partially located in both the subject PD and the adjacent PD (PD 05-1926) as part of a unified plan of development. The entitlements for these units shall be assigned from either the subject PD or the adjacent PD (PD 05-1926).
- 10.3.1 The Preliminary Plat / Plan for the affected portion of the site shall indicate the type of residential units proposed and the PD from which the units are being counted as part of a unified plan of development with the portion of the project located within PD 05-1926.
- 10.3.2 The unified plan of development permitted herein shall not be considered a substantial change to this planned development, as defined in Section 11.02.04 of the Land Development Code, nor affect in any manner the development's current vested rights.
11. Except as otherwise allowed to accommodate a unified plan of development, all structures shall have a minimum setback of 30 feet from the project boundary, with the exception of single-family development which shall have a primary structure setback of 20 feet. Buffers along the project boundary shall be provided as required by the Land Development Code. Setback and buffer requirements shall not apply to internal development of the project. No minimum separations shall be required between structures, except as required by Fire Department and Building Department regulations. Structures may directly abut, overhang and/or span roadways and drives within the

FINAL CONDITIONS
OF APPROVAL

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project, except as required to comply with intersection visibility standards of Hillsborough County, if applicable.

12. All roads dedicated to Hillsborough County for maintenance shall have a minimum right of way width of 50 feet and shall conform with all design standards of Hillsborough County. Roadways in the project not dedicated to Hillsborough County shall be privately maintained. Such notice shall appear on all deeds, community covenants and ownership agreements. Private roads shall have a minimum right-of-way width of 30 feet and shall not be required to parallel the street centerline.
 - 12.1 The location of internal roadway(s) within the project may be relocated to permit approval of a unified plan of development with PD 05-1926. Cross access shall be allowed along the entire common boundary with PD 05-1926.
13. Sidewalks shall not be required along roadways internal to the project.
14. The developer shall be required to utilize public water and public sewer and shall pay all costs for service delivery.
15. Development of the project shall comply with all applicable regulations of the Hillsborough County Environmental Protection Commission.
16. The developer shall screen, prior to the issuance of Certificates of Occupancy, service areas, trash receptacles, dumpsters, compactors, etcetera from view from public places and neighboring properties through the use of features, such as berms, fences, false facades, and dense landscaping.

THE FOLLOWING CONDITIONS APPLY ONLY TO SECTION A OF THE PROJECT:

17. A maximum of 983 residential units, 15,000 square feet of floor space for CN uses, a 100-unit hotel, a 15,839 square foot restaurant/lounge with meeting facilities and a marina facility with 150 boat slips shall be permitted in this portion of the development.
 - 17.1 A maximum of 26 of the 983 residential units may be developed on Tax Folio 031582.0100 (RZ 05-0112), a.k.a., the "West" parcel, that is located adjacent to the southwest corner of Tract 2.
 - 17.2 A maximum of 158 dwelling units in Tract 3 may be converted to hotel units on a 1:1 bases up to a maximum of 250,000 square feet and as conditioned herein.
 - 17.2.1 The 158 units may be developed as lodging units, without independent kitchen facilities, or as townhouse and/or condominium dwelling units that may be leased on a daily basis. The facility shall function as a part of the resort area and shall not become a one-night rental only hotel.
 - 17.2.2 The 158 units shall be limited to the existing structure located on Tract 3 at the time of approval of MM 07-1430.

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: PRS 16-1360 RU
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17.3 At a minimum, 64 multi-family dwelling units of the 983 residential units and the 15,839 sq. ft. restaurant/lounge with meeting facilities may be constructed in Tract 8.

17.3.1 Buffers along the exterior project boundary of the Planned Development shall be provided as required by the Land Development Code. Setbacks and buffer requirements shall not apply to internal development of the project. No minimum separations shall be required between structures except as required by the Fire Department and Building Department regulations.

The uses shall be distributed as follows:

Tract 1	Townhomes/Condominiums/Single Family Detached
Tract 2	Townhomes/Condominiums/Single Family Detached/Marina
Tract 3	Townhomes/Condominiums/Single Family Detached/Marina/Hotel
Tract 4/5	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility
Tract 6	Townhomes/Condominiums/Single Family Detached
Tract 7	Townhomes/Condominiums/Single Family Detached
Tract 8	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility

18. All new buildings located between the beach access points in Tract 7 and/or Tract 4 and/or Tract 8 shall be setback a minimum of 50 feet from the western project boundary.
19. Maximum building height shall be 120 feet.
20. Beach access locations shall be as generally shown on the site plan and shall be a minimum of 25 feet in width.
21. Billboards and pole signs shall be prohibited within the project.

THE FOLLOWING CONDITIONS SHALL APPLY TO THE ENTIRE DEVELOPMENT

22. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
23. The developer shall provide a signed, publicly accessible bike route within Port Bahia's road network to allow a future bikeway connection between Shell Point Road and 19th Avenue, consistent with the BOCC-approved Hillsborough Greenways Master Plan.
24. The developer shall allow free public pedestrian and vehicular access to all project roadways.
25. The developer shall allow free public access to beach areas within the project.
26. Approval of this petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as

FINAL CONDITIONS
OF APPROVAL

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proposed will be issued, does not itself serve to justify any impacts to wetlands and does not grant any implied or vested right to environmental approvals.

27. In the event there is a conflict between a zoning condition of approval, as stated herein, and any written or graphic notation on the general site plan, the more restrictive requirement shall apply unless specifically conditioned otherwise.
28. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a Revised General Development Plan for certification reflecting all the conditions listed above.
29. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT
GENERAL SITE PLAN
REVIEW/CERTIFICATION APPLICATION INFORMATION PACKET**

The attached application form must be completed and submitted with the set of site plans to the Community Development Section, ATTENTION: SITE PLAN CERTIFICATION, 20th Floor of the County Center, 601 E. Kennedy Blvd., Tampa, FL 33602

INSTRUCTIONS

ROLLED copies of the general site plan must be provided.
DO NOT COPY FINAL CONDITIONS OF APPROVAL ON THE GENERAL SITE PLAN.

Certification Submittal Check List:

- 1. Rezoning (RZ) and Major Modification (MM) applications: **Three (3) rolled copies** of the General Site Plan.
- 2. Personal Appearance (PRS) application: **Three (3) rolled copies** of the General Site Plan.

NOTE: If you wish to receive a paper copy of the Certified Site Plan, you must submit your request in writing to Marylou Laycock, Development Services Department, Community Development Section, 601 E. Kennedy Blvd., Tampa, FL 33602 or email to laycockm@hillsboroughcounty.org.

REVIEW AND PROCESSING SCHEDULES

1. **Rezoning applications for Planned Development (PD) or Major Modification (MM):**

Within 21 calendar days of the submittal date of the general site plan, the Applicant/Applicant's Representative shall be notified by the Development Services Department of the plan approval/disapproval.

- 1-A If the general site plan is approved, then formal processing shall require ten (10) additional calendar days. Total processing time for an approved general site plan shall require a maximum of 30 calendar days.
- 1-B If the general site plan is disapproved, the Applicant/Applicant's Representative shall be required to submit a revised set of general site plans utilizing the same submittal requirements and time frames as outlined above.

2. **Rezoning applications for Planned Development (PD), Planned Development-Specific (PD-S), Planned Development-Specific with concurrent Site Development Review, or Major Modification (MM):**

Within ten (10) calendar days after the date of the filing of the Zoning Hearing Master's (ZHM) recommendation the Applicant/Applicant's Representative shall submit a set of general site plans for certification and approval by the BOCC at the BOCC Land Use Meeting.

- 2-A The general site plan will be reviewed by staff to determine if it is eligible for certification and approval by the BOCC at the BOCC Land Use Meeting.
 - 2-A-1 If the general site plan is determined to be eligible for certification, it will go before the BOCC for approval at the BOCC Land Use Meeting.
 - 2-A-2 If the general site plan is determined to **not** be eligible for certification, then the application will be automatically continued to the next scheduled BOCC Land Use Meeting, and a resubmittal of a set of revised general site plans for certification will be required.
- 2-B If the general site plan is approved for certification by the BOCC, then formal processing shall require ten (10) additional calendar days from the date of the BOCC Land Use Meeting.
- 2-C If the general site plan is **not** approved for certification by the BOCC, then the application will be automatically continued to the next scheduled BOCC Land Use Meeting and a resubmittal of a set of revised general site plans for certification will be required if applicable.

3. **Minor Modification (PRS) submitted any time:**

Within 21 calendar days of the submittal date of the general site plan, the Applicant's Representative shall be notified by the Development Services Department of the plan approval/disapproval.

- 3-A If the plan is approved for certification, then formal processing shall require ten (10) additional calendar days. Total processing time for an approved site plan shall require a maximum of 30 calendar days.
- 3-B If the plan is disapproved, the Applicant shall be required to submit a revised set of plans utilizing the same submittal requirements and time frames as outlined in 3-A above.

**HILLSBOROUGH COUNTY
PLANNING AND GROWTH MANAGEMENT DEPARTMENT
GENERAL SITE PLAN
REVIEW/CERTIFICATION APPLICATION**

To Be Completed by Applicant or Representative

Rezoning File No. RZ _____

Related File Number (if applicable): MM _____ PRS _____

BOCC Land Use Date: _____

Project Name: _____

Check the appropriate box(es):

The attached site plan meets all conditions of approval and requirements of certification as required by Planning and Growth Management Staff and by the Zoning Hearing Master.

The attached site plan does not meeting the following conditions of approval and/or requirements of certification:

As required by PGM Staff: _____

As required by the Zoning Hearing Master: _____

Applying for Oral Argument? Yes No

Applicant: _____ Phone Number: _____

Mailing Address: _____

E-mail Address: _____

Representative: _____ Phone Number: _____

Mailing Address: _____

E-mail Address: _____

I HEREBY CERTIFY that this application and all plans submitted herewith are true representations of all facts concerning the proposed General Site Plan Certification.

Signature of Applicant or Authorized Representative

Date



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 6/27/2023

Revised: 7/6/2023

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RU/ South

PETITION NO: PRS 23-0509

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

NEW AND REVISED CONDITIONS OF APPROVAL

Revised Conditions

6. The project shall be permitted a maximum of 1,500 townhomes and/or condominiums and/or [multi-family units \(subject to restrictions described herein\)](#) and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. A maximum of 86 of the 1,500 residential units shall be allocated to Tax Folios 31641.0000, 31654.0500, 31654.0600 and 31654.660. The remainder of the residential units and all other permitted uses shall be distributed as described below.
- 6.1 Prior to Site Plan Certification, the zoning conditions shall be removed from the General Site Plan.
- 6.2 The area designated as “potential ELAPP” property on the site plan shall be reserved for open space and preservation land.

[Transportation Review Section staff recommends modification of this condition to comport with its understanding of the applicant’s request. See further explanation in the project summary, below.]

17. A maximum of 983 residential units, 15,000 square feet of floor space for CN uses, a 100-unit hotel, a 15,839 square foot restaurant/lounge with meeting facilities and a marina facility with 150 boat slips shall be permitted in this portion of the development.
- 17.1 A maximum of 26 of the 983 residential units may be developed on Tax Folio 031582.0100 (RZ 05-0112), a.k.a., the “West” parcel, that is located adjacent to the southwest corner of Tract 2.
- 17.2 A maximum of 158 dwelling units in Tract 3 may be converted to hotel units on a 1:1 bases up to a maximum of 250,000 square feet and as conditioned herein.
- 17.2.1 The 158 units may be developed as lodging units, without independent kitchen facilities, or as townhouse and/or condominium dwelling units that may be leased on a daily basis. The facility shall function as a part of the resort area and shall not become a one-night rental only hotel.
- 17.2.2 The 158 units shall be limited to the existing structure located on Tract 3 at the time of approval of MM 07-1430.

17.3 At a minimum, 64 multi-family dwelling units of the 983 residential units and the 15,839 sq. ft. restaurant/lounge with meeting facilities may be constructed in Tract 8.

17.3.1 Buffers along the exterior project boundary of the Planned Development shall be provided as required by the Land Development Code. Setbacks and buffer requirements shall not apply to internal development of the project. No minimum separations shall be required between structures except as required by the Fire Department and Building Department regulations.

The uses shall be distributed as follows:

Tract 1	Townhomes/Condominiums/Single Family Detached
Tract 2	Townhomes/Condominiums/Single Family Detached/Marina
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Tract 4/5	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility
Tract 6	Townhomes/Condominiums/Single Family Detached
Tract 7	Townhomes/ Multi-Family (Tax Folios 31587.0000 and 31587.0021) /Condominiums/Single Family Detached
Tract 8	Townhomes/Condominiums/Single Family Detached/Commercial/Hotel/Marina/ Restaurant/Lounge/Meeting Facility

[Transportation Review Section staff recommends modification of this condition to comport with its understanding of the applicant's request. See further explanation in the project summary, below.]

13. Sidewalks shall not be required along roadways internal to the project [except within Tracts 4, 5 and 7 of Development Section A \(which shall be subject to applicable Land Development Code and Transportation Technical Manual standards pertaining to the presence, location and design of sidewalks\)](#).

[Since this project was first approved, a number of changes in regulations, standards and policy have been made, including new regulations and standards governing the presence, placement and design of sidewalks. The Hillsborough County BOCC also adopted a Vision Zero policy which seeks to avoid the unnecessary loss of life on Hillsborough County roadways. Staff notes that despite this condition, much of the development was constructed with sidewalks, consistent with current practice. Transportation Review Section staff is recommending modification of this condition such that development within the tracts being modified will be required to comply with current regulations and practice. Staff is unable to affect a project wide change to the condition, since other portions of the project are not within the zoning modification area.]

PROJECT SUMMARY

The applicant is requesting minor modification request, also known as a Personal Appearance (PRS), to a previously approved PD whose provenance is unclear, but was most recently modified via PRS 16-1360. The project consists of multiple parcels totaling +/- 327.89 ac. The PD has current approvals for a maximum of 1,500 townhomes and/or condominiums and/or single-family detached homes, 28,900 square feet of floor space for CN uses, a 15,839 square foot restaurant/lounge with meeting facilities, a 100-unit hotel and two marinas containing a maximum of 390 boat slips, community recreation uses, and residential support uses. There are a variety of conditions affecting the project, including conditions which also permit on certain tracts the exchange to more "resort" hotel rooms (subject to certain other restrictions including length of stay requirements).

At the time of this report writing there were a variety of issues with the project application that had not been corrected in Optix, and so Transportation Review Section staff prepared this report based on conversation with the zoning case planner as far as location of the zoning modification, project intent, etc.

Transportation staff’s understanding is that the applicant is proposing to modify development within Tracts 4, 5 and 7 to permit the addition of alternative types of multi-family units besides those already permitted. This could take the form of traditional apartments or any other permitted form of development (i.e. a rental single-family or rental townhome community) subject to compliance with zoning conditions and development standards.

Given the nature of the proposed change, the applicant submitted a letter indicating that no transportation analysis would be required. Staff notes the inclusion of an additional use (additional multi-family housing types) will not result in a higher trip generation potential for the subject project, since the tracts in question all permit single-family detached units (which are the highest trip generator when compared on a unit-by-unit basis). Similarly, multi-family apartments would have the same or lower trip generation potential compared to other multi-family product forms including townhomes. Given the above, and given that the proposed number of residential units are remaining unchanged and no access points are proposed to be added or removed, transportation review section staff concurs that a trip generation and site access analysis was not required to process this zoning request, consistent with Development Review Procedures Manual (DRPM) requirements.

Staff notes is proposing one modification to an existing condition (number 13) for the reasons redescribed hereinabove.

Staff notes that, as described above, the maximum trip generation potential of the subject property is unchanging due to the subject request. Although an exhaustive search was not undertaken, staff made a reasonable effort but was unable to locate a previous traffic analysis from earlier approved zoning efforts which would summarize traffic impacts as they had been previously presented to the BOCC. Staff notes that due to the highly variable nature of the project entitlements (vis-a-vie various conversation mechanisms as noted above), staff cannot accurately estimate trip impacts; however, staff again notes that no change to the maximum trip generation potential of the project will result for approval of the subject request.

SITE ACCESS AND CONNECTIVITY/ TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

No changes in site access or connectivity are proposed. The roadways and infrastructure serving the site are also remaining unchanged. Staff notes the developer will be required to comply with all zoning conditions and land development regulations at the time of plat/site/construction plan approval.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Shell Point Rd.	Dead End	US Hwy 41	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
32 nd St. NW	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Beach Blvd.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Bahia Del Sol Dr.	Private	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input checked="" type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	See Staff Report	See Staff Report	See Staff Report
Proposed	See Staff Report	See Staff Report	See Staff Report
Difference (+/-)	No Change	No Change	No Change

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

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

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

Transportation Comment Sheet

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

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: 7-18-2023</p> <p>PETITION NO.: 23-0509</p> <p>EPC REVIEWER: Christina Bryant for Kelly Holland</p> <p>CONTACT INFORMATION: (813) 627-2600 X1218</p> <p>MAIL: hollandk@epchc.org</p>	<p>COMMENT DATE: June 15, 2023</p> <p>PROPERTY ADDRESS: 462 Bahai Beach Blvd, Ruskin, FL 33570</p> <p>FOLIO #: multiple</p> <p>STR: 32-18S-01 and 02E</p>
<p>REQUESTED ZONING: PD - Minor Mod</p>	
FINDINGS	
WETLANDS PRESENT	Yes
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	NA
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> • Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. • The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to 	

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the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

cb

ec: diane.chadwick@stantec.com