



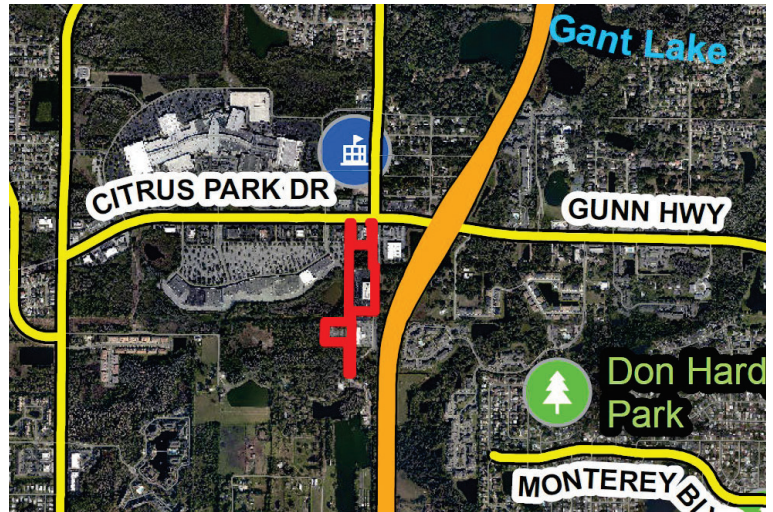
Rezoning Application: RZ PD 22-0856

Zoning Hearing Master Date: March 20, 2023

BOCC Land Use Meeting Date: May 9, 2023

1.0 APPLICATION SUMMARY

Applicant: Mark Bentley, Esq., B.C.S., AICP
FLU Category: Residential – 9 (Res-9)
 Urban Mixed Use – 20 (UMU-20)
Service Area: Urban
Site Acreage: 9.17 Acres
Community Plan Area: Northwest
Overlay: None



Introduction Summary:

The applicant seeks to rezone eight parcels from Planned Development (PD) 89-0111 and PD 08-0087 to a single PD to allow for the development of a proposed 103,000 square-foot (sf) storage facility. The subject property is developed for office, private right-of-way, parking, vacant land, and storm water management.

Zoning:	Existing		Proposed
District(s)	PD 89-0111	PD 08-0087	PD 22-0856
Typical General Use(s)	Office	Hotel, Business, Professional Office	Mini Warehousing
Acreage	2.5	7.23	9.17
Density/Intensity	.24 FAR	0.80 FAR	NA/FAR: 0.74
Mathematical Maximum*	26,000 sf	251,982	105,000 sf Mini Warehouse 4,567 sf Eating Establishment

*number represents a pre-development approximation.

Development Standards:	Existing		Proposed
District(s)	PD 89-0111	PD 08-0087	PD 22-0856
Lot Size / Lot Width	5,000 sf / 50'	5,000 sf / 50'	3,200 sf / 40'
Setbacks/Buffering and Screening	30' Front - South 20' Side Buffer - West North and West: 0' Buffer/No Screening	25' Front – North 15' Side 15' Rear Setback with 20' Type B Buffer	30' Front 0' Rear 0' Sides
Height	35'	100' Up to 8 Stories	50'

Additional	
PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering) The variation request is to reduce the required landscape buffer on the south and west boundary of Parcel C from the required 20-foot buffer with Type B screening to 0-feet for the existing and legally permitted stormwater pond as shown on Parcel C of the site plan
Waiver(s) to the Land Development Code	

APPLICATION NUMBER: PD 22-0856

ZHM HEARING DATE: MARCH 20, 2023

BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Sam Ball

Planning Commission Recommendation:

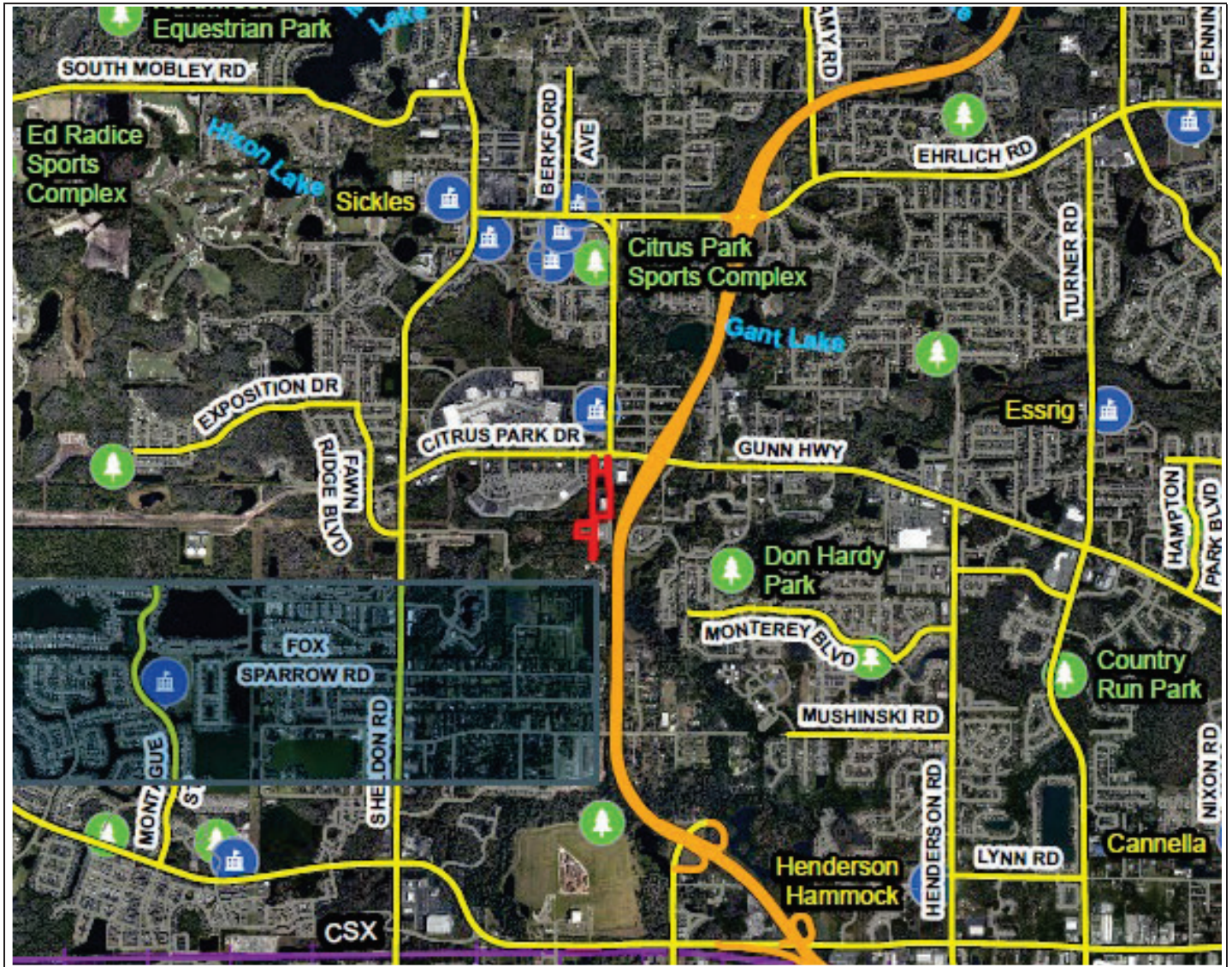
Consistent

Development Services Recommendation:

Approvable, Subject to Conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

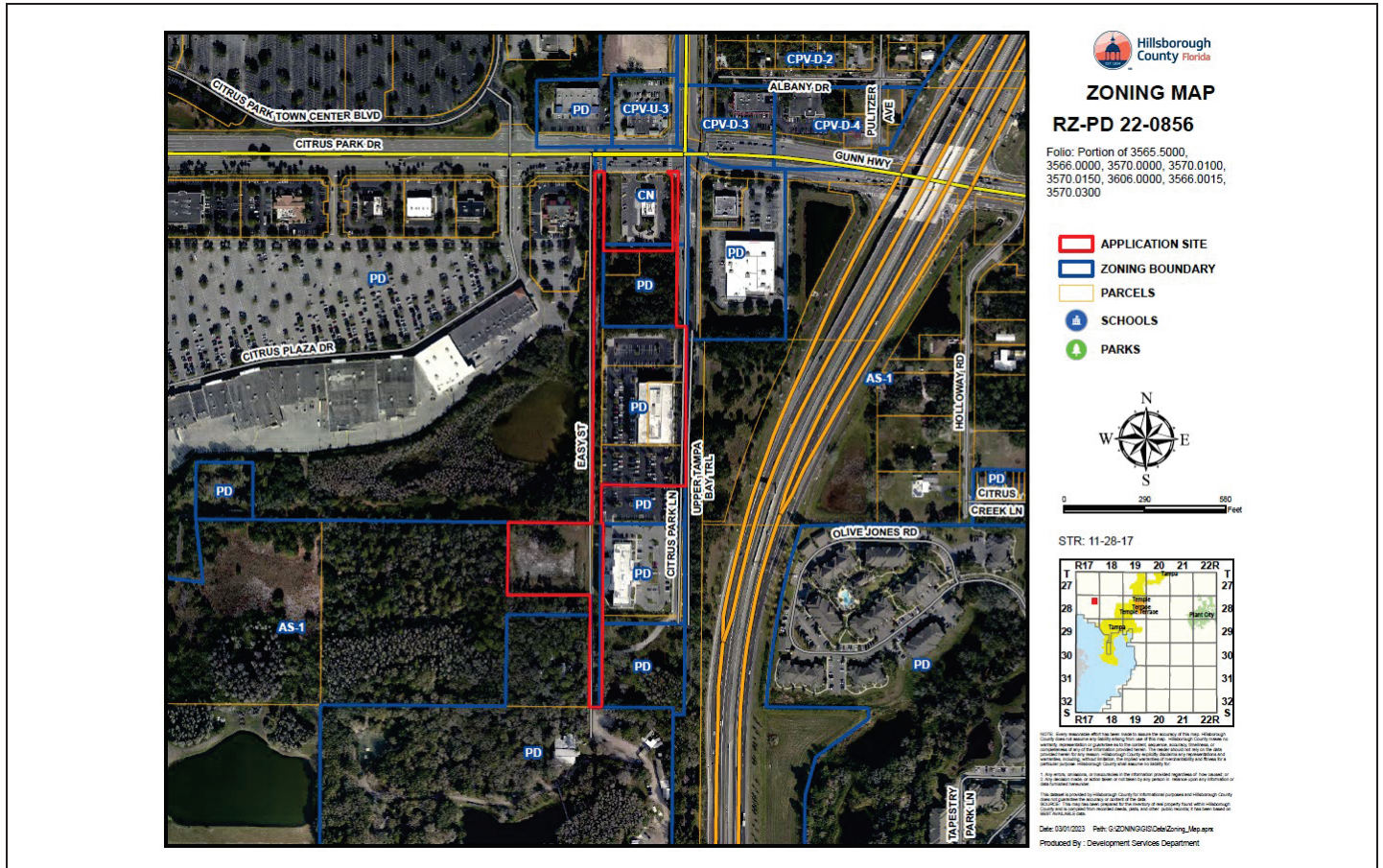


Context of Surrounding Area:

The subject property is located 0.15 miles west of the Veterans Expressway and fronts the Citrus Park Drive commercial corridor with large scale commercial, office, and medical office in the immediate vicinity. The property is adjacent to the Citrus Park Mall overlay district to the north and the Upper Tampa Bay Trail to the east.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	CN	du per ga: NA/FAR: 0.20	Retail and Personal Services	Restaurant with Drive-Through
South	PD 14-0813	0.80	Lodging, Professional Office, Retail, Non-Stand-Alone Eating & Drinking Establishment	Hotel
East	PD 00-0537	0.27	Commercial General	Medical Office, Fitness Facility
East	AS-1	du per ga: 1/FAR: NA	Agriculture and Single-Family Residential	Pasture
West	PD 90-0018	du per ga: 20/FAR: 0.75	Commercial and Office	Strip Retail
West	AS-1	du per ga: 1/FAR: NA	Agriculture and Single-Family Residential	Pasture
West	PD 04-0058	du per ga: 9/ FAR: 0.50	Animal Sanctuary, Museum, Education, Vet Clinic, Ancillary Retail, Cell Tower, Camper Cabins, Caretaker Residence.	Wildlife Preserve

APPLICATION NUMBER: PD 22-0856

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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
Citrus Park Ln.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" 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	4,208	396	470
Proposed	3,452	334	297
Difference (+/-)	-756	-62	-73

*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	Vehicular & Pedestrian	Meets LDC
South	X	None	Vehicular & Pedestrian	Meets LDC
East	X	None	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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site access improvements are required at intersection of Citrus Park Drive/Citrus Park Lane.
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 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	The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems
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	
Impact/Mobility Fees: Urban Mobility, Northwest Park/Fire - Mixed Use, residential w/1st floor commercial (Mid Rise Residential w/1st floor commercial) (High Rise Residential w/1st floor commercial) Mobility: \$2,931 per unit Mobility: \$1,555 per unit Parks: \$1,555 per unit Parks: \$1,555 per unit School: \$3,891 per unit School: \$3,891 per unit Fire: \$249 per unit Fire: \$249 per unit				
High-Turnover Restaurant (Per 1,000 sf) Mobility: \$43,893 Fire: \$313	General Office (Per 1,000 sf) Mobility: \$8,336 Fire: \$158	Shopping Center (Per 1,000 sf) Mobility: \$13,526 Fire: \$313		

APPLICATION NUMBER: PD 22-0856

ZHM HEARING DATE: MARCH 20, 2023

BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Sam Ball

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant's variation request is to reduce the required landscape buffer on the south and west boundary of Parcel C. Because Parcel C is use is limited to a storm water pond and common area/open space, staff finds that the nature of the designated uses on Parcel C provide adequate screening between the existing and proposed uses from the neighboring properties.

Based on the existing conditions within the proposed PD, the surrounding zoning and existing development patten in the area, staff finds the proposed Planned Development compatible with the existing uses.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request subject to conditions.


6.0 PROPOSED CONDITIONS

Prior to certification, applicant shall revise the PD site plan site notes # 29 as follows "PARCEL D IS PROPOSED TO BE SERVED BY ONE POINT OF INGRESS/EGRESS TO CITRUS PARK LN RIGHT-OF-WAY. STOP SIGNS SHALL BE INSTALLED AT ALL PROPOSED PROJECT INGRESS/EGRESS POINTS."

1. Development shall be limited to:
 - 1.1 Parcel A
Up to a maximum of 283,377 square feet (GFA) to be used for a hotel with ancillary commercial, business, professional office, and retail. Stand-alone convenience stores, stand-alone fast-food restaurants with or without a drive-through, or stand-alone banks with or without a drive-through are prohibited and shall not be permitted.
 - 1.2 Parcel B
Private Road
 - 1.3 Parcel C
Stormwater and Common Area/Open Space.
 - 1.4 Parcel D
Up to a maximum of 103,000 square feet (GFA) of mini warehouse.
2. Development shall proceed as depicted on the general development plan and with standards for Parcel A as follows.
 - 2.1 Maximum Building Height: 100 feet up to 8 stories.
 - 2.2 Parking Garage Height: 55 feet up to 5 stories with 6 levels of parking.
 - 2.3 Minimum Front Yard: 25 feet.
 - 2.4 Minimum Rear Yard: 15 feet.
 - 2.5 Minimum Side Yard: 15 Feet.
 - 2.6 Maximum Building Coverage: 50%.
 - 2.7 Maximum Gross Floor Area: 283,377 Square Feet.
3. Development shall proceed as depicted on the general development plan and with standards for Parcel D as follows.
 - 3.1 Maximum Building Height: 60 Feet.
 - 3.2 Minimum Front Yard: 30 Feet.
 - 3.3 Minimum Side Yard: 0 Feet.
 - 3.4 Minimum rear Yard: 0 Feet.
 - 3.5 Maximum Building Coverage: 50%.
 - 3.6 Maximum Gross Floor Area: 103,000 Square Feet.
4. Buffering and screening shall be provided in accordance with LDC Part 6.06.00 with the exception of Parcel C.
5. 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.

6. 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.
7. 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).
8. 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.
9. Parcel D shall have one full access connections on Citrus Park Ln. If gated, the gate shall be set back to meet minimum throat depth.
10. Prior to or concurrent with the increment of development of Parcel D, the westbound to southbound left turn lane at the intersection of Citrus Park Dr. and Citrus Park Ln. shall be extended to a total length of 350 feet at the sole expense of the developer of Parcel D.
11. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary.
12. Notwithstanding anything show on the PD site plan or in the conditions to the contrary, the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.
13. Parking shall be provided consistent with Sec. 6.05.02 of the LDC.
14. 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
Mon Mar 13 2023 09:21:21

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

REVIEWER: Richard Perez, AICP

PLANNING AREA: NWH/Northwest

DATE: 7/07/2022

Revised: 3/10/2023

AGENCY/DEPT: Transportation

PETITION NO: PD 22-0856

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

CONDITIONS OF ZONING APPROVAL

- Parcel D shall have one full access connections on Citrus Park Ln. If gated, the gate shall be set back to meet minimum throat depth.
- Prior to or concurrent with the increment of development of Parcel D, the westbound to southbound left turn lane at the intersection of Citrus Park Dr. and Citrus Park Ln. shall be extended to a total length of 350 feet at the sole expense of the developer of Parcel D.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary.
- Notwithstanding anything show on the PD site plan or in the conditions to the contrary, the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.
- Parking shall be provided consistent with Sec. 6.05.02 of the LDC.

Other Conditions:

- Prior to certification, applicant shall revise the PD site plan site notes # 29 as follows “PARCEL D IS PROPOSED TO BE SERVED BY ONE POINT OF INGRESS/EGRESS TO CITRUS PARK LN RIGHT-OF-WAY. STOP SIGNS SHALL BE INSTALLED AT ALL PROPOSED PROJECT INGRESS/EGRESS POINTS.”

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a rezoning of PD 89-0111 and PD 08-0087, subsequently amended by PRS 13-0456, to a new Planned Development (PD) to encompass multiple parcels that total 9.17 acres. The new PD will retain the existing entitlements in previously approved (identified in the PD site plan as Parcels A, B, and C), as shown below, and allow for the proposed 100,000 sf mini-storage warehouse on Parcel D.
Parcel A

251,982 square feet of mixed uses include hotel w/ancillary commercial, business, professional office (BPO), and retail. Stand-alone convenience stores, stand-alone fast-food restaurants, and stand-alone banks are prohibited. A 5-story parking garage is also planned. +/-125,991 square feet of office uses have already been constructed.

Parcel B

Private Road “Easy Street”

Parcel C

Stormwater and Common Area/Open Space

Parcel D

100,000 sf Mini-Storage Warehouse

The approved PD zoning Parcel D currently allows a 26,000 sf of office uses.

Trip Generation Analysis

The applicant submitted a trip generation analysis and detailed site access analysis, as required by the Development Review Procedures Manual (DRPM). Staff has prepared an analysis of the potential trips generation for comparison purposes, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, utilizing a generalized worst-case scenario for informational purposes.

Approved Uses:

Zoning, Lane Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD 89-0111: 26,000 sf - Medical Office (720)	905	72	90
PD 08-0087: 236,232 sf – General Office (710)	2,301	274	272
PD 08-0087: 15,750 sf – Retail (814)	1,000	50	108
Total Trips	4,208	396	470

Proposed Uses:

Zoning, Lane Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 100,000sf – Mini-Storage Warehouse (151)	151	10	17
PD 08-0087: 236,232 sf – General Office (710)	2,301	274	272
PD 08-0087: 15,750 sf – Retail (814)	1,000	50	108
Total Trips	3,452	334	397

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	-756	-62	-73

The proposed rezoning is anticipated to have a decreased maximum potential trip generation potential of -756 daily trips, -62 am peak hour trips and -73 pm peak hours trips.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Citrus Park Ln. is a County maintained, 2-lane, urban local roadway, characterized by +/-11-foot lanes with curb and gutter within +/-118 feet of right-of-way. There is a +/-5-foot sidewalk on west side and +/-15-foot at-grade multi-use trail on the east side with regularly spaced street trees between the roadway and trail; and a +/-12-foot elevated multi-use trail segment approaching the Citrus Park Dr. trail bridge crossing.

SITE ACCESS

The project proposes to maintain the existing two full access connections on Citrus Park Ln. serving Parcel A and one new full access connection on Citrus Park Ln. to serve the proposed mini-storage warehouse in Parcel D. If the mini-storage use is gated, it will be required to meet the minimum throat depth consistent with LDC, Sec. 6.04.00 access management requirements.

Due to Citrus Park Ln. being a dead-end roadway, the project can only be accessed through the Citrus Park Dr./Citrus Park Ln. intersection. Therefore, the project’s access is deemed to be the said intersection. The applicant’s traffic engineer submitted a site access analysis finding that the westbound to south bound left turn lane at Citrus Park Dr. and Citrus Park Ln. will need to be extended to 350 feet to provide sufficient queue storage to serve the project traffic. As such the applicant submitted proposed condition of approval language to construct the turn lane improvements prior to or concurrent with the development of the Parcel D project phase.

Vehicular and pedestrian cross access is proposed to folio#3566.0010, to the north, and folio#3570.0200 to the south. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary; and the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.

Parking shall be required consistent with Sec. 6.05.02 of the LDC at the time of site construction plan review.

ROADWAY LEVEL OF SERVICE

Below is the roadway level of service for informational purposes only.

Note, Citrus Park Ln. is not a regulated roadway.

Generalized Level of Service				
ROADWAY	FROM	To	LOS	
			STANDARD	PK HR
CITRUS PARK DR.	SHELDON RD.	GUNN HWY.	E	C

Source: 2020 Hillsborough County Level of Service (LOS) 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
Citrus Park Ln.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,208	396	470
Proposed	3,452	334	297
Difference (+/-)	-756	-62	-73

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

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

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	Site access improvements are required at intersection of Citrus Park Dr./Citrus Park Ln.

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**COUNTY OF HILLSBOROUGH
LAND USE HEARING OFFICER'S RECOMMENDATION**

Application number:	RZ-PD 22-0856
Hearing date:	March 20, 2023
Applicant:	Mark Bentley
Request:	Rezone to Planned Development
Location:	Southeast corner of Citrus Park Drive and Easy Street, Tampa
Parcel size:	9.17 acres +/-
Existing zoning:	PD 89-0111 and PD 08-0087
Future land use designation:	Res-9 (9 du/ga; 0.50 FAR) and UMU-20 (20 du/ga; 1.0 FAR)
Service area:	Urban Services Area
Community planning area:	Northwest Hillsborough Community Plan

A. APPLICATION REVIEW

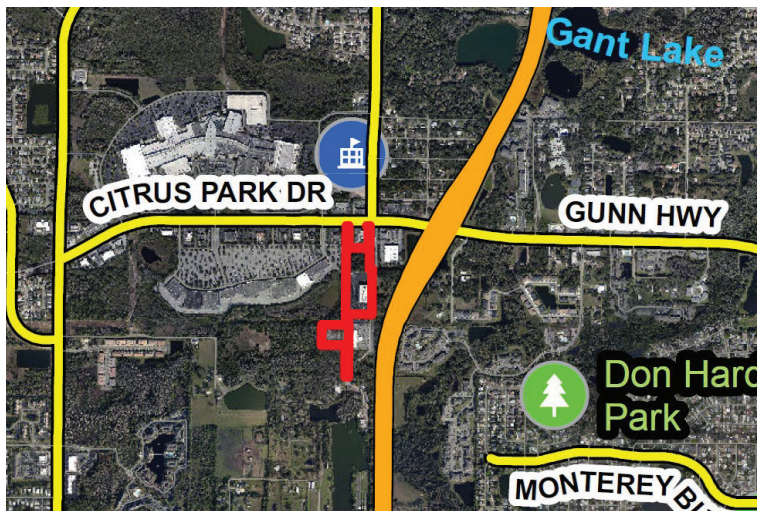
**DEVELOPMENT SERVICES STAFF REPORT
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**



Rezoning Application: RZ PD 22-0856
Zoning Hearing Master Date: March 20, 2023
BOCC Land Use Meeting Date: September May 9, 2023

1.0 APPLICATION SUMMARY

Applicant: Mark Bentley, Esq., B.C.S., AICP
FLU Category: Residential – 9 (Res-9)
 Urban Mixed Use – 20 (UMU-20)
Service Area: Urban
Site Acreage: 9.17 Acres
Community Plan Area: Northwest
Overlay: None



Introduction Summary:

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Zoning:	Existing		Proposed
District(s)	PD 89-0111	PD 08-0087	PD 22-0856
Typical General Use(s)	Office	Hotel, Business, Professional Office	Mini Warehousing
Acreage	2.5	7.23	9.17
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Mathematical Maximum*	26,000 sf	251,982	105,000 sf Mini Warehouse 4,567 sf Eating Establishment

*number represents a pre-development approximation.

Development Standards:	Existing		Proposed
District(s)	PD 89-0111	PD 08-0087	PD 22-0856
Lot Size / Lot Width	5,000 sf / 50'	5,000 sf / 50'	3,200 sf / 40'
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Height	35'	100' Up to 8 Stories	50'

Additional	
PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering) The variation request is to reduce the required landscape buffer on the south and west boundary of Parcel C from the required 20-foot buffer with Type B screening to 0-feet for the existing and legally permitted stormwater pond as shown on Parcel C of the site plan
Waiver(s) to the Land Development Code	

APPLICATION NUMBER: PD 22-0856

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Case Reviewer: Sam Ball

Planning Commission Recommendation:

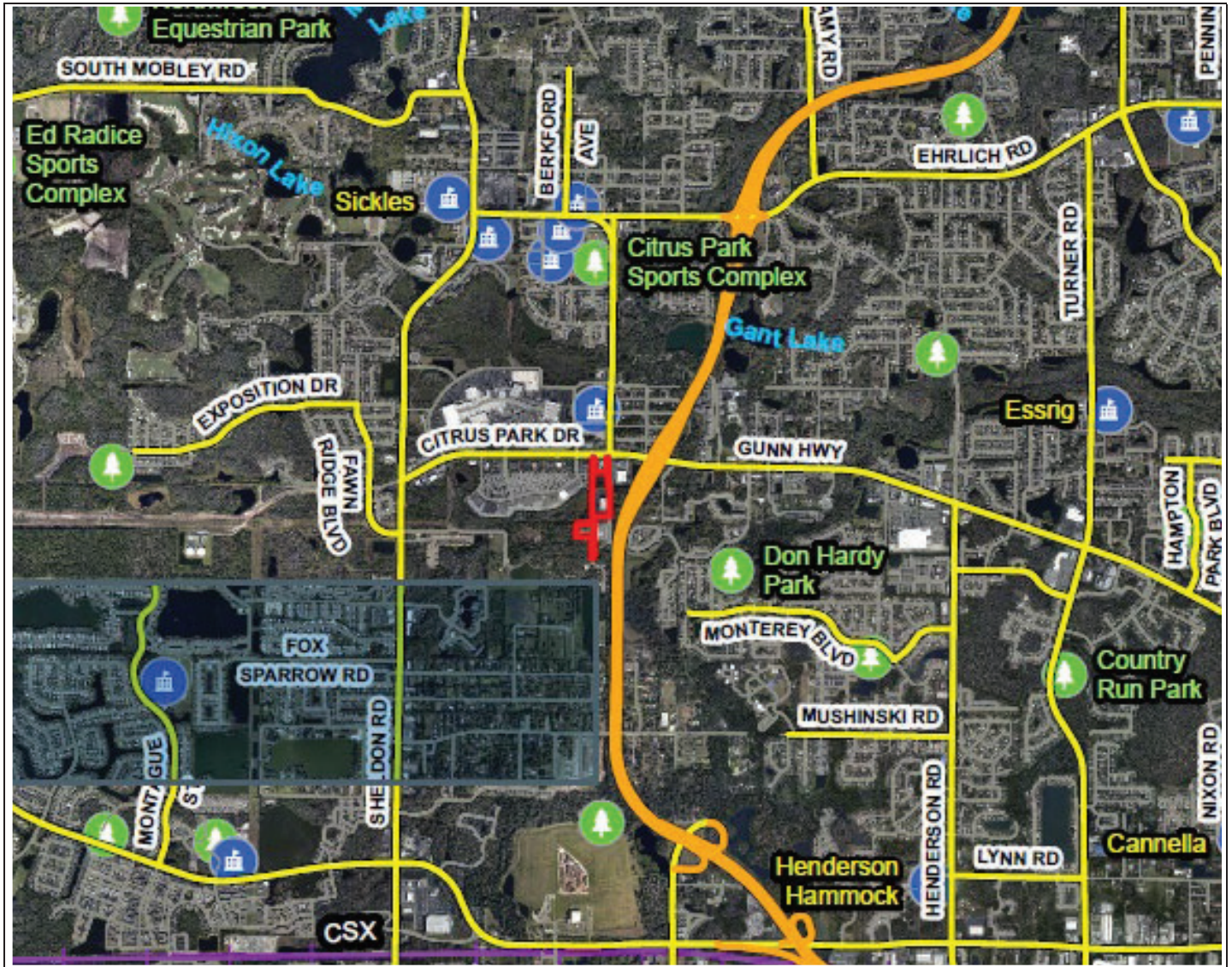
Consistent

Development Services Recommendation:

Approvable, Subject to Conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

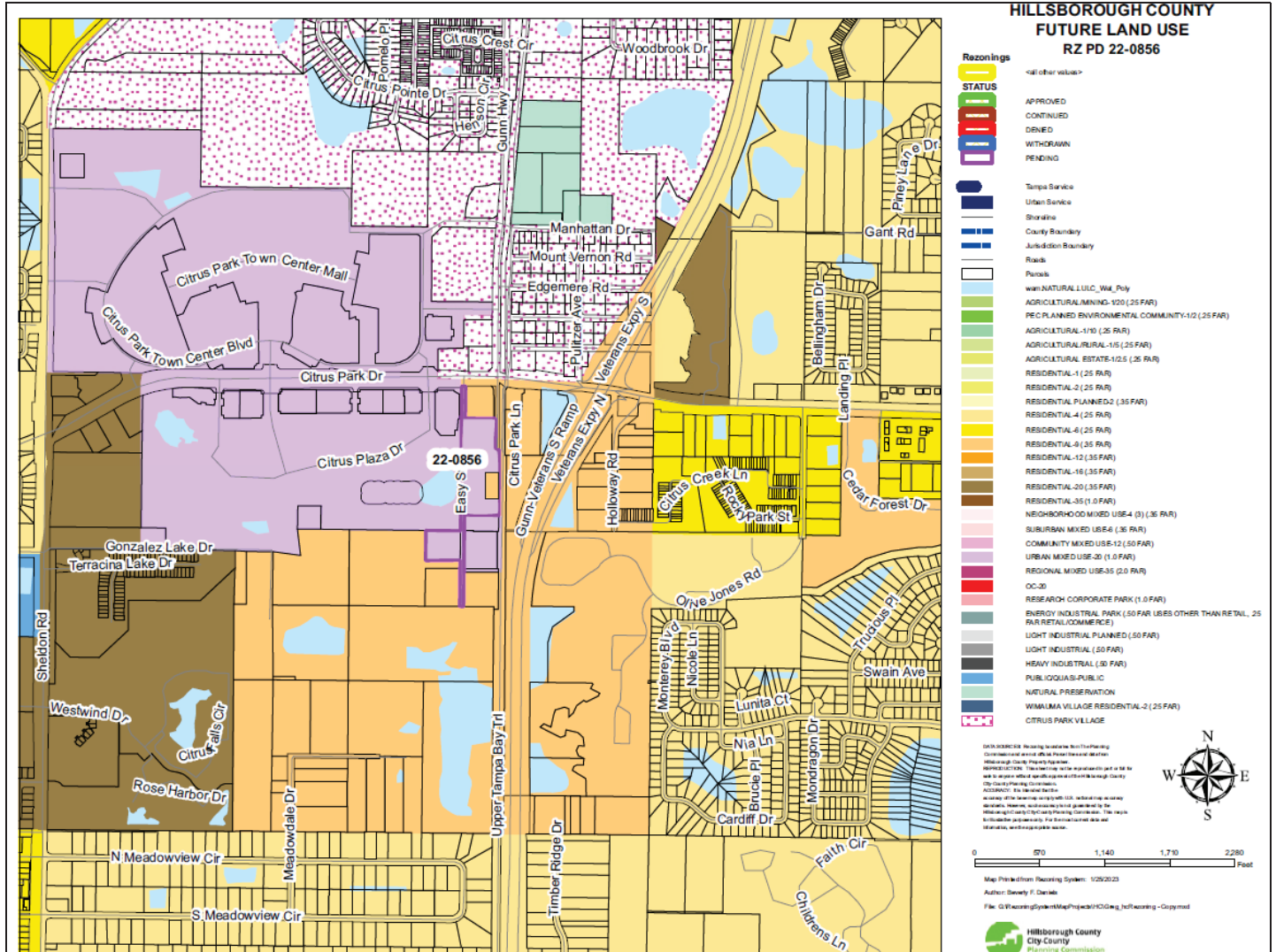


Context of Surrounding Area:

The subject property is located 0.15 miles west of the Veterans Expressway and fronts the Citrus Park Drive commercial corridor with large scale commercial, office, and medical office in the immediate vicinity. The property is adjacent to the Citrus Park Mall overlay district to the north and the Upper Tampa Bay Trail to the east.

2.0 LAND USE MAP SET AND SUMMARY DATA

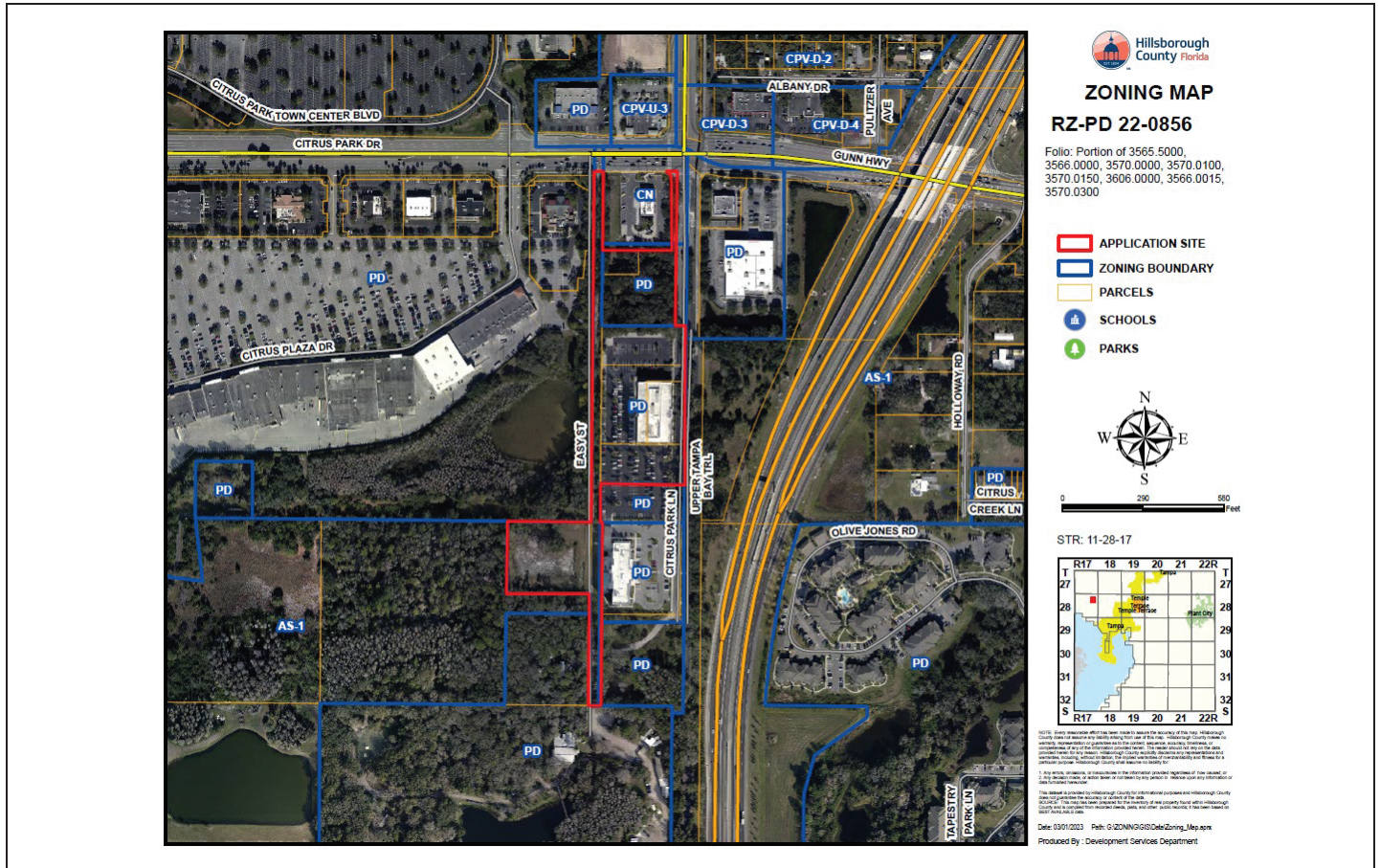
2.2 Future Land Use Map



Subject Site Future Land Use Category	Residential – 9 (Res-9) and Urban Mixed Use -20 (UMU-20)
Maximum Density/FAR	<p>Res-9: du per ga: 9.0/FAR: Urban scale neighborhood commercial, office, multi-purpose, or mixed use projects limited to 175,000 sf or 0.5 FAR, whichever is less intense. All non-residential development which exceeds 0.35 FAR must be for office or residential support uses, not retail.</p> <p>UMU-20: du per ga: 20/FAR: 1.0</p>
Typical Uses:	<p>Res-9: 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.</p> <p>UMU-20: Residential, regional scale commercial uses, and clustered residential and/or mixed use projects.</p>

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	CN	du per ga: NA/FAR: 0.20	Retail and Personal Services	Restaurant with Drive-Through
South	PD 14-0813	0.80	Lodging, Professional Office, Retail, Non-Stand-Alone Eating & Drinking Establishment	Hotel
East	PD 00-0537	0.27	Commercial General	Medical Office, Fitness Facility
East	AS-1	du per ga: 1/FAR: NA	Agriculture and Single-Family Residential	Pasture
West	PD 90-0018	du per ga: 20/FAR: 0.75	Commercial and Office	Strip Retail
West	AS-1	du per ga: 1/FAR: NA	Agriculture and Single-Family Residential	Pasture
West	PD 04-0058	du per ga: 9/ FAR: 0.50	Animal Sanctuary, Museum, Education, Vet Clinic, Ancillary Retail, Cell Tower, Camper Cabins, Caretaker Residence.	Wildlife Preserve

APPLICATION NUMBER: PD 22-0856

ZHM HEARING DATE: MARCH 20, 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
Citrus Park Ln.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" 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	4,208	396	470
Proposed	3,452	334	297
Difference (+/-)	-756	-62	-73

*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	Vehicular & Pedestrian	Meets LDC
South	X	None	Vehicular & Pedestrian	Meets LDC
East	X	None	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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site access improvements are required at intersection of Citrus Park Drive/Citrus Park Lane.
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 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	The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems
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	
Impact/Mobility Fees: Urban Mobility, Northwest Park/Fire - Mixed Use, residential w/1st floor commercial (Mid Rise Residential w/1st floor commercial) (High Rise Residential w/1st floor commercial) Mobility: \$2,931 per unit Mobility: \$1,555 per unit Parks: \$1,555 per unit Parks: \$1,555 per unit School: \$3,891 per unit School: \$3,891 per unit Fire: \$249 per unit Fire: \$249 per unit				
High-Turnover Restaurant (Per 1,000 sf) Mobility: \$43,893 Fire: \$313	General Office (Per 1,000 sf) Mobility: \$8,336 Fire: \$158	Shopping Center (Per 1,000 sf) Mobility: \$13,526 Fire: \$313		

APPLICATION NUMBER: PD 22-0856

ZHM HEARING DATE: MARCH 20, 2023

BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Sam Ball

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant's variation request is to reduce the required landscape buffer on the south and west boundary of Parcel C. Because Parcel C is use is limited to a storm water pond and common area/open space, staff finds that the nature of the designated uses on Parcel C provide adequate screening between the existing and proposed uses from the neighboring properties.

Based on the existing conditions within the proposed PD, the surrounding zoning and existing development patten in the area, staff finds the proposed Planned Development compatible with the existing uses.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request subject to conditions.


6.0 PROPOSED CONDITIONS

Prior to certification, applicant shall revise the PD site plan site notes # 29 as follows "PARCEL D IS PROPOSED TO BE SERVED BY ONE POINT OF INGRESS/EGRESS TO CITRUS PARK LN RIGHT-OF-WAY. STOP SIGNS SHALL BE INSTALLED AT ALL PROPOSED PROJECT INGRESS/EGRESS POINTS."

1. Development shall be limited to:
 - 1.1 Parcel A
Up to a maximum of 283,377 square feet (GFA) to be used for a hotel with ancillary commercial, business, professional office, and retail. Stand-alone convenience stores, stand-alone fast-food restaurants with or without a drive-through, or stand-alone banks with or without a drive-through are prohibited and shall not be permitted.
 - 1.2 Parcel B
Private Road
 - 1.3 Parcel C
Stormwater and Common Area/Open Space.
 - 1.4 Parcel D
Up to a maximum of 103,000 square feet (GFA) of mini warehouse.
2. Development shall proceed as depicted on the general development plan and with standards for Parcel A as follows.
 - 2.1 Maximum Building Height: 100 feet up to 8 stories.
 - 2.2 Parking Garage Height: 55 feet up to 5 stories with 6 levels of parking.
 - 2.3 Minimum Front Yard: 25 feet.
 - 2.4 Minimum Rear Yard: 15 feet.
 - 2.5 Minimum Side Yard: 15 Feet.
 - 2.6 Maximum Building Coverage: 50%.
 - 2.7 Maximum Gross Floor Area: 283,377 Square Feet.
3. Development shall proceed as depicted on the general development plan and with standards for Parcel D as follows.
 - 3.1 Maximum Building Height: 60 Feet.
 - 3.2 Minimum Front Yard: 30 Feet.
 - 3.3 Minimum Side Yard: 0 Feet.
 - 3.4 Minimum rear Yard: 0 Feet.
 - 3.5 Maximum Building Coverage: 50%.
 - 3.6 Maximum Gross Floor Area: 103,000 Square Feet.
4. Buffering and screening shall be provided in accordance with LDC Part 6.06.00 with the exception of Parcel C.
5. 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.

6. 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.
7. 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).
8. 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.
9. Parcel D shall have one full access connections on Citrus Park Ln. If gated, the gate shall be set back to meet minimum throat depth.
10. Prior to or concurrent with the increment of development of Parcel D, the westbound to southbound left turn lane at the intersection of Citrus Park Dr. and Citrus Park Ln. shall be extended to a total length of 350 feet at the sole expense of the developer of Parcel D.
11. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary.
12. Notwithstanding anything show on the PD site plan or in the conditions to the contrary, the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.
13. Parking shall be provided consistent with Sec. 6.05.02 of the LDC.
14. 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
Mon Mar 13 2023 09:21:21

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.

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on March 20, 2023. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Mark Bentley presented the rezoning request, and provided testimony as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation. Mr. Bentley introduced Mr. Ryan Manasse, a certified planner, who provided testimony in support of the rezoning request and responded to the hearing master's questions as reflected in the hearing transcript attached to and made a part of this recommendation.

Development Services Department

Mr. Sam Ball, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the revised staff report, a copy of which was submitted to the record at the hearing.

Planning Commission

Ms. Jillian Massey, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted to the record.

Proponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application.

Ms. Nicole Neugebauer, Stearns Weaver Miller et al., stated she represents McDonald's USA, LLC, which owns property adjacent to the Subject Property. Ms. Neugebauer stated she wished to submit to the record her client's written statement of no objection.

Opponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

Development Services Department

Mr. Grady stated the Development Services Department had nothing further.

Applicant Rebuttal

Mr. Bentley stated the applicant had nothing further.

The hearing officer closed the hearing on RZ-PD 22-0856.

C. EVIDENCE SUBMITTED

Mr. Bentley submitted to the record at the hearing letters of support from Big Cat Rescue and Andrew Shafii, and the applicant's presentation documents.

Ms. Nicole Neugebauer submitted to the record at the hearing a letter from her client, McDonald's USA, LLC, stating no objection to the rezoning request as long as its easement agreement is recognized in the applicant's site plan.

D. FINDINGS OF FACT

1. The Subject Property consists of eight parcels totaling approximately 9.17 acres at the southeast corner of Citrus Park Drive and Easy Street in Tampa. The Subject Property includes a vacant parcel, a private right-of-way, parcels developed with office uses and parking areas, a parcel used for stormwater management, and vacant parcels.
2. The Subject Property is designated Res-9 and UMU-20 on the Future Land Use Map and is zoned PD 89-0111 and PD 08-0087.
3. The Subject Property is in the Urban Services Area and is located within the boundaries of the Northwest Hillsborough Community Plan.
4. The Subject Property is situated just west of the Veteran's Expressway and southeast of the Citrus Park Mall. Adjacent properties include Citrus Park Lane and the Upper Tampa Bay Trail to the east, and a medical facility and vacant county-owned parcel east of the trail; a shopping plaza, restaurant, and vacant parcels to the west; a restaurant with drive-through and Citrus Park Drive to the north, with commercial and retail uses north of Citrus Park Drive; a hotel and vacant parcels to the south, and the Big Cat Rescue sanctuary complex further south.
5. The applicant is requesting to rezone the Subject Property from PD 89-0111 and PD 08-0087 to a single Planned Development for a mixed-use development with a maximum of 386,377 square feet, including a storage facility with up to 103,000 square feet.
6. The applicant is requesting a PD variation from LDC 6.06.06 to reduce the required landscape buffer on the south and west boundary of the Subject Property in the area that the applicant's site plan designates as "Parcel C." The applicant is requesting to reduce the required 20-foot-wide buffer and Type B screening to zero-foot buffer and no screening. Parcel C is developed and in use as a stormwater retention area and open space.
7. The proposed rezoning includes a flex of the UMU-20 future land use designation on seven of the Subject Property's parcels to the one parcel designated Res-9,

which is developed with an existing office building. Planning Commission staff found the proposal consistent with the comprehensive plan's Future Land Use Policies 7.3 and 7.4 and that it furthers the intent of the UMU-20 land use category and the overall development is within the allowable 1.0 floor-area-ratio.

8. Development Services Department staff found the rezoning request compatible with the surrounding zoning and development pattern in the area. Staff further found the stormwater retention area and open space on Parcel C provides adequate screening between existing and proposed uses on the Subject Property and uses on neighboring properties. Staff recommended approval subject to conditions.
9. Planning Commission staff found the proposed rezoning would allow a mix of uses that would facilitate growth in the Urban Services Area and support the vision of the Northwest Hillsborough Community Plan. Planning Commission staff found the proposal consistent with the comprehensive plan subject to the conditions enumerated in the Development Services Department staff report, and compatible with the existing development pattern in the surrounding area.
10. The LDC at section 5.03.06.C.6.a. governs Variations for Site Design in Planned Development zoning districts and states:

The purpose of the Planned Development District is to allow flexibility in certain site development standards in order to achieve creative, innovative, and/or mixed use development. The following non-district regulations may be varied as part of a Planned Development based upon the criteria contained herein:

- (1) Part 6.05.00, Parking and Loading Requirements;
- (2) Part 6.06.00, Landscaping, Irrigation, and Buffering Requirements; and
- (3) Part 6.07.00, Fences and Walls.

11. Findings on LDC 5.03.06.C.6.b. variation criteria:

- 1) **The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.** Yes. Parcel C is developed and in use as a stormwater retention area and open space. The use was approved through prior rezoning processes. Parcel C consists of 75,298 square feet of area and provides effective buffering and screening between the Subject Property and adjacent properties.

- 2) **The variation is mitigated through enhanced design features that are proportionate to the degree of variation.** Yes. Parcel C is developed and in use as a stormwater retention area and open space. The use was approved through prior rezoning processes. Parcel C consists of 75,298 square feet of area and provides buffering and screening between the Subject Property and adjacent properties to an extent greater than the 20-foot-wide buffer and Type B screening that the LDC would otherwise require without the variation.
- 3) **The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.** Yes. Parcel C is developed and in use as a stormwater retention area and open space. The use was approved through prior rezoning processes. Parcel C consists of 75,298 square feet of area and provides buffering and screening between the Subject Property and adjacent properties to an extent greater than the 20-foot-wide buffer and Type B screening that the LDC would otherwise require without the variation.
- 4) **The variation will not substantially interfere with or injure the rights of adjacent property owners.** Parcel C consists of 75,298 square feet of area and provides buffering and screening between the Subject Property and adjacent properties to an extent greater than the 20-foot-wide buffer and Type B screening that the LDC would otherwise require without the variation. There is no evidence the variation would interfere with or injure the rights of adjacent property owners.

E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN

The record evidence demonstrates the proposed Planned Development zoning with PD variation is in compliance with, and does further the intent of the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2022). Based on the record as a whole, including evidence and testimony submitted in the record and at the hearing, reports and testimony of Development Services Staff and Planning Commission staff, applicant’s narrative, hearing testimony, and evidence, and party-of-record testimony and evidence, there is substantial competent evidence demonstrating the requested Planned Development rezoning with PD variation is consistent with the *Future of Hillsborough Comprehensive*

Plan for Unincorporated Hillsborough County, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

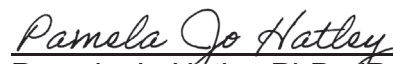
The applicant is requesting to rezone the Subject Property from PD 89-0111 and PD 08-0087 to a single Planned Development for a mixed-use development with a maximum of 386,377 square feet, including a storage facility with up to 103,000 square feet.

The applicant is requesting a PD variation from LDC 6.06.06 to reduce the required landscape buffer on the south and west boundary of the Subject Property in the area that the applicant's site plan designates as "Parcel C." The applicant is requesting to reduce the required 20-foot-wide buffer and Type B screening to zero-foot buffer and no screening. Parcel C is developed and in use as a stormwater retention area.

The proposed rezoning includes a flex of the UMU-20 future land use designation on seven of the Subject Property's parcels to the one parcel designated Res-9, which is developed with an existing office building.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the Planned Development rezoning and PD variation request subject to the site plan certification requirements and conditions set out in the Development Services staff report based on the applicant's general site plan submitted February 28, 2023.


Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

April 10, 2023
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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, March 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:08 p.m.

PLACE: Hillsborough County Board of
County Commissioners
601 East Kennedy Boulevard
2nd Floor Boardroom
Tampa, Florida 33601

Reported in person by:

Brittany Bridges, CER No. 1607
U.S. Legal Support
4200 West Cypress Street, Suite 750
Tampa, Florida 33607
(813)223-7321

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023
ZONING HEARING MASTER: PAMELA JO HATLEY

D.1.:

Application Number: RZ-PD 22-0856
Applicant: Mark Bentley
Location: SE corner of Citrus Park Dr & Easy St
Folio Number: Portion of 003565.5000, 003566.0000,
003570.0000, 003570.0100, 003570.0150,
003606.0000, 003566.0015 and 003570.0300
Acreage: 9.17 acres, more of less
Comprehensive Plan: R-9, UMU-20
Service Area: Urban
Existing Zoning: PD 89-0111, PD 08-0087
Request: Rezone to Planned Development

1 MR. GRADY: The next item is Agenda Item is D1,
2 Application RZ PD 22-0856. The applicant is Mark Bentley.
3 The request is -- is to rezone two planned developments to
4 exist in a new planned development. Sam Ball with County
5 Staff will provide staff rec -- recommendation after
6 presentation by the applicant.

7 MR. BENTLEY: Good Evening, Ms. Hatley. My name's
8 Mark Bentley, 401 East Jackson Street, Tampa 33602,
9 representing the applicants. I've got a composite exhibit
10 I'd like to go through during the course of our
11 presentation; may I approach you?

12 HEARING MASTER HATLEY: Certainly, thank you.

13 MR. BENTLEY: As you can see on the Almo (phonetic),
14 the subject property is highlighted in hatch mark. It's
15 roughly 9.17 acres. Recently, the majority of the
16 property -- property underwent a comprehensive plan map
17 amendment change from R9 to UMU 20, and the intent of the
18 PD rezoning is to integrate multiple approvals and also
19 introduce an additional land use that would be air
20 conditioned storage.

21 The -- we have letters of support that I'll -- I'll go
22 over later on. One of them is from Big Cat Rescue, which
23 is located directly east of the subject property; I thought
24 I'd point that out. And just for the sake of brevity, what
25 I'd like to do now is just turn it over to our -- the

1 director of planning for our law firm; it's
2 Mr. Ryan Manasse. Ryan's going to go over some of the
3 planning issues, the site plan, then I'll just wrap it up.
4 Okay. Thank you.

5 HEARING MASTER HATLEY: All right. Thank you.

6 MR. MANASSE: Good evening. Ryan Manasee with Johnson
7 Pope, 401 East Jackson Street, Suite 3100. I'll go ahead
8 and change the slide to the site plan.

9 So the proposed request is generally located at Citrus
10 Park Drive and Citrus Park Lane. The PD, again, is roughly
11 around 9.17 acres, and it's currently zoned through
12 multiple rezonings, and I'll -- I'll get into that here
13 very shortly. The area is made up primarily large scale
14 commercial, office, medical office uses, and Cit -- Citrus
15 Park Mall is adjacent to the subject site, and the parcels
16 are within the urban service area.

17 Now, starting at the top -- and this is just to
18 explain some of those currently approved planned
19 developments that are on the site. At the very top, you're
20 gonna see the PD 89-0111, and then PD 08-0087 going south.
21 And, also, as you can see on the screen, most of this area
22 that I'm gonna be showing you is already developed with
23 certain uses that are from these previous approvals. Just
24 to reference to PRS 13-0456, in reviewing that -- those
25 documents, it was mainly for the cross access between the

1 sites in 2013 and another rezoning that's further south.

2 So moving south -- and I -- I don't want to s -- cram
3 it all on one page, so I separated it for you. You'll see
4 the -- the -- to the south here is just to the south of --
5 I'm sorry, -- of the office building, and then going
6 further, it's gonna be Parcel C, which is on that left side
7 of the screen, and those are through that same rezoning.
8 Adjacent to our subject request is that hotel on the bottom
9 of your screen with the associated surface parking lot.

10 So to further -- further explain the site layout, I've
11 color-coded the parcels which are identified as Parcels A,
12 B, and C, and as annotated on your site plan as well,
13 Parcel A, which on screen is blue, that's existing, and
14 it -- it included uses such as hotel with the ancillary
15 commercial business and BPO and retail uses. Parcel B is
16 highlighted in that orange, and, again, that's existing,
17 and that's Easy Street. And then Parcel C is highlighted
18 in that green color, and, again, it's existing, and that's
19 for a stormwater pond as well as common area and open
20 space; again, existing uses from the -- the mixture of
21 rezonings that we're combining into this mixed-use
22 development. Now, the last parcel, Parcel D, is in that
23 yellow color, and that's mainly the new proposed
24 development that we're presenting here tonight, and that's
25 for this mini warehouse self-storage use.

1 So this request combines the different PDs into this
2 one mixed-use development. Additionally, the planning
3 commission and BOCC approved a comprehensive plan amendment
4 for parts of this area which had numerous flexes into one
5 combined UMU 20 Future Land Use category. Also, we are
6 flexing a small portion over the existing office located on
7 Parcel A, and the FLU category for that existing office
8 building is the RES 9, and it -- and, again, it is
9 currently flexed in its approval, and we're just
10 memorializing it with this PD rezoning.

11 HEARING MASTER HATLEY: Okay. Can you stop just a
12 second and back up to that. Yes. Let me just make sure I
13 understand the proposal.

14 Okay. So the -- there's an existing roadway, that's
15 Easy Street. C is the retention area, intended to be the
16 retention area, or is -- is it already --

17 MR. MANASSE: It is, it's built and functioning.

18 HEARING MASTER HATLEY: Already a retention area. A
19 is an already-developed parcel. D is not developed yet,
20 but it's intended for storage; is that correct?

21 MR. MANASSE: Exactly.

22 HEARING MASTER HATLEY: Okay. And so then
23 these are -- I guess A, B, and C are part of PDs --

24 MR. MANASSE: 08 --

25 HEARING MASTER HATLEY: Existing rezone -- or existing

1 PDs, and you're combining them into one --

2 MR. MANASSE: Correct.

3 HEARING MASTER HATLEY: -- with D.

4 MR. MANASSE: And, actually, D is an -- again, it's an
5 existing PD as well as for an office use.

6 HEARING MASTER HATLEY: Okay.

7 MR. MANASSE: It's like an 1989 rezoning.

8 HEARING MASTER HATLEY: Okay. All right. I think I
9 follow you so far. Thank you.

10 MR. MANASSE: Excellent. Just one point just to make
11 sure you're following on this part is, although this is
12 Easy Street, it's not the access for the property, so we're
13 gonna -- and you'll see further down on my presentation --

14 HEARING MASTER HATLEY: Right.

15 MR. MANASSE: -- we use Citrus Park Lane --

16 HEARING MASTER HATLEY: Mmhmm.

17 MR. MANASSE: -- which is -- I'm sorry -- located
18 right around there.

19 HEARING MASTER HATLEY: Okay.

20 MR. MANASSE: I'll show you here in a sec.

21 So the existing cross access for Parcel A, B, and C
22 are to remain as previously approved, and the new
23 development on Parcel D propose -- proposes cross access to
24 the McDonald's to the north, and that's shown in these
25 highlighted yellow. So, again, these are the existing

1 cross access, and then the newly proposed cross access
2 here. The red arrow is a -- it's depicting existing access
3 to McDonald's, and I'll explain this on the next slide too.

4 That wasn't the slide. I wanted two sheets.

5 So a representative from McDonald's property requested
6 that we had ingress and egress arrow depicting the existing
7 access for the built McDonald's, which is north of our
8 subject request. We did discuss this with Staff and
9 proposed the ingress egress arrow addition to be added to
10 the site plan before certification should this be approved.
11 And that's just merely highlighted here in that yellow --
12 or I'm sorry, green box --

13 HEARING MASTER HATLEY: Mmhmm.

14 MR. MANASSE: -- and then the cross access arrow is
15 showing that existing access.

16 HEARING MASTER HATLEY: Okay.

17 MR. MANASSE: Through the review, it was found that
18 some improvements to Citrus Park Drive were required, a
19 condition stating that, prior to or concurrent with the
20 development of Parcel D, the westbound to southbound left
21 turn lane at the intersection of Citrus Park Drive and
22 Citrus Park Lane shall be extended to a total length of 350
23 feet. And that's at the sole expense of the developer of
24 Parcel D, which is that new mini storage proposed use.
25 This -- this condition is part of the approval conditions

1 should this pass here tonight or in your determination.

2 And, now, just to discuss the variations. And what I
3 did here was, the first slide is just, again, that Parcel
4 C, which is outlined in green. And then that yellow
5 outline is the west and south boundary. So the variation
6 request is to reduce the required landscape buffer on the
7 south and west boundary of the Parcel C, and that's to
8 allow this existing and legally permitted stormwater pond
9 to remain in it's billed configuration. Again, this parcel
10 is developed to the currently approved PD construction
11 plans and is serving its intended use as stormwater
12 retention and open space.

13 Modifying this Parcel C at this point could cause
14 detrimental impact to the existing built environment.
15 Also, the previous approvals did not have Staff objections
16 to the design of Parcel C and were subsequently approved.
17 Due to Parcel C's limited uses, which are the stormwater
18 pond and common area open space, Staff found the nature of
19 the designated uses on Parcel C to provide adequate
20 screening between the existing and proposed uses from
21 neighboring properties. All other buffering and screening
22 for this request will be in accordance with the Land
23 Development Code.

24 And the next two pictures are just some current
25 pictures of that Parcel C, and this is southwest. As you

1 can see, it's highly vegetated. There's actually a -- a
2 built-up berm for that stormwater retention pond as well.
3 And this is just a view south of that I just wanted to show
4 you.

5 HEARING MASTER HATLEY: Mmhmm.

6 MR. MANASSE: So here is just some -- some visuals of
7 Citrus Park Drive looking south along Citrus Park Lane. So
8 you'll -- you'll have the Upper Tampa Bay Trail to the
9 east, which is that left side, and then McDonald's to the
10 west, which is the right side of your screen. And, again,
11 the trail to the east and west is the proposed site
12 location for the mini warehouse self-storage. You'll
13 notice additional screening along the east and the
14 sidewalks along the west.

15 So Citrus Park Lane actually becomes a private road,
16 but it is developed and screened -- with screening and
17 sidewalks going -- and continuing south. You'll notice the
18 existing office building on east side of the screen --
19 again, I'm sorry, the right side of your screen -- with
20 surface parking.

21 And then further south, you'll see the existing hotel,
22 which is not part of our request, but I just wanted to show
23 you this built environment. But it is -- again, it is
24 existing, and you can see that -- that screening along with
25 the sidewalks continue along South Citrus Park Lane. And

1 then this is just the termination of Citrus Park Lane at
2 the very southern portion of it.

3 The request includes multiple rezonings into one
4 mixed-use project, which is in harmony with the approved
5 UMU 20 comprehensive plan amendment that we recently went
6 through. Additionally, Development Services found the
7 request approvable, subject to the conditions, and the
8 Planning Commission found the pro -- proposed development
9 would allow for a mix of uses that would facilitate growth
10 within the urban service area. Also, it supports the
11 vision of the Northwest Hillsborough Community Plan. This
12 request is consistent with numer -- numerous goals,
13 objectives, and policies of the comprehensive plan, and the
14 uses are comparable and compatible with the surrounding
15 built environment and within character of the neighborhood.

16 With that, I'd be happy to take any questions should
17 you have any, and I'll turn it back over to Mark.

18 HEARING MASTER HATLEY: All right. Thank you. No
19 questions for you.

20 MR. BENTLEY: Thanks, Ryan.

21 Ms. Hatley, we have provided you with letters in
22 support. There are no agency objections, and the clients
23 agree to all proposed conditions by Development Services.
24 So if you have any questions, I'll try to answer them.

25 HEARING MASTER HATLEY: Okay.

1 MR. BENTLEY: Thank you.

2 HEARING MASTER HATLEY: No questions. Thank you so
3 much.

4 All right. Develop --

5 MS. SMITH: Please sign in.

6 HEARING MASTER HATLEY: And be sure and sign in with
7 the -- the Clerk's Office.

8 Development Services.

9 MR. BALL: Good evening. Sam Ball, Hillsbo --

10 Hillsborough County Development Services. The applicant is
11 requesting to rezone eight parcels from PD 89-0111 and PD
12 080087 in order to allow for the development of a
13 103,000-square-foot storage facility. The property front's
14 a commercial corridor along the south side of Citrus Park
15 Drive and is located approximately 750 feet west of the
16 Gunn Highway and Veterans Expressway Intersection. It's
17 also within the urban service area and the Northwest
18 Hillsborough Community planning area.

19 The subject property covers a total of 9.17 acres and
20 is currently developed for office parking, stormwater, and
21 a private right-of-way. The surrounding development
22 pattern consists of large-scale commercial office and
23 medical office and a wildlife preserve. The subject
24 property is southeast of Citrus Park Mall and is adjacent
25 to the Upper Tampa Bay Trail to the east. The PD to the

1 south is allowed to have an FAR of 0.8 and is developed for
2 a hotel use. The commercial planned development to the
3 west is allowed to have a floor area ratio of 0.75 and is
4 developed for strip retail with a retail out parcels.

5 The applicant is requesting a variation to LDC 60600
6 to reduce the required landscape buffer on the south and
7 west boundaries of Parcel C from the required 20-foot
8 buffer to zero. The majority of Parcel C is used for a
9 permitted storm pond.

10 If PD 220856 is approved, Parcel D would be allowed to
11 be developed with up to 103,000 square feet of mini
12 warehouse space. The mini warehouse building would be
13 limited to 60 feet tall, and a maximum building coverage of
14 50% would be limited. Development of Parcel A would be
15 allowed up to an existing and combined total of 283,377
16 square feet of gross floor area. Allowable uses would
17 include a hotel, ancillary commercial business,
18 professional office, and retail. The current office and
19 parking structure would also remain as permitted uses.
20 Building height would be limited to 100 feet up to eight
21 stories, and building coverage would not be allowed to
22 exceed 50%. Restricted uses would include a standalone
23 convenience store, standalone fast food restaurants, and
24 standalone banks.

25 Parcel B would remain to be a private road, and Parcel

1 C would continue to function as a stormwater pond. Because
2 Parcel C is limited to a stormwater pond and common area
3 open space, Staff -- Staff finds that the nature of the
4 designated use on Parcel C provides adequate screening
5 between the primary existing and proposed uses from the
6 neighboring properties.

7 Based on the existing conditions within the proposed
8 PD, the surrounding zoning and existing development pattern
9 area, Staff finds the proposed planned development
10 compatible with existing uses and recommends approval
11 with -- subject to conditions. That concludes my
12 presentation.

13 HEARING MASTER HATLEY: All right. Thank you,
14 Mr. Ball.

15 MR. BALL: Thank you.

16 HEARING MASTER HATLEY: Planning Commission.

17 MS. MASSEY: This is Jillian Massey with Planning
18 Commission Staff. The prop -- the subject property is in
19 the Urban Mixed Use 20 and Residential 9 Future Land Use
20 categories. It's in the urban service area and located
21 within the limits of the Northwest Hillsborough Community
22 Plan. The subject site is surrounded by Residential 9 to
23 the east and south. To the west is designated as Urban
24 Mixed Use 20, and to the north is -- north across Citrus
25 Park Drive is designated as Citrus Park Village.

1 The proposal is consistent with Policy 7.3 and 7.4 of
2 the Future Land Use Element, as it furthers the intend of
3 the Urban Mixed Use 20 category and the development
4 intended for and surrounding it. The overall
5 development -- the proposal is within the allowable 1.0 FAR
6 intended for the Urban Mixed Use 20 category. The proposal
7 is consistent with the Objective 16 and its accompanying
8 policies relating to neighborhood protection. The subject
9 site is bordered by the Upper Tampa Bay Trail and Veterans
10 Expressway to the east and acts as a buffer from the
11 residential neighborhoods. Furthermore, the stormwater
12 ponds are proposed throughout the site, providing a buff --
13 a buffer from the adjacent properties.

14 The proposed planned development is within the limits
15 of the Northwest Hillsborough Community Plan. The
16 Northwest Hillsborough Community Plan seeks missed --
17 mixed-use neighborhoods that are pedestrian friendly and
18 offer a vari -- a variety of housing types while
19 maintaining property values and the structure of existing
20 neighborhoods. The planned development proposal meets the
21 intent of the community plan by proposing a mix of uses, a
22 sidewalk along the site's frontage, and pedestrian benches.

23 And based on these considerations, the Planning
24 Commission Staff finds the proposed planned development
25 consistent with the Unincorporated Hillsborough County

1 Comprehensive Plan, subject to the conditions proposed by
2 the Development Services Department.

3 HEARING MASTER HATLEY: All right. Thank you.

4 Okay. Is there anyone here or online who wishes to
5 speak in support of this application? I do not hear
6 anyone.

7 Is there anyone here or online who wishes to speak in
8 opposition to this application?

9 MS. NEUGEBAUER: Hi. Sorry, not in opposition, I
10 just -- (inaudible) -- I'm in support of the application.
11 I'm -- my name's Nicole Neugebauer; I'm a representative of
12 McDonald's. We just wanted to submit our letter of no
13 objection into the record for your review.

14 HEARING MASTER HATLEY: All right. And please state
15 your name and your address again, please.

16 MS. NEUGEBAUER: Nicole Neugebauer, 401 East Jackson
17 Street, Suite 2100.

18 HEARING MASTER HATLEY: Thank you. All right. So
19 that was in support. Is there anyone here who wishes to
20 speak in opposition to this application? I don't hear
21 anyone.

22 Development Services, anything further?

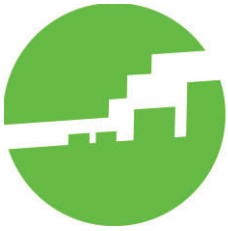
23 MR. GRADY: Nothing further.

24 HEARING MASTER HATLEY: All right. Thank you.
25 Applicant, anything further?

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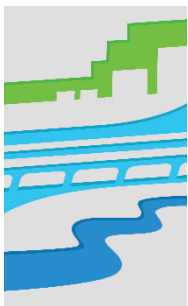
MR. BENTLEY: No. Thank you very much.

HEARING MASTER HATLEY: All right. Thank you. That
will close the hearing on Rezoning PD 22-0856.



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 20, 2023 Report Prepared: March 8, 2023	Petition: PD 22-0856 Folios: 3566.0000, 3566.0015, 3565.5000 (A portion of), 3570.0000, 3570.0150, 3570.0300, 3606.0000, & 3570.0100 <i>South of Citrus Park Drive, west of Citrus Park Lane</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-9 (9 du/ga; 0.50 FAR) & Urban Mixed Use-20 (20 du/ga; 1.0 FAR)
Service Area:	Urban
Community Plan:	Northwest Hillsborough
Rezoning Request:	Rezone from Planned Development (PD) to PD for a mixed-use development with a maximum of 386,377 square feet
Parcel Size (Approx.):	9.17+/- acres (399,445 square feet)
Street Functional Classification:	Citrus Park Drive – Arterial Citrus Park Lane – Local Easy Street - Private
Locational Criteria:	N/A
Evacuation Area:	E



Context

- The subject site is comprised of 8 folios, totaling approximately 9.17 acres, south of Citrus Park Drive and west of Citrus Park Lane.
- The site is in the Urban Service Area and within the limits of the Northwest Hillsborough Community Plan.
- One of the folios included in the subject site has a Future Land Use designation of Residential-9 (RES-9), which allows consideration of 9 dwelling units per gross acre and a Floor Area Ratio (FAR) of 0.50. Typical uses include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses are required to meet established locational criteria for the specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The remainder of the subject site is designated as Urban Mixed Use-20 (UMU-20) and was recently amended from the Residential-9 Future Land Use category under HC/CPA 22-19. The UMU-20 allows consideration of 20 dwelling units per gross acre and a FAR of 1.0. Typical uses include residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations.
- The subject site is surrounded by RES-9 to the east, and south. To the west is designated as Urban Mixed Use-20 (UMU-20). To the north across Citrus Park Drive is designated as Citrus Park Village (CPV). Surrounding uses along Citrus Park Drive include mainly light commercial such as a shopping mall and other retail stores. Directly adjacent to the north is a McDonald's. To the east is the Upper Tampa Bay Trail and the Veterans Expressway.
- The subject site is zoned Planned Development (PD 08-0087, MM 13-0456). The site is mainly surrounded by PD zoning and Citrus Park Village (CPV-U3) zoning to the north.
- The applicant requests to rezone from Planned Development (PD) to PD for a mixed-use development with a maximum of 386,377 square feet.

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.*

Relationship to the Future Land Use Map

Policy 7.3:

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

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

Policy 7.4:

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

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

Land Use Categories

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

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

Relationship to Land Development Regulations

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

Policy 9.1: Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

Neighborhood/Community Development

Objective 16: Neighborhood Protection – The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.

Policy 16.1: Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- b) limiting commercial development in residential land use categories to neighborhood scale;
- c) requiring buffer areas and screening devices between unlike land uses;

Policy 16.2: Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering, and screening techniques and control of specific land uses.

Policy 16.3: Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

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

Policy 16.8: 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 16.13: Medium and high density residential and mixed use development is encouraged to be located along transit emphasis corridors, potential transit corridors on the MPO 2050 Transit Concept Map and collector and arterial roadways within the Urban Service Area.

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)

4.3 COMMERCIAL CHARACTER

GOAL 9: Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.

Policy 9-1.2: Avoid "strip" development patterns for commercial uses.

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

OBJECTIVE 12-1: New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated

height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: *Develop commercial areas in a manner which enhances the County's character and ambiance.*

OBJECTIVE 17-1: *Facilitate patterns of site development that appear purposeful and organized.*

Policy 17-1.4: *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

LIVABLE COMMUNITIES ELEMENT

Northwest Area

Section B

Provide incentives for an alternative development pattern characterized by:

- a) Neighborhoods that are compact, pedestrian-friendly, and mixed-use.*
- b) Neighborhoods within which the activities of daily living should occur within walking distance, allowing independence to those who do not drive, especially the elderly and the young.*
- c) Neighborhoods with a broad range of housing types and price levels which can bring people of diverse ages and incomes into daily interaction, strengthening the personal civic bonds essential to an authentic community.*
- d) Concentrations of civic, institutional, and commercial activity embedded within neighborhoods, not isolated in remote single-use complexes.*
- e) School facilities sized and located to enable children to walk or bicycle to them.*
- f) Range of town squares, parks, playgrounds, playing fields, and community gardens, distributed within neighborhoods along with corridors of green space used to define and connect different neighborhoods and centers.*
- g) Walkable neighborhoods with defined centers and edges, allowing for home occupation and convenient transit.*
- h) Safe, beautiful streets for informal socializing and community meeting halls for purposeful gatherings.*
 - Ensuring the evolution of neighborhoods, districts, and corridors through precise urban design codes that serve as predictable guides for change.*
 - Planning for the evolution of existing suburban areas into economically vital mature mixed-use communities.*

Section C

Flexible and innovative mobility options have been identified to offset the deficient street network by:

- Connecting neighborhoods with employment, retail, and education centers through Greenways of equestrian, pedestrian, and bicycle trails integrated with other recreation areas, and ensuring that major streets do not act merely as vehicular thoroughfares but serve pedestrians and bicyclists equally well.*

- *Requiring town centers designed with a mix of uses of sufficient density to support public transit (bus, light rail, and trolley).*

Section D

Social and economic vitality and sustainability has been ensured through:

- *Locating and designing civic infrastructure, buildings, and services to support town centers and neighborhoods.*
- *Encouraging economic development opportunities to balance employment opportunities with housing.*
- *Enable market forces to affect housing type and density without compromising the neighborhood structure.*
- *Stabilizing property values by master planning at the neighborhood and community scale.*

Staff Analysis of Goals Objectives and Policies:

The subject site is comprised of 8 folios, totaling approximately 9.17 acres south of Citrus Park Drive and west of Citrus Park Lane.. The site is in the Urban Service Area and within the limits of the Northwest Hillsborough Community Plan. The applicant requests to rezone from Planned Development (PD) to PD for a mixed-use development with a maximum of 386,377 square feet. The proposed development includes a mini warehouse, a hotel/office/commercial building and an existing office building and a parking structure, which is within the maximum square footage allowed.

The proposal meets the intent of Objective 8 and Policy 8.1. The subject property is designated Residential-9 (RES-9) and Urban Mixed Use-20 (UMU-20) on the Future Land Use Map. The intent of the RES-9 Future Land Use category is to designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, multipurpose projects and mixed-use developments when in compliance with the Goals, Objectives, and Policies of the Future Land Use Element (FLUE) and applicable development regulations and locational criteria for the specific land use. The intent of the UMU-20 Future Land use category is for an urban intensity and density of uses, with development occurring as the provision and timing of transportation and public facility services necessary to support these intensities and densities are made available. The proposal includes a flex of the UMU-20 to the one RES-9 folio included in the subject site which has an existing office building. The proposal is consistent with Policies 7.3 and 7.4 as it furthers the intent of the UMU-20 and the development intended for it and surrounding it. The overall development is within the allowable 1.0 FAR and the proposal stays within that.

The Urban Mixed Use-20 Future Land Use category designates areas for higher density residential development, as well as regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Many of these types of uses already exist surrounding the site. The area immediately surrounding the site to the west and northwest is designated as Urban Mixed Use-20 and contains light commercial uses. To the north is Citrus Park Village (CPV) and Residential-9 (RES-9) is to the east and south and both categories contain light commercial uses such as a shopping mall and other retail stores. On the northern portion of the proposed Planned Development is a McDonald's. The proposed mixed-use development is compatible with the surrounding land use designations and existing development patterns.

The proposal is consistent with Objective 16 and its accompanying policies relating to neighborhood protection. The subject site is bordered by the Upper Tampa Bay Trail and the Veterans Expressway to the east and acts as a buffer from the residential neighborhoods. Furthermore, stormwater ponds are proposed throughout the site, providing a buffer from the adjacent properties. At the time of filing this report, there were no Transportation comments in Optix, and therefore were not considered during this analysis.

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 portion Citrus Park Drive and Citrus Park Lane contains mainly light commercial uses. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful.

The proposed Planned Development is within the limits of the Northwest Area Community Plan. The Northwest Area Community Plan seeks mixed use neighborhoods that are pedestrian friendly and offer a variety of housing types while maintaining property values and the structure of existing neighborhoods. The Planned Development proposal meets the intent of the Community Plan by proposing a mix of uses, a sidewalk along the site's frontage and pedestrian benches.

Overall, staff finds that the proposed Planned Development would allow for a mix of uses that would facilitate growth within the Urban Service Area and supports the vision of the Northwest Hillsborough Community Plan. 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.

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**GENERAL
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FOR
CERTIFICATION**

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**Hillsborough
County Florida**

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
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DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: Citrus Park Crossings

Zoning File: PD(22-0856) Modification: None

Atlas Page: None Submitted: 04/19/23

To Planner for Review: 04/19/23 Date Due: ASAp

Contact Person: Mark Bentley, Esq., B.C.S., AICP Phone: (813) 225-2500/markb@jpfirm.com

Right-Of-Way or Land Required for Dedication: Yes No

The Development Services Department HAS NO OBJECTION to this General Site Plan.

The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: Sam Ball Date: 4-19-23

Date Agent/Owner notified of Disapproval: _____



AGENCY COMMENTS

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AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: Richard Perez, AICP

PLANNING AREA: NWH/Northwest

DATE: 7/07/2022

Revised: 3/10/2023

AGENCY/DEPT: Transportation

PETITION NO: PD 22-0856

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

CONDITIONS OF ZONING APPROVAL

- Parcel D shall have one full access connections on Citrus Park Ln. If gated, the gate shall be set back to meet minimum throat depth.
- Prior to or concurrent with the increment of development of Parcel D, the westbound to southbound left turn lane at the intersection of Citrus Park Dr. and Citrus Park Ln. shall be extended to a total length of 350 feet at the sole expense of the developer of Parcel D.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary.
- Notwithstanding anything show on the PD site plan or in the conditions to the contrary, the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.
- Parking shall be provided consistent with Sec. 6.05.02 of the LDC.

Other Conditions:

- Prior to certification, applicant shall revise the PD site plan site notes # 29 as follows “PARCEL D IS PROPOSED TO BE SERVED BY ONE POINT OF INGRESS/EGRESS TO CITRUS PARK LN RIGHT-OF-WAY. STOP SIGNS SHALL BE INSTALLED AT ALL PROPOSED PROJECT INGRESS/EGRESS POINTS.”

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a rezoning of PD 89-0111 and PD 08-0087, subsequently amended by PRS 13-0456, to a new Planned Development (PD) to encompass multiple parcels that total 9.17 acres. The new PD will retain the existing entitlements in previously approved (identified in the PD site plan as Parcels A, B, and C), as shown below, and allow for the proposed 100,000 sf mini-storage warehouse on Parcel D.
Parcel A

251,982 square feet of mixed uses include hotel w/ancillary commercial, business, professional office (BPO), and retail. Stand-alone convenience stores, stand-alone fast-food restaurants, and stand-alone banks are prohibited. A 5-story parking garage is also planned. +/-125,991 square feet of office uses have already been constructed.

Parcel B

Private Road “Easy Street”

Parcel C

Stormwater and Common Area/Open Space

Parcel D

100,000 sf Mini-Storage Warehouse

The approved PD zoning Parcel D currently allows a 26,000 sf of office uses.

Trip Generation Analysis

The applicant submitted a trip generation analysis and detailed site access analysis, as required by the Development Review Procedures Manual (DRPM). Staff has prepared an analysis of the potential trips generation for comparison purposes, based upon the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition, utilizing a generalized worst-case scenario for informational purposes.

Approved Uses:

Zoning, Lane Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD 89-0111: 26,000 sf - Medical Office (720)	905	72	90
PD 08-0087: 236,232 sf – General Office (710)	2,301	274	272
PD 08-0087: 15,750 sf – Retail (814)	1,000	50	108
Total Trips	4,208	396	470

Proposed Uses:

Zoning, Lane Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 100,000sf – Mini-Storage Warehouse (151)	151	10	17
PD 08-0087: 236,232 sf – General Office (710)	2,301	274	272
PD 08-0087: 15,750 sf – Retail (814)	1,000	50	108
Total Trips	3,452	334	397

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	-756	-62	-73

The proposed rezoning is anticipated to have a decreased maximum potential trip generation potential of -756 daily trips, -62 am peak hour trips and -73 pm peak hours trips.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Citrus Park Ln. is a County maintained, 2-lane, urban local roadway, characterized by +/-11-foot lanes with curb and gutter within +/-118 feet of right-of-way. There is a +/-5-foot sidewalk on west side and +/-15-foot at-grade multi-use trail on the east side with regularly spaced street trees between the roadway and trail; and a +/-12-foot elevated multi-use trail segment approaching the Citrus Park Dr. trail bridge crossing.

SITE ACCESS

The project proposes to maintain the existing two full access connections on Citrus Park Ln. serving Parcel A and one new full access connection on Citrus Park Ln. to serve the proposed mini-storage warehouse in Parcel D. If the mini-storage use is gated, it will be required to meet the minimum throat depth consistent with LDC, Sec. 6.04.00 access management requirements.

Due to Citrus Park Ln. being a dead-end roadway, the project can only be accessed through the Citrus Park Dr./Citrus Park Ln. intersection. Therefore, the project’s access is deemed to be the said intersection. The applicant’s traffic engineer submitted a site access analysis finding that the westbound to south bound left turn lane at Citrus Park Dr. and Citrus Park Ln. will need to be extended to 350 feet to provide sufficient queue storage to serve the project traffic. As such the applicant submitted proposed condition of approval language to construct the turn lane improvements prior to or concurrent with the development of the Parcel D project phase.

Vehicular and pedestrian cross access is proposed to folio#3566.0010, to the north, and folio#3570.0200 to the south. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere along the project boundary; and the project’s internal access driveways shall include ADA sidewalks connecting all primary building entrances, parking areas and all project access connections.

Parking shall be required consistent with Sec. 6.05.02 of the LDC at the time of site construction plan review.

ROADWAY LEVEL OF SERVICE

Below is the roadway level of service for informational purposes only.

Note, Citrus Park Ln. is not a regulated roadway.

Generalized Level of Service				
ROADWAY	FROM	To	LOS	
			STANDARD	PK HR
CITRUS PARK DR.	SHELDON RD.	GUNN HWY.	E	C

Source: 2020 Hillsborough County Level of Service (LOS) 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
Citrus Park Ln.	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,208	396	470
Proposed	3,452	334	297
Difference (+/-)	-756	-62	-73

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

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

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	Site access improvements are required at intersection of Citrus Park Dr./Citrus Park Ln.

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AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: July 25, 2022</p> <p>PETITION NO.: 22-0856</p> <p>EPC REVIEWER: Jackie Perry Cahanin</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1241</p> <p>EMAIL: cahaninj@epchc.org</p>	<p>COMMENT DATE: July 20, 2022</p> <p>PROPERTY ADDRESS: 8002 Citrus Park Ln, Tampa, FL 33625</p> <p>FOLIO #: 0035660000; 0035660010</p> <p>STR: 11-28S-17E</p>
<p>REQUESTED ZONING: PD</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>NO</p>
<p>SITE INSPECTION DATE</p>	<p>05/20/2022</p>
<p>WETLAND LINE VALIDITY</p>	<p>NA</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>OSW determined to be storm water pond.</p>
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Jpc/mst

cc: Mark Bentley - markb@jpfirm.com



AGENCY REVIEW COMMENT SHEET

NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO: Zoning Review, Development Services

DATE: 12/05/2022

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Mark Bentley, Esq., B.C.S., AICP

PETITION NO: 22-0856

LOCATION: 8002 Citrus Park Dr.

FOLIO NO: 3566.0000 3566.0010

Estimated Fees:

(Mid Rise Residential w/1st floor commercial)

Mobility: \$2,931 per unit

Parks: \$1,555 per unit

School: \$3,891 per unit

Fire: \$249 per unit

(High Rise Residential w/1st floor commercial)

Mobility: \$1,555 per unit

Parks: \$1,555 per unit

School: \$3,891 per unit

Fire: \$249 per unit

High-Turnover Restaurant
(Per 1,000 s.f.)

Mobility: \$43,893

Fire: \$313

General Office
(Per 1,000 s.f.)

Mobility: \$8,336

Fire: \$158

Shopping Center
(Per 1,000 s.f.)

Mobility: \$13,562

Fire: \$313

Project Summary/Description:

Urban Mobility, Northwest Park/Fire - Mixed Use, residential w/1st floor commercial

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 31 May 2022

REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management

APPLICANT: Mark Bentley

PETITION NO: RZ-PD 22-0856

LOCATION: Not listed

FOLIO NO: 3566.0000 & 3566.0010

SEC: _____ TWN: _____ RNG: _____

- This agency has no comments.

- This agency has no objection.

- This agency has no objection, subject to listed or attached conditions.

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.

**WATER RESOURCE SERVICES
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER**

PETITION NO.: PD22-0856 REVIEWED BY: Randy Rochelle DATE: 5/24/2022

FOLIO NO.: 3566.0000 & 3566.0010

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 8 inch water main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the south Right-of-Way of Citrus Park Drive. This will be the likely point-of-Connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 6 inch wastewater force main exists (adjacent to the site), (approximately ___ feet from the site) and is located within the south Right-of-Way of Citrus Park Drive. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems



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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master
DATE: Monday, March 20, 2023
TIME: Commencing at 6:00 p.m.
Concluding at 8:08 p.m.
PLACE: Hillsborough County Board of
County Commissioners
601 East Kennedy Boulevard
2nd Floor Boardroom
Tampa, Florida 33601

Reported in person by:
Brittany Bridges, CER No. 1607
U.S. Legal Support
4200 West Cypress Street, Suite 750
Tampa, Florida 33607
(813)223-7321

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023
ZONING HEARING MASTER: PAMELA JO HATLEY

D.1.:

Application Number: RZ-PD 22-0856
Applicant: Mark Bentley
Location: SE corner of Citrus Park Dr & Easy St
Folio Number: Portion of 003565.5000, 003566.0000,
003570.0000, 003570.0100, 003570.0150,
003606.0000, 003566.0015 and 003570.0300
Acreage: 9.17 acres, more of less
Comprehensive Plan: R-9, UMU-20
Service Area: Urban
Existing Zoning: PD 89-0111, PD 08-0087
Request: Rezone to Planned Development

1 MR. GRADY: The next item is Agenda Item is D1,
2 Application RZ PD 22-0856. The applicant is Mark Bentley.
3 The request is -- is to rezone two planned developments to
4 exist in a new planned development. Sam Ball with County
5 Staff will provide staff rec -- recommendation after
6 presentation by the applicant.

7 MR. BENTLEY: Good Evening, Ms. Hatley. My name's
8 Mark Bentley, 401 East Jackson Street, Tampa 33602,
9 representing the applicants. I've got a composite exhibit
10 I'd like to go through during the course of our
11 presentation; may I approach you?

12 HEARING MASTER HATLEY: Certainly, thank you.

13 MR. BENTLEY: As you can see on the Almo (phonetic),
14 the subject property is highlighted in hatch mark. It's
15 roughly 9.17 acres. Recently, the majority of the
16 property -- property underwent a comprehensive plan map
17 amendment change from R9 to UMU 20, and the intent of the
18 PD rezoning is to integrate multiple approvals and also
19 introduce an additional land use that would be air
20 conditioned storage.

21 The -- we have letters of support that I'll -- I'll go
22 over later on. One of them is from Big Cat Rescue, which
23 is located directly east of the subject property; I thought
24 I'd point that out. And just for the sake of brevity, what
25 I'd like to do now is just turn it over to our -- the

1 director of planning for our law firm; it's
2 Mr. Ryan Manasse. Ryan's going to go over some of the
3 planning issues, the site plan, then I'll just wrap it up.
4 Okay. Thank you.

5 HEARING MASTER HATLEY: All right. Thank you.

6 MR. MANASSE: Good evening. Ryan Manasee with Johnson
7 Pope, 401 East Jackson Street, Suite 3100. I'll go ahead
8 and change the slide to the site plan.

9 So the proposed request is generally located at Citrus
10 Park Drive and Citrus Park Lane. The PD, again, is roughly
11 around 9.17 acres, and it's currently zoned through
12 multiple rezonings, and I'll -- I'll get into that here
13 very shortly. The area is made up primarily large scale
14 commercial, office, medical office uses, and Cit -- Citrus
15 Park Mall is adjacent to the subject site, and the parcels
16 are within the urban service area.

17 Now, starting at the top -- and this is just to
18 explain some of those currently approved planned
19 developments that are on the site. At the very top, you're
20 gonna see the PD 89-0111, and then PD 08-0087 going south.
21 And, also, as you can see on the screen, most of this area
22 that I'm gonna be showing you is already developed with
23 certain uses that are from these previous approvals. Just
24 to reference to PRS 13-0456, in reviewing that -- those
25 documents, it was mainly for the cross access between the

1 sites in 2013 and another rezoning that's further south.

2 So moving south -- and I -- I don't want to s -- cram
3 it all on one page, so I separated it for you. You'll see
4 the -- the -- to the south here is just to the south of --
5 I'm sorry, -- of the office building, and then going
6 further, it's gonna be Parcel C, which is on that left side
7 of the screen, and those are through that same rezoning.

8 Adjacent to our subject request is that hotel on the bottom
9 of your screen with the associated surface parking lot.

10 So to further -- further explain the site layout, I've
11 color-coded the parcels which are identified as Parcels A,
12 B, and C, and as annotated on your site plan as well,
13 Parcel A, which on screen is blue, that's existing, and
14 it -- it included uses such as hotel with the ancillary
15 commercial business and BPO and retail uses. Parcel B is
16 highlighted in that orange, and, again, that's existing,
17 and that's Easy Street. And then Parcel C is highlighted
18 in that green color, and, again, it's existing, and that's
19 for a stormwater pond as well as common area and open
20 space; again, existing uses from the -- the mixture of
21 rezonings that we're combining into this mixed-use
22 development. Now, the last parcel, Parcel D, is in that
23 yellow color, and that's mainly the new proposed
24 development that we're presenting here tonight, and that's
25 for this mini warehouse self-storage use.

1 So this request combines the different PDs into this
2 one mixed-use development. Additionally, the planning
3 commission and BOCC approved a comprehensive plan amendment
4 for parts of this area which had numerous flexes into one
5 combined UMU 20 Future Land Use category. Also, we are
6 flexing a small portion over the existing office located on
7 Parcel A, and the FLU category for that existing office
8 building is the RES 9, and it -- and, again, it is
9 currently flexed in its approval, and we're just
10 memorializing it with this PD rezoning.

11 HEARING MASTER HATLEY: Okay. Can you stop just a
12 second and back up to that. Yes. Let me just make sure I
13 understand the proposal.

14 Okay. So the -- there's an existing roadway, that's
15 Easy Street. C is the retention area, intended to be the
16 retention area, or is -- is it already --

17 MR. MANASSE: It is, it's built and functioning.

18 HEARING MASTER HATLEY: Already a retention area. A
19 is an already-developed parcel. D is not developed yet,
20 but it's intended for storage; is that correct?

21 MR. MANASSE: Exactly.

22 HEARING MASTER HATLEY: Okay. And so then
23 these are -- I guess A, B, and C are part of PDs --

24 MR. MANASSE: 08 --

25 HEARING MASTER HATLEY: Existing rezone -- or existing

1 PDs, and you're combining them into one --

2 MR. MANASSE: Correct.

3 HEARING MASTER HATLEY: -- with D.

4 MR. MANASSE: And, actually, D is an -- again, it's an
5 existing PD as well as for an office use.

6 HEARING MASTER HATLEY: Okay.

7 MR. MANASSE: It's like an 1989 rezoning.

8 HEARING MASTER HATLEY: Okay. All right. I think I
9 follow you so far. Thank you.

10 MR. MANASSE: Excellent. Just one point just to make
11 sure you're following on this part is, although this is
12 Easy Street, it's not the access for the property, so we're
13 gonna -- and you'll see further down on my presentation --

14 HEARING MASTER HATLEY: Right.

15 MR. MANASSE: -- we use Citrus Park Lane --

16 HEARING MASTER HATLEY: Mmhmm.

17 MR. MANASSE: -- which is -- I'm sorry -- located
18 right around there.

19 HEARING MASTER HATLEY: Okay.

20 MR. MANASSE: I'll show you here in a sec.

21 So the existing cross access for Parcel A, B, and C
22 are to remain as previously approved, and the new
23 development on Parcel D propose -- proposes cross access to
24 the McDonald's to the north, and that's shown in these
25 highlighted yellow. So, again, these are the existing

1 cross access, and then the newly proposed cross access
2 here. The red arrow is a -- it's depicting existing access
3 to McDonald's, and I'll explain this on the next slide too.

4 That wasn't the slide. I wanted two sheets.

5 So a representative from McDonald's property requested
6 that we had ingress and egress arrow depicting the existing
7 access for the built McDonald's, which is north of our
8 subject request. We did discuss this with Staff and
9 proposed the ingress egress arrow addition to be added to
10 the site plan before certification should this be approved.
11 And that's just merely highlighted here in that yellow --
12 or I'm sorry, green box --

13 HEARING MASTER HATLEY: Mmhmm.

14 MR. MANASSE: -- and then the cross access arrow is
15 showing that existing access.

16 HEARING MASTER HATLEY: Okay.

17 MR. MANASSE: Through the review, it was found that
18 some improvements to Citrus Park Drive were required, a
19 condition stating that, prior to or concurrent with the
20 development of Parcel D, the westbound to southbound left
21 turn lane at the intersection of Citrus Park Drive and
22 Citrus Park Lane shall be extended to a total length of 350
23 feet. And that's at the sole expense of the developer of
24 Parcel D, which is that new mini storage proposed use.
25 This -- this condition is part of the approval conditions

1 should this pass here tonight or in your determination.

2 And, now, just to discuss the variations. And what I
3 did here was, the first slide is just, again, that Parcel
4 C, which is outlined in green. And then that yellow
5 outline is the west and south boundary. So the variation
6 request is to reduce the required landscape buffer on the
7 south and west boundary of the Parcel C, and that's to
8 allow this existing and legally permitted stormwater pond
9 to remain in it's billed configuration. Again, this parcel
10 is developed to the currently approved PD construction
11 plans and is serving its intended use as stormwater
12 retention and open space.

13 Modifying this Parcel C at this point could cause
14 detrimental impact to the existing built environment.
15 Also, the previous approvals did not have Staff objections
16 to the design of Parcel C and were subsequently approved.
17 Due to Parcel C's limited uses, which are the stormwater
18 pond and common area open space, Staff found the nature of
19 the designated uses on Parcel C to provide adequate
20 screening between the existing and proposed uses from
21 neighboring properties. All other buffering and screening
22 for this request will be in accordance with the Land
23 Development Code.

24 And the next two pictures are just some current
25 pictures of that Parcel C, and this is southwest. As you

1 can see, it's highly vegetated. There's actually a -- a
2 built-up berm for that stormwater retention pond as well.
3 And this is just a view south of that I just wanted to show
4 you.

5 HEARING MASTER HATLEY: Mmhmm.

6 MR. MANASSE: So here is just some -- some visuals of
7 Citrus Park Drive looking south along Citrus Park Lane. So
8 you'll -- you'll have the Upper Tampa Bay Trail to the
9 east, which is that left side, and then McDonald's to the
10 west, which is the right side of your screen. And, again,
11 the trail to the east and west is the proposed site
12 location for the mini warehouse self-storage. You'll
13 notice additional screening along the east and the
14 sidewalks along the west.

15 So Citrus Park Lane actually becomes a private road,
16 but it is developed and screened -- with screening and
17 sidewalks going -- and continuing south. You'll notice the
18 existing office building on east side of the screen --
19 again, I'm sorry, the right side of your screen -- with
20 surface parking.

21 And then further south, you'll see the existing hotel,
22 which is not part of our request, but I just wanted to show
23 you this built environment. But it is -- again, it is
24 existing, and you can see that -- that screening along with
25 the sidewalks continue along South Citrus Park Lane. And

1 then this is just the termination of Citrus Park Lane at
2 the very southern portion of it.

3 The request includes multiple rezonings into one
4 mixed-use project, which is in harmony with the approved
5 UMU 20 comprehensive plan amendment that we recently went
6 through. Additionally, Development Services found the
7 request approvable, subject to the conditions, and the
8 Planning Commission found the pro -- proposed development
9 would allow for a mix of uses that would facilitate growth
10 within the urban service area. Also, it supports the
11 vision of the Northwest Hillsborough Community Plan. This
12 request is consistent with numer -- numerous goals,
13 objectives, and policies of the comprehensive plan, and the
14 uses are comparable and compatible with the surrounding
15 built environment and within character of the neighborhood.

16 With that, I'd be happy to take any questions should
17 you have any, and I'll turn it back over to Mark.

18 HEARING MASTER HATLEY: All right. Thank you. No
19 questions for you.

20 MR. BENTLEY: Thanks, Ryan.

21 Ms. Hatley, we have provided you with letters in
22 support. There are no agency objections, and the clients
23 agree to all proposed conditions by Development Services.
24 So if you have any questions, I'll try to answer them.

25 HEARING MASTER HATLEY: Okay.

1 MR. BENTLEY: Thank you.

2 HEARING MASTER HATLEY: No questions. Thank you so
3 much.

4 All right. Develop --

5 MS. SMITH: Please sign in.

6 HEARING MASTER HATLEY: And be sure and sign in with
7 the -- the Clerk's Office.

8 Development Services.

9 MR. BALL: Good evening. Sam Ball, Hillsbo --

10 Hillsborough County Development Services. The applicant is
11 requesting to rezone eight parcels from PD 89-0111 and PD
12 080087 in order to allow for the development of a
13 103,000-square-foot storage facility. The property front's
14 a commercial corridor along the south side of Citrus Park
15 Drive and is located approximately 750 feet west of the
16 Gunn Highway and Veterans Expressway Intersection. It's
17 also within the urban service area and the Northwest
18 Hillsborough Community planning area.

19 The subject property covers a total of 9.17 acres and
20 is currently developed for office parking, stormwater, and
21 a private right-of-way. The surrounding development
22 pattern consists of large-scale commercial office and
23 medical office and a wildlife preserve. The subject
24 property is southeast of Citrus Park Mall and is adjacent
25 to the Upper Tampa Bay Trail to the east. The PD to the

1 south is allowed to have an FAR of 0.8 and is developed for
2 a hotel use. The commercial planned development to the
3 west is allowed to have a floor area ratio of 0.75 and is
4 developed for strip retail with a retail out parcels.

5 The applicant is requesting a variation to LDC 60600
6 to reduce the required landscape buffer on the south and
7 west boundaries of Parcel C from the required 20-foot
8 buffer to zero. The majority of Parcel C is used for a
9 permitted storm pond.

10 If PD 220856 is approved, Parcel D would be allowed to
11 be developed with up to 103,000 square feet of mini
12 warehouse space. The mini warehouse building would be
13 limited to 60 feet tall, and a maximum building coverage of
14 50% would be limited. Development of Parcel A would be
15 allowed up to an existing and combined total of 283,377
16 square feet of gross floor area. Allowable uses would
17 include a hotel, ancillary commercial business,
18 professional office, and retail. The current office and
19 parking structure would also remain as permitted uses.
20 Building height would be limited to 100 feet up to eight
21 stories, and building coverage would not be allowed to
22 exceed 50%. Restricted uses would include a standalone
23 convenience store, standalone fast food restaurants, and
24 standalone banks.

25 Parcel B would remain to be a private road, and Parcel

1 C would continue to function as a stormwater pond. Because
2 Parcel C is limited to a stormwater pond and common area
3 open space, Staff -- Staff finds that the nature of the
4 designated use on Parcel C provides adequate screening
5 between the primary existing and proposed uses from the
6 neighboring properties.

7 Based on the existing conditions within the proposed
8 PD, the surrounding zoning and existing development pattern
9 area, Staff finds the proposed planned development
10 compatible with existing uses and recommends approval
11 with -- subject to conditions. That concludes my
12 presentation.

13 HEARING MASTER HATLEY: All right. Thank you,
14 Mr. Ball.

15 MR. BALL: Thank you.

16 HEARING MASTER HATLEY: Planning Commission.

17 MS. MASSEY: This is Jillian Massey with Planning
18 Commission Staff. The prop -- the subject property is in
19 the Urban Mixed Use 20 and Residential 9 Future Land Use
20 categories. It's in the urban service area and located
21 within the limits of the Northwest Hillsborough Community
22 Plan. The subject site is surrounded by Residential 9 to
23 the east and south. To the west is designated as Urban
24 Mixed Use 20, and to the north is -- north across Citrus
25 Park Drive is designated as Citrus Park Village.

1 The proposal is consistent with Policy 7.3 and 7.4 of
2 the Future Land Use Element, as it furthers the intend of
3 the Urban Mixed Use 20 category and the development
4 intended for and surrounding it. The overall
5 development -- the proposal is within the allowable 1.0 FAR
6 intended for the Urban Mixed Use 20 category. The proposal
7 is consistent with the Objective 16 and its accompanying
8 policies relating to neighborhood protection. The subject
9 site is bordered by the Upper Tampa Bay Trail and Veterans
10 Expressway to the east and acts as a buffer from the
11 residential neighborhoods. Furthermore, the stormwater
12 ponds are proposed throughout the site, providing a buff --
13 a buffer from the adjacent properties.

14 The proposed planned development is within the limits
15 of the Northwest Hillsborough Community Plan. The
16 Northwest Hillsborough Community Plan seeks missed --
17 mixed-use neighborhoods that are pedestrian friendly and
18 offer a vari -- a variety of housing types while
19 maintaining property values and the structure of existing
20 neighborhoods. The planned development proposal meets the
21 intent of the community plan by proposing a mix of uses, a
22 sidewalk along the site's frontage, and pedestrian benches.

23 And based on these considerations, the Planning
24 Commission Staff finds the proposed planned development
25 consistent with the Unincorporated Hillsborough County

1 Comprehensive Plan, subject to the conditions proposed by
2 the Development Services Department.

3 HEARING MASTER HATLEY: All right. Thank you.

4 Okay. Is there anyone here or online who wishes to
5 speak in support of this application? I do not hear
6 anyone.

7 Is there anyone here or online who wishes to speak in
8 opposition to this application?

9 MS. NEUGEBAUER: Hi. Sorry, not in opposition, I
10 just -- (inaudible) -- I'm in support of the application.
11 I'm -- my name's Nicole Neugebauer; I'm a representative of
12 McDonald's. We just wanted to submit our letter of no
13 objection into the record for your review.

14 HEARING MASTER HATLEY: All right. And please state
15 your name and your address again, please.

16 MS. NEUGEBAUER: Nicole Neugebauer, 401 East Jackson
17 Street, Suite 2100.

18 HEARING MASTER HATLEY: Thank you. All right. So
19 that was in support. Is there anyone here who wishes to
20 speak in opposition to this application? I don't hear
21 anyone.

22 Development Services, anything further?

23 MR. GRADY: Nothing further.

24 HEARING MASTER HATLEY: All right. Thank you.
25 Applicant, anything further?

1 MR. BENTLEY: No. Thank you very much.

2 HEARING MASTER HATLEY: All right. Thank you. That

3 will close the hearing on Rezoning PD 22-0856.

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

-----X
IN RE:)
)
ZONE HEARING MASTER)
HEARINGS)
)
-----X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, February 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:11 p.m.

LOCATION: Hillsborough County Planning
Commission Board Room-2nd Floor
601 East Kennedy Boulevard
Tampa, Florida 36602

Reported via Cisco Webex Videoconference by:
Samantha Kozlowski, CER

1 here, Richard Perez and Alex Steady.

2 We do not have any changes to tonight's agenda.

3 Although, I will note for purposes of the hearing tonight, B.2

4 is a remand item that Hearing Officer Finch will be hearing.

5 And that's her only case, so we'll take up B.2 first, in front

6 of B.1. Other than that, there's no other changes to the

7 agenda. So I'll go to -- go through the withdrawals and

8 continuances, beginning on Page 3 of the -- and Page 4 of the

9 agenda.

10 The first item is Item A.1, major mod application

11 22-0671. This application is out of order to be heard and is

12 being continued to the March 20, 2023 Zoning Hearing Master

13 Hearing.

14 Item A.2, rezoning PD 22-0856. This application is

15 being continued by the applicant to the March 20, 2023 Zoning

16 Hearing Master Hearing.

17 Item A.3, rezoning PD 22-1082. This application is

18 out of order to be heard and is being continued to the

19 March 20, 2023 Zoning Hearing Master Hearing.

20 Item A.4, major mod application 22-1116. This

21 application is being continued by staff to the March 20, 2023

22 Zoning Hearing Master Hearing.

23 Item A.5, major mod application 22-1126. This

24 application is being continued by staff to the March 20, 2023

25 Zoning Hearing Master Hearing.

Zoning Hearing Master Hearing
January 17, 2023

1 The first item's Item A.1, major mod application
2 22-0671. This application is out of order to be heard and is
3 being continued to the February 20, 2023 Zoning Hearing Master
4 Hearing.

5 Item A.2, R -- Rezoning PD 22-0853. This application
6 is being with -- withdrawn from the Zoning Hearing Master
7 process.

8 Item A.3, RZ-PD 22-0856. This application is out of
9 order to be heard and is being continued to the
10 February 20, 2022 Zoning Hearing Master Hearing.

11 Item A.4, Rezoning PD 22-0865. This application is
12 being withdrawn from the Zoning Hearing Master process.

13 Item A.5, major mod application 22-0884. This
14 application's being continued by the application to
15 February 20, 2023 Zoning Hearing Master Hearing.

16 Item A.6, Rezoning Standard 22-0945. This
17 application's being withdrawn from the Zoning Hearing Master
18 process.

19 Item A.7, Rezoning PD 22-0948. This application is
20 being continued by the applicant to the February 20, 2023 Zoning
21 Hearing Master Hearing.

22 Item A.8, Rezoning Standard 22-1070. This application
23 is being continued by staff to the February 20, 2023 Zoning
24 Hearing Master Hearing.

25 Item A.9, Rezoning PD 22-1082. This application is

P R O C E E D I N G S

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2
3 HEARING MASTER: -- 2-1387 is continued to the
4 January 17, 2023 Zoning Hearing Master Meeting.

5 MR. GRADY: I'll now go through the public PD 22-0075.
6 This application's being continued by the applicant of the
7 January 17, 2023 Zoning Hearing Master Hearing.

8 Item A.2, Major Mod application 22-0671. This
9 application is out of order to be heard and is being continued
10 to the January 17, 2023 Zoning Hearing Master Hearing.

11 Item A.3, Rezoning PD 22-0719. This application is
12 out of order to be heard and is being continued to the
13 January 17, 2023 Zoning Hearing Master Hearing.

14 Item A.4, Rezoning PD 22-0856. This application is
15 out of order to be heard and is being continued to the January
16 17, 2023 Zoning Hearing Master Hearing.

17 Item A.5, Rezoning PD 22-0857. This application is
18 out of order to be heard and is being continued to the
19 January 17, 2023 Zoning Hearing Master Hearing.

20 Item A.6, Rezoning PD 22-0865. This application is
21 being continued by staff to the January 17, 2023 Zoning Hearing
22 Master Hearing.

23 Item A.7, Rezoning PD 22-0866. This application is
24 being continued by the applicant to the January 17, 2023 Zoning
25 Hearing Master Hearing.

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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IN RE:)
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LAND USE HEARING OFFICER)
HEARINGS)
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LAND USE HEARING OFFICER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, October 17, 2022

TIME: Commencing at 6:00 p.m.
Concluding at 9:10 p.m.

PLACE: Robert W. Saunders, Sr. Public
Library
Ada T. Payne Community Room
1505 N. Nebraska Avenue
Tampa, Florida 33602

Reported via Zoom Videoconference by:

Julie Desmond, Court Reporter
U.S. Legal Support

1 PD 22-0567. This application is not awarded.
2 The hearing is being continued to the November 14,
3 2022, Zoning Hearing Master Hearing.

4 Item A.2, Rezoning PD 22-0648, this
5 application is continued by the applicant to the
6 November 14, 2022, Zoning Hearing Master Hearing.

7 Item A.3, Major Mod Application 22-0671.
8 This application not awarded. The hearing is being
9 continued to the November 14, 2022, Zoning Hearing
10 Master Hearing.

11 Item A.4, Major Mod Application 22-0686. This
12 application not awarded. The hearing is being
13 continued to the November 14, 2022, Zoning Hearing
14 Master Hearing.

15 Item A.5, Rezoning PD 22-0696. This
16 application not awarded. The hearing is being
17 continued to the November 14, 2022, Zoning Hearing
18 Master Hearing.

19 Item A.6, Rezoning PD 22-0719. This
20 application not awarded. The hearing is being
21 continued to the November 14, 2022, Zoning Hearing
22 Master Hearing.

23 Item A.7, Rezoning PD 22-0856. This
24 application is not awarded. The hearing is being
25 continued to the December 12, 2022, Zoning Hearing

1 Master Hearing.

2 Item A.8, Rezoning PD 22-0857. This
3 application is being continued by the applicant to
4 the November 14, 2022, Zoning Hearing Master
5 Hearing.

6 Item A.9, Major Mod Application 22-0860. This
7 application is being continued by the applicant to
8 the November 14, 2022, Zoning Hearing Master
9 Hearing.

10 Item A.10, Rezoning PD 22-0865. This
11 application is being continued by the applicant to
12 the November 14, 2022, Zoning Hearing Master
13 Hearing.

14 Item A.11, Major Mod Application 22-0867.
15 This application not awarded. The hearing is being
16 continued to the November 14, 2022, Zoning Hearing
17 Master Hearing.

18 Item A.12, Rezoning PD 22-0877. This
19 application is being continued by the applicant to
20 the November 14, 2022, Zoning Hearing Master
21 Hearing.

22 Item A.13, Major Mod Application 22-0884.
23 This application not awarded. The hearing is being
24 continued to the November 14, 2022, Zoning Hearing
25 Master Hearing.

1 Item A-10, Rezoning-PD 22-0856. This
2 application is out of order to be heard and is
3 being continued to the October 17, 2022, Zoning
4 Hearing Master Hearing.

5 Item A-11, Major Mod Application 22-0860.
6 This application is being continued by the
7 applicant to the October 17, 2022, Zoning Hearing
8 Master Hearing.

9 Item A-12, Rezoning-PD 22-0865. This
10 application is being continued by the applicant to
11 the October 17, 2022, Zoning Hearing Master
12 Hearing.

13 Item A-13, Rezoning-PD 22-0866. This
14 application is being continued by the applicant to
15 the November 14, 2022, Zoning Hearing Master
16 Hearing.

17 Item A-14, Major Mod Application 22-0867.
18 This application is being continued by the
19 applicant to the October 17, 2022, Zoning Hearing
20 Master Hearing.

21 Item A-15, Rezoning-PD 22-0877. This
22 application is out of order to be heard and is
23 being continued to the October 17, 2022, Zoning
24 Hearing Master Hearing.

25 Item A-16, Major Mod Application 22-0884.

1 HEARING MASTER FINCH: Okay. Is there
2 anyone in the audience or online that would like to
3 speak a continuance of Rezoning 22-0698 to
4 September 19th?

5 Seeing no one, then we will grant the
6 continuance of Rezoning 22-0698 to September 19th,
7 2022, Zoning Hearing Master Hearing at 6:00 p.m.

8 MR. GRADY: The next --

9 MR. WRIGHT: For the record, I'm David
10 Wright.

11 HEARING MASTER FINCH: Thank you so much. I
12 appreciate it.

13 MR. GRADY: The next change to the agenda is
14 on page 12, item D-13, Rezoning-PD 22-0856. The
15 applicant is Mark Bentley. The applicant's
16 requesting a continuance to the September 19, 2022,
17 Zoning Hearing Master Hearing.

18 I believe the applicant is here to explain
19 the reasons for the request.

20 MR. BENTLEY: Good evening, Ms. Finch. My
21 name is Mark Bentley, 401 East Jackson Street,
22 Tampa, 33602. We're requesting a continuance to
23 September 19th to engage in additional discussions
24 with the Planning Commission staff.

25 HEARING MASTER FINCH: Okay. Fair enough.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

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SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 1 OF 3

DATE/TIME: 3/20/23 / 6pm

HEARING MASTER: Pamela J. Hulley

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # <u>B.I</u> <u>MM 22-0686</u></p>	<p>PLEASE PRINT NAME <u>MICHAEL BROOKS</u></p> <p>MAILING ADDRESS <u>400 N. TAMPA ST / Suite 1910</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813</u></p>
<p>APPLICATION # <u>RZ</u> <u>23-0035</u></p>	<p>PLEASE PRINT NAME <u>Todd Pressman</u></p> <p>MAILING ADDRESS <u>200 2nd Ave South</u></p> <p>CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-8044760</u></p>
<p>APPLICATION # <u>RZ 23-0035</u></p>	<p>PLEASE PRINT NAME <u>Grace McComas</u></p> <p>MAILING ADDRESS <u>805 Old Derby St</u></p> <p>CITY <u>Seffner</u> STATE <u>FL</u> ZIP <u>33587</u> PHONE <u>813-240-3907</u></p>
<p>APPLICATION # <u>RZ 23-0063</u></p>	<p>PLEASE PRINT NAME <u>Todd Pressman</u></p> <p>MAILING ADDRESS <u>200 2nd Ave South</u></p> <p>CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-8644760</u></p>
<p>APPLICATION # <u>RZ 22-0856</u></p>	<p>PLEASE PRINT NAME <u>MARK BENTLEY</u></p> <p>MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u></p>
<p>APPLICATION # <u>RZ 22-0856</u></p>	<p>PLEASE PRINT NAME <u>RYAN MANASSE</u></p> <p>MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u></p>

DATE/TIME: 3/20/23, 6pm HEARING MASTER: Pamela Jo HaskyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0856	PLEASE PRINT NAME <u>Nicole Neugebauer</u> MAILING ADDRESS <u>401 E Jackson Avc</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____
APPLICATION # MM 22-1086	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 3700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227-8421</u>
APPLICATION # MM 22-1086	PLEASE PRINT NAME <u>John LaRocca</u> MAILING ADDRESS <u>3225 S. McDill Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813 695-0469</u>
APPLICATION # MM 22-1126	PLEASE PRINT NAME _____ <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave South</u> CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____
APPLICATION # MM 22-1126 V.S.	PLEASE PRINT NAME <u>Jim Thomas</u> MAILING ADDRESS <u>15957 N. Florida Ave</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE _____
APPLICATION # MM 22-1340	PLEASE PRINT NAME <u>William Molloy</u> MAILING ADDRESS <u>325 S Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE _____


DATE/TIME: 3/20/23 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # <u>RZ 22-1705</u></p>	<p>PLEASE PRINT NAME <u>Clayton Brice Meyer</u> MAILING ADDRESS <u>101 E. KENNEDY, SUITE 5700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>(813) 957-7227</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>


MARCH 20, 2023 - ZONING HEARING MASTER


The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, March 20, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

 Pamela Jo Hatley, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

 Brian Grady, Development Services, reviews changes/withdrawals/continuances.

 Pamela Jo Hatley, ZHM, overview of ZHM process.

 Senior Assistant County Attorney Mary Dorman, overview of oral argument/ZHM process.

 Pamela Jo Hatley, ZHM, oath.

B. REMANDS

B.1. MM 22-0686

 Brian Grady, Development Services, calls MM 22-0686.

 Pamela Jo Hatley, ZHM, closes MM 22-0686.

C. REZONING STANDARD (RZ-STD) :

C.1. RZ 23-0035

 Brian Grady, Development Services, calls RZ 23-0035.

 Pamela Jo Hatley, ZHM, closes RZ 23-0035.

C.2. RZ 23-0063

 Brian Grady, Development Services, calls RZ 23-0063.

 Pamela Jo Hatley, ZHM, closes RZ 23-0063.

MONDAY, MARCH 20, 2023

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM) :

D.1. RZ 22-0856

 Brian Grady, Development Services, calls RZ 22-0856.

 Pamela Jo Hatley, ZHM, closes RZ 22-0856.

D.2. MM 22-1086

 Brian Grady, Development Services, calls MM 22-1086.

 Pamela Jo Hatley, ZHM, closes MM 22-1086.

D.3. MM 22-1126

 Brian Grady, Development Services, calls MM 22-1126.

 Pamela Jo Hatley, ZHM, closes MM 22-1126.

D.4. MM 22-1340

 Brian Grady, Development Services, calls MM 22-1340.

 Pamela Jo Hatley, ZHM, closes MM 22-1340.

D.5. RZ 22-1705

 Brian Grady, Development Services, calls RZ 22-1705.

 Pamela Jo Hatley, ZHM, closes RZ 22-1705.

ADJOURNMENT

 Pamela Jo Hatley, ZHM, adjourns the meeting.

Application No. RZ 220856
Name: Mark Bentley
Entered at Public Hearing: 2/1/23
Exhibit # 1 Date: 3/20/23

**Hillsborough County
Zoning Hearing Master
March 20, 2023**

**Item No. D.1.
RZ-PD 22-0856**

APPLICANT'S EXHIBITS

1. Letter of Support from Big Cat Rescue, adjacent property owner
2. Letter of Support from Andrew Shafii, adjacent property owner
3. Applicant's Presentation Documents



Big Cat Rescue
12802 Easy Street
Tampa, FL 33625
BigCatRescue.org

December 30, 2022

To Whom It May Concern
Hillsborough County, FLORIDA

RE: HC/CPA 22-19 – Citrus Park Lane and Easy Street

Big Cat Rescue Corp. is the owner of substantial property in the neighborhood of the proposed change of the future use of the subject properties to Urban Mixed Use-20 (UMU-20). I am writing to urge approval of the proposed change. I believe the change is consistent with the best use of this property in our neighborhood.

Sincerely,

Howard Baskin
Advisory Board Chairman
813-505-5565
Howard.Baskin@BigCatRescue.org



ANDREW H. SHAFII

9522 WINDSONG LANE
TAMPA, FLORIDA 33618
813-340-0943

January 3, 2023

Hillsborough County Planning Commission
County Center, 18th Floor
601 E. Kennedy Blvd
Tampa, FL 33602

RE: - CPA 22-19. Planning Commission Comp Plan change
- Rezoning PD 22-0856

To Whom It May Concern,

My name is Andrew Shafii am one of the owners of an 11 acre parcel located in close proximity to the parcel being discussed in the comp plan change cited above. After reviewing the comp plan, I am in support of the rezoning as I believe it will benefit our area immensely.

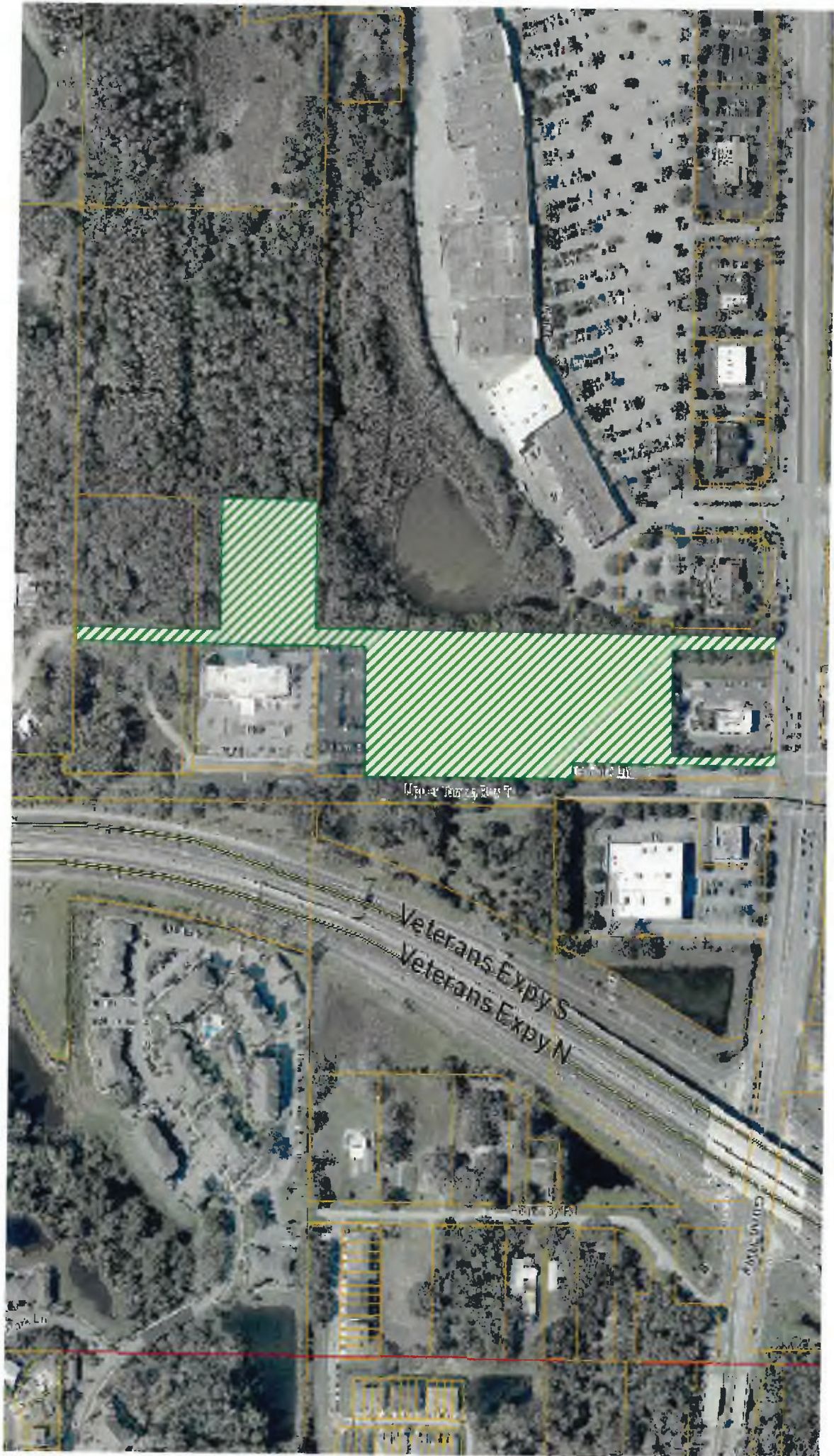
I have resided in this area my whole life and know Chris Day very well. I have seen other projects that he has successfully completed benefit the surrounding area in Citrus Park and hope that the same will happen on this project.

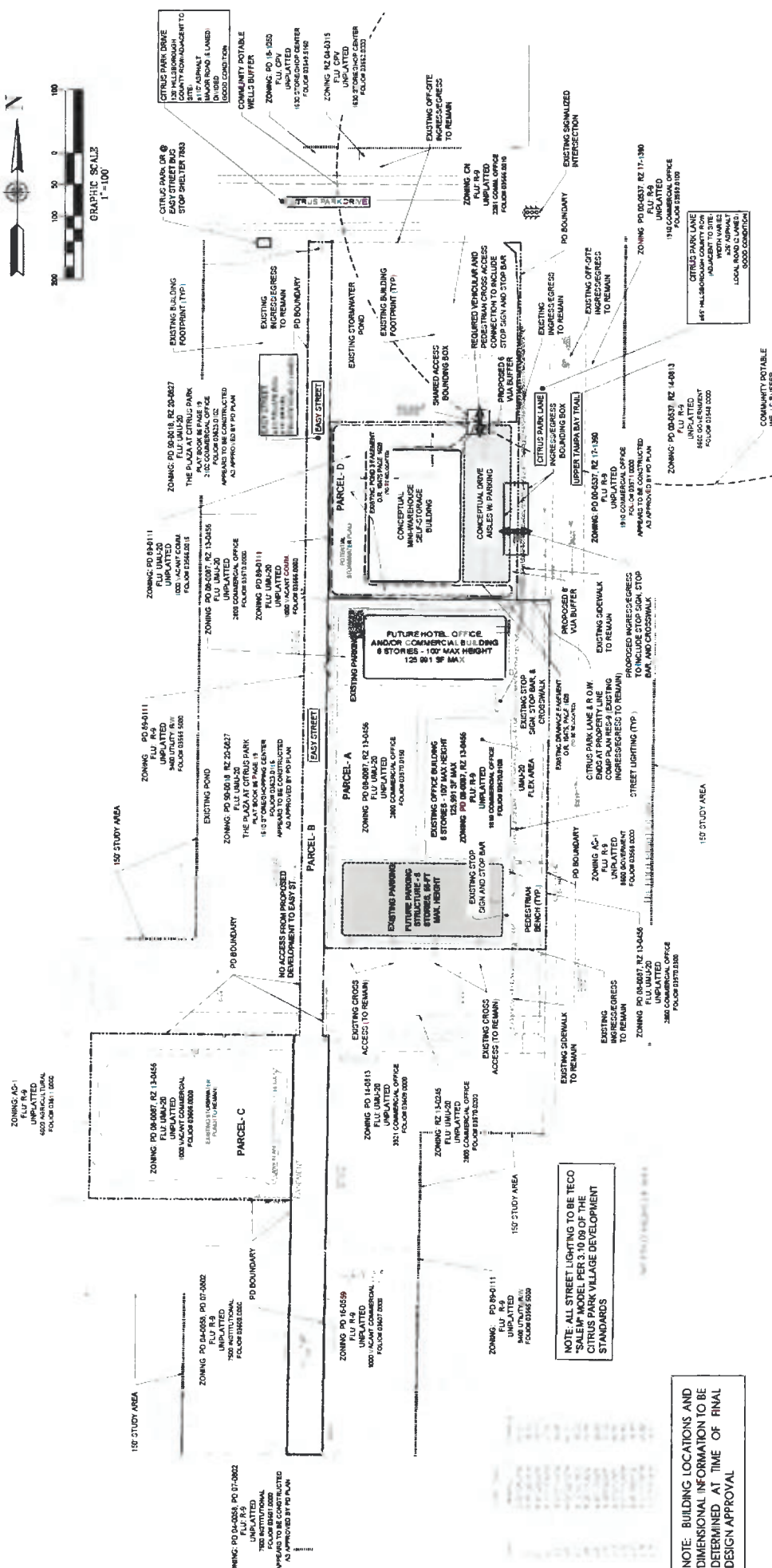
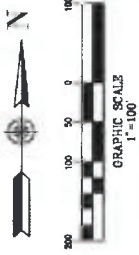
Cordially,



Andrew Shafii

PD 22-0856





NOTE: ALL STREET LIGHTING TO BE TECO "SALEM" MODEL PER 3.10.09 OF THE CITRUS PARK VILLAGE DEVELOPMENT STANDARDS

NOTE: BUILDING LOCATIONS AND DIMENSIONAL INFORMATION TO BE DETERMINED AT TIME OF FINAL DESIGN APPROVAL



PD 08-0087 & PRS 13-0456

PD 89-0111 for Office
(26,000 SF)

Gunn-Veterans S

Upper Tampa Bay Trl

Citrus Park Ln

Easy St



Veterans Expwy S

003568

Upper Tampa Bay Trl

Citrus Park

0035700300

0035700200

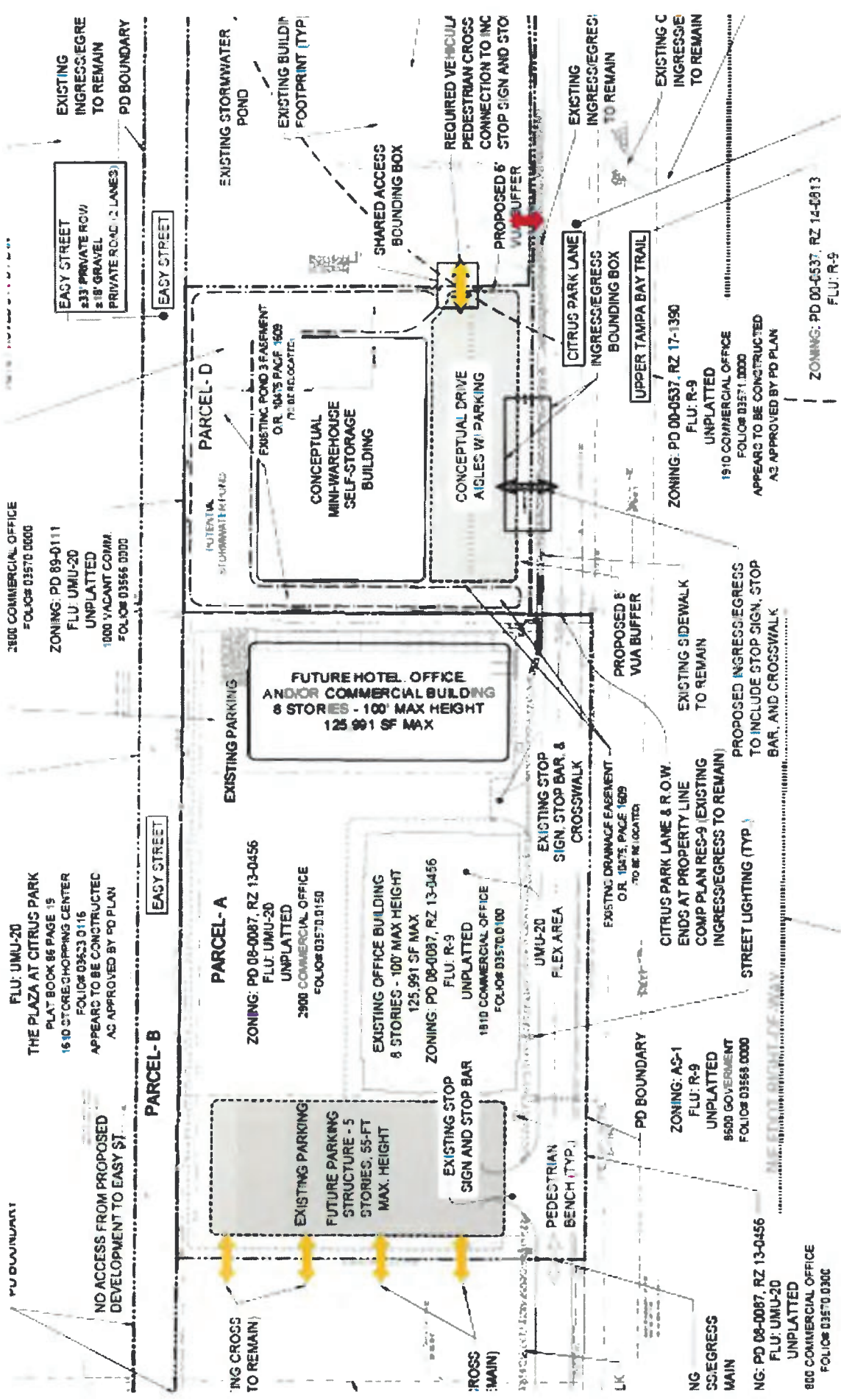
003609

Easy St

00355000

003506

PD 08-0087 & PRS 13-0456



FLU: UMU-20
 THE PLAZA AT CITRUS PARK
 PLAT BOOK 86 PAGE 15
 16,10 STORE SHOPPING CENTER
 FOLIO# 03523 0116
 APPEARS TO BE CONSTRUCTED
 AS APPROVED BY PD PLAN

2800 COMMERCIAL OFFICE
 FOLIO# 03570 0000
 ZONING: PD 08-0111
 FLU: UMU-20
 UNPLATTED
 1000 VACANT COMM.
 FOLIO# 03566 0000

PARCEL - A
 ZONING: PD 08-0087, RZ 13-0456
 FLU: UMU-20
 UNPLATTED
 2900 COMMERCIAL OFFICE
 FOLIO# 03570 0150

PARCEL - D
 EXISTING POND 3 FASMENT
 O.R. 10475, PAGE 1609
 TO BE RELOCATED
 CONCEPTUAL
 MINI-WAREHOUSE
 SELF-STORAGE
 BUILDING

EXISTING PARKING
 FUTURE HOTEL OFFICE
 AND/OR COMMERCIAL BUILDING
 8 STORIES - 100' MAX HEIGHT
 128,881 SF MAX

EXISTING OFFICE BUILDING
 8 STORIES - 100' MAX HEIGHT
 125,991 SF MAX
 ZONING: PD 08-0087, RZ 13-0456
 FLU: R-9
 UNPLATTED
 1810 COMMERCIAL OFFICE
 FOLIO# 03570 0100

EXISTING PARKING
 FUTURE PARKING
 STRUCTURE - 5
 STORIES, 55-FT
 MAX. HEIGHT

EXISTING STOP
 SIGN AND STOP BAR

EXISTING STOP
 SIGN, STOP BAR, &
 CROSSWALK

CITRUS PARK LANE & R.O.W.
 ENDS AT PROPERTY LINE
 COMP PLAN RES-9 (EXISTING
 INGRESS/EGRESS TO REMAIN)

ZONING: AS-1
 FLU: R-9
 UNPLATTED
 8500 GOVERNMENT
 FOLIO# 03568 0000

NG
 EGRESS
 MAIN
 ZONING: PD 08-0087, RZ 13-0456
 FLU: UMU-20
 UNPLATTED
 800 COMMERCIAL OFFICE
 FOLIO# 03570 0300

ZONING: PD 08-0537, RZ 17-1390
 FLU: R-9
 UNPLATTED
 1910 COMMERCIAL OFFICE
 FOLIO# 03571 0000
 APPEARS TO BE CONSTRUCTED
 AS APPROVED BY PD PLAN

ZONING: PD 08-0537, RZ 14-0913
 FLU: R-9

NO ACCESS FROM PROPOSED
 DEVELOPMENT TO EASY ST.

EASY STREET
 233' PRIVATE ROW
 8' GRAVEL
 PRIVATE ROAD (2 LANES)

EASY STREET

EASY STREET

CITRUS PARK LANE
 INGRESS/EGRESS
 BOUNDING BOX

UPPER TAMPA BAY TRAIL

PROPOSED 8'
 VUA BUFFER

EXISTING DRAINAGE EASEMENT
 O.R. 10475, PAGE 1609
 TO BE RELOCATED

PD BOUNDARY

PROPOSED 8'
 VUA BUFFER

EXISTING SIDEWALK
 TO REMAIN

PROPOSED INGRESS/EGRESS
 TO INCLUDE STOP SIGN, STOP
 BAR, AND CROSSWALK

EXISTING VEHICULAR
 PEDESTRIAN CROSS
 CONNECTION TO INC
 STOP SIGN AND STO
 P BUFFER

EXISTING INGRESS/EGRESS
 TO REMAIN

EXISTING C
 INGRESS/EGRESS
 TO REMAIN

EXISTING STORMWATER
 POND

EXISTING BUILDING
 FOOTPRINT (TYP)

SHARED ACCESS
 BOUNDING BOX

PROPOSED 8'
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CONCEPTUAL DRIVE
 IN PARKING
 ANGLES W/ PARKING

CONCEPTUAL
 MINI-WAREHOUSE
 SELF-STORAGE
 BUILDING

EXISTING POND 3 FASMENT
 O.R. 10475, PAGE 1609
 TO BE RELOCATED

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 FOOTPRINT (TYP)

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 VUA BUFFER

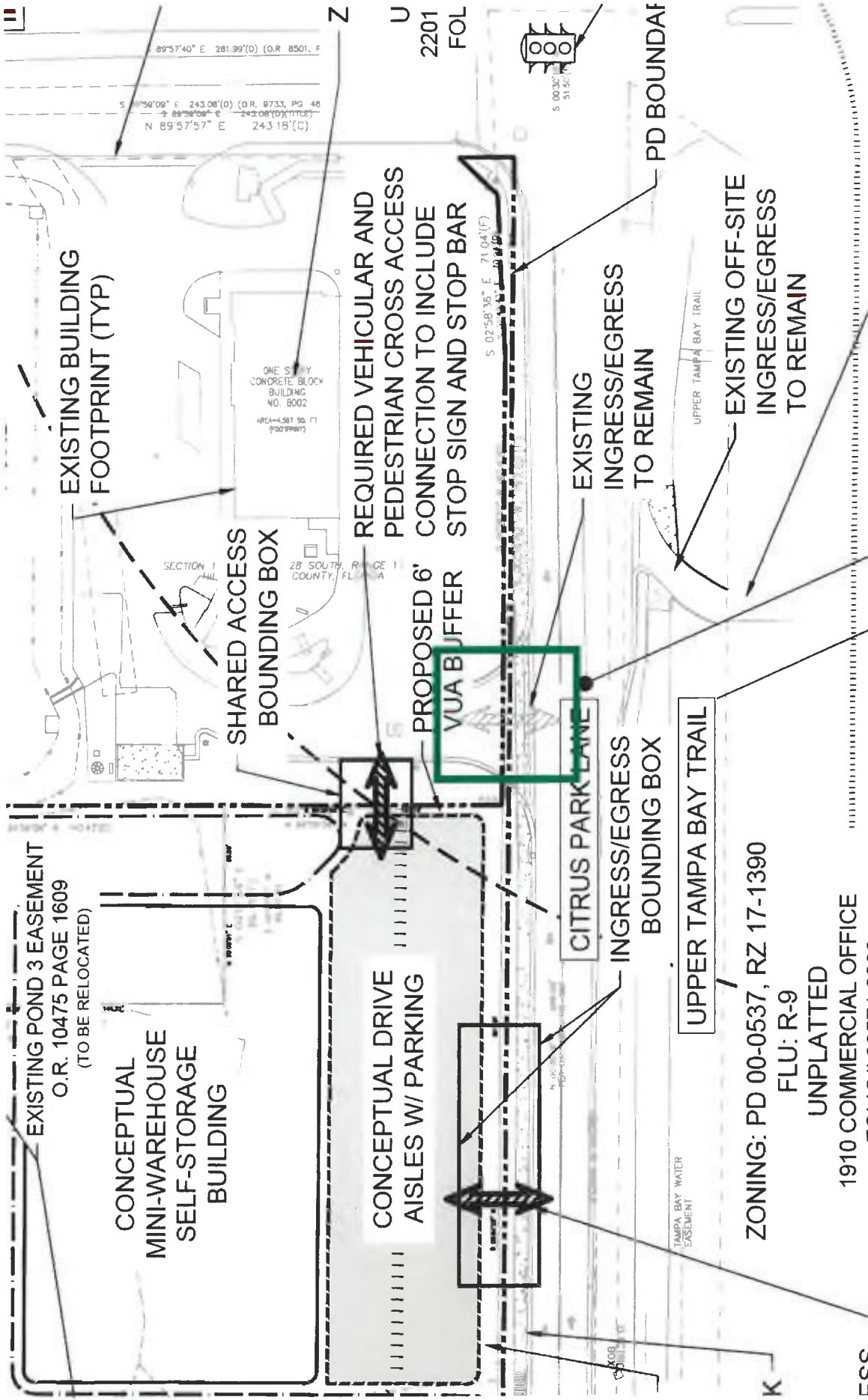
CONCEPTUAL DRIVE
 IN PARKING
 ANGLES W/ PARKING

CONCEPTUAL
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 SELF-STORAGE
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EXISTING POND 3 FASMENT
 O.R. 10475, PAGE 1609
 TO BE RELOCATED

EXISTING STORMWATER
 POND

EXISTING BUILDING



EXISTING POND 3 EASEMENT
O.R. 10475 PAGE 1609
(TO BE RELOCATED)

CONCEPTUAL
MINI-WAREHOUSE
SELF-STORAGE
BUILDING

CONCEPTUAL DRIVE
AISLES W/ PARKING

EXISTING BUILDING
FOOTPRINT (TYP)

SHARED ACCESS
BOUNDING BOX

REQUIRED VEHICULAR AND
PEDESTRIAN CROSS ACCESS
CONNECTION TO INCLUDE
STOP SIGN AND STOP BAR

PROPOSED 6'
VUA BUFFER

CITRUS PARK LANE

INGRESS/EGRESS
BOUNDING BOX

UPPER TAMPA BAY TRAIL

EXISTING
INGRESS/EGRESS
TO REMAIN

EXISTING OFF-SITE
INGRESS/EGRESS
TO REMAIN

ZONING: PD 00-0537, RZ 17-1390
FLU: R-9
UNPLATTED

1910 COMMERCIAL OFFICE

89°57'40" E 281.99'(D) (O.R. 8501, F
S 89°59'09" E 243.08'(D) (O.R. 8733, PG. 48
N 89°57'57" E 243.18'(C)

ONE STORY
CONCRETE BLOCK
BUILDING
NO. 8002
AREA=4,581 SQ. FT.
LIMITED

SECTION 1
28 SOUTH RANGE 1
COUNTY, FLORIDA

S 02°58'36" E 71.04'(F)

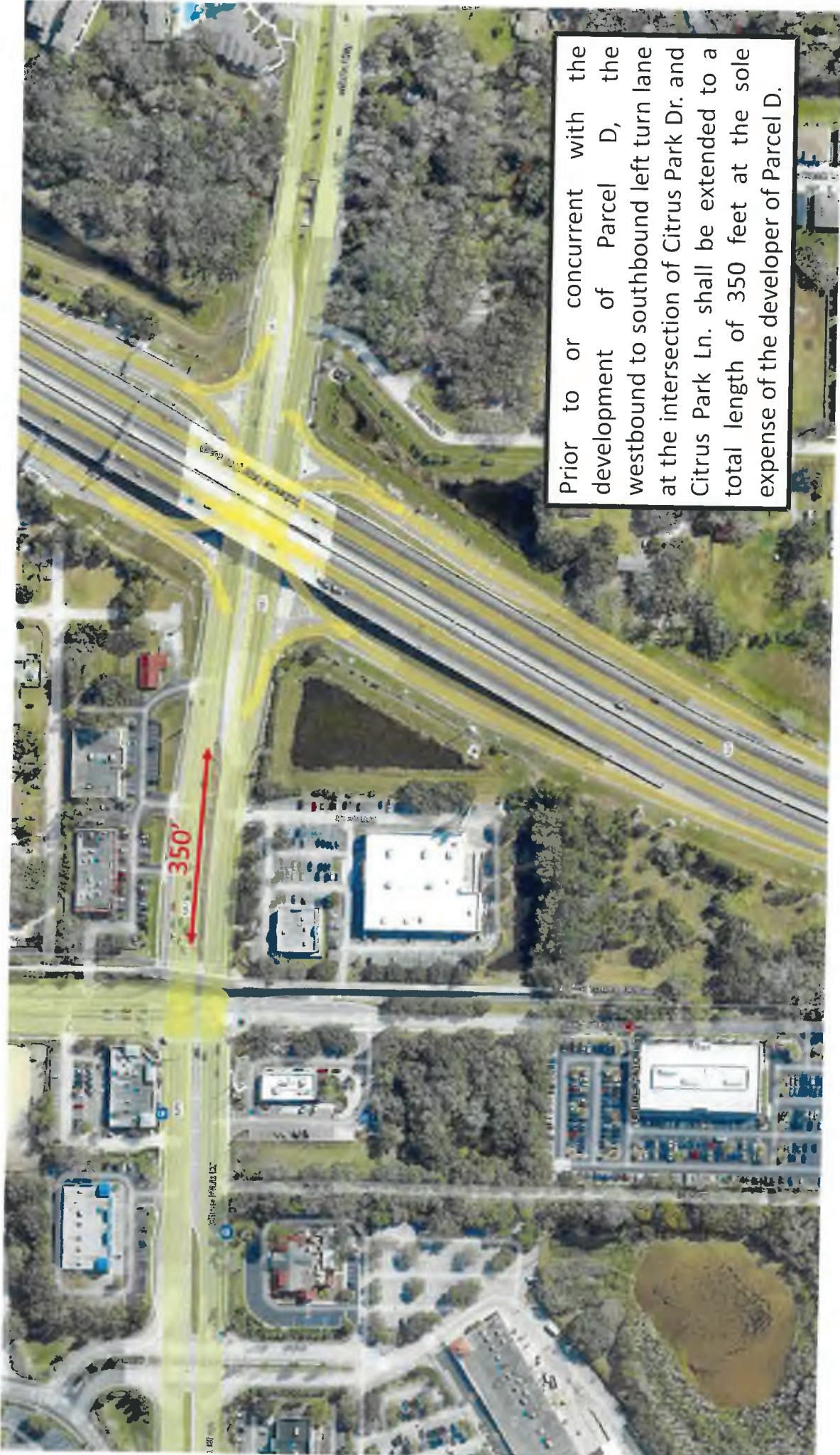
S 00°30' 31.36"

2201
FOL

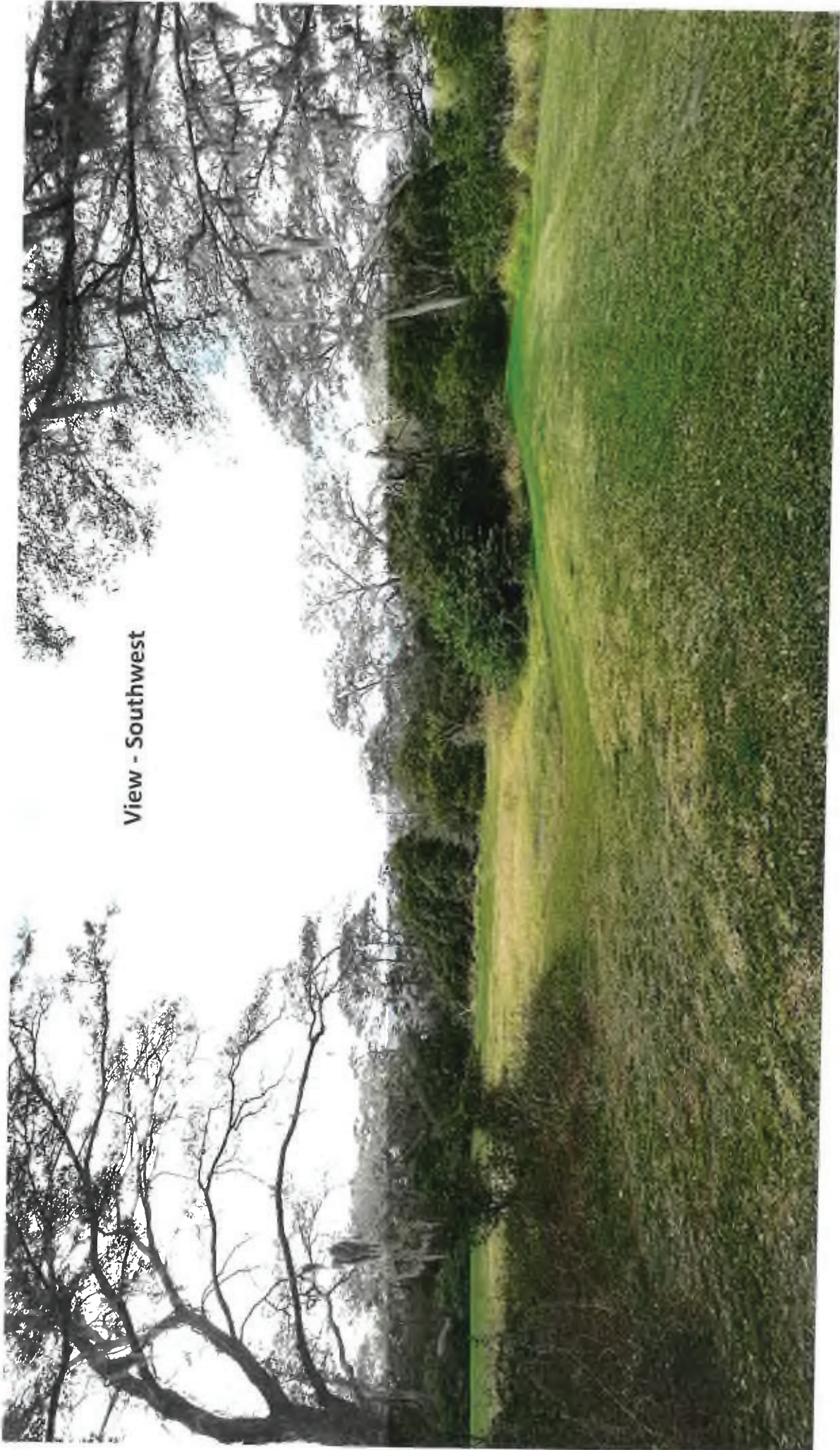
PD BOUNDARY

TAMPA BAY WATER
EASEMENT

ECC



Prior to or concurrent with the development of Parcel D, the westbound to southbound left turn lane at the intersection of Citrus Park Dr. and Citrus Park Ln. shall be extended to a total length of 350 feet at the sole expense of the developer of Parcel D.



View - Southwest



View - South











Development Services Staff

APPLICATION NUMBER: PD 22-0856

ZHM HEARING DATE: MARCH 20, 2023

BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Sam Bail

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant's variation request is to reduce the required landscape buffer on the south and west boundary of Parcel C. Because Parcel C is use is limited to a storm water pond and common area/open space, staff finds that the nature of the designated uses on Parcel C provide adequate screening between the existing and proposed uses from the neighboring properties.

Based on the existing conditions within the proposed PD, the surrounding zoning and existing development patten in the area, staff finds the proposed Planned Development compatible with the existing uses.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request subject to conditions,

✓ Planning Commission Staff

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.



Green Subject PD

Blue and Yellow -
Letters of Support

STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON, P.A.

Application No. RZ 22-0856
Name: Nicole Neugebauer
Entered at Public Hearing: ZHM
Exhibit # 2 Date: 3/20/23

Jacob T. Cremer
Nicole A. Neugebauer
401 East Jackson Street, Suite 2100
Post Office Box 3299
Tampa, FL 33601
Direct: (813) 222-5016
Email: jcremer@stearnsweaver.com
Email: nneugebauer@stearnsweaver.com

March 20, 2023

VIA – HAND DELIVERY

Hillsborough County Zoning Hearing Master
Hillsborough County Center
601 E. Kennedy Blvd
Tampa, FL 33602

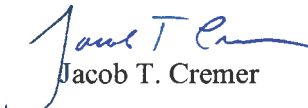
**RE: March 20, 2023 ZHM Agenda Item D.1 – RZ-PD 22-0856 – Notice of Easement
Agreement with McDonald’s USA, LLC**

Dear Zoning Hearing Master:

Stearns Weaver Miller represents McDonald’s USA, LLC (“McDonald’s”) in connection with its property located at 8002 Citrus Park Drive, Tampa, FL 33625. It has come to our attention that the adjacent property owners, Radiant Group LLC and Citrus Park Investors LLC (collectively, the “Adjacent Property Owners”) have filed a rezoning application to rezone their properties to Planned Development to develop a mix of business, professional office, commercial, and mini warehouse uses (the “Rezoning Application”).

McDonald’s does not object to the Rezoning Application so long as McDonald’s access rights pursuant to the Declaration of Easement Agreement (Cross Access) recorded in the public record for Hillsborough County (BK 24979 PG 1229) are recognized on the Rezoning Application site plan. **Exhibit A.** McDonald’s has discussed this with the Adjacent Property Owners’ representative and understands that they are amenable to adding an arrow to the Rezoning Application site plan to clarify that the existing access from Citrus Park Lane to McDonald’s property across RZ-PD 22-0856 will be preserved. If this arrow is added, then McDonald’s does not object to the Rezoning Application.

Sincerely,


Jacob T. Cremer


Nicole A. Neugebauer

Exhibit A

INSTRUMENT#: 2017211942, BK: 24979 PG: 1229 PGS: 1229 - 1238 05/31/2017 at
03:31:10 PM, DEPUTY CLERK:MTERRELL Pat Frank,Clerk of the Circuit Court
Hillsborough County

City, State: Tampa, FL
Address: 8002 Citrus Park Drive
L/C: 009-1870

Prepared by: Thomas Pickett
After recording, Return to:
Thomas Pickett
U.S. Legal Department
McDONALD'S CORPORATION
One McDonald's Plaza
Oak Brook, Illinois 60523

**DECLARATION OF EASEMENT AGREEMENT
(CROSS ACCESS)**

This Declaration of Easement Agreement (this "**Declaration**") is dated May 31,
2017 made by **THE RADIANT GROUP, LLC**, a Florida limited liability company ("**Declarant**").
The following statements are a material part of this Declaration:

- A. Declarant is the owner of a tract of land legally described on Exhibit A attached to this Declaration (the "**Property**").
- B. Declarant wishes to create, easements over, under and across the Property.
- C. McDonald's USA, LLC, a Delaware limited liability company ("**McDonald's**") presently holds a leasehold interest in the Property described on Exhibit B attached hereto (the "**McDonald's Property**"). McDonald's is joining into this Declaration in order to give its consent to the terms and conditions thereof. That portion of the Property which is unencumbered by the Lease with McDonald's is described on Exhibit C attached hereto (the "**Radiant Property**")
- D. A site plan depicting a portion of the easement areas created pursuant to this Declaration is attached as Exhibit D (the "**Site Plan**").

Therefore, in consideration of \$10.00 and other valuable consideration, the receipt and sufficiency of which are acknowledged, the Declarant hereby establishes the following grants, agreements, covenants and restrictions:

1. ACCESS EASEMENTS.

- a. Declarant hereby establishes, grants and creates a perpetual, non-exclusive easement, appurtenant to the McDonald's Property and for the use of the owner of the McDonald's Property (the "**McDonald's Owner**") and the McDonald's

Owner's tenants, employees, licensees, invitees, for the purpose of vehicular and pedestrian ingress and egress to and from the McDonald's Property over and across the driveways, access ways, entrances and exits as may, from time to time, be developed, altered or modified on the Radiant Property.

- b. Declarant also establishes, grants and creates a perpetual, non-exclusive easement appurtenant to the Radiant Property for the use of the owner of the Radiant Property (the "**Radiant Owner**") and Radiant Owner's tenants, employees, licensees, invitees, for the purpose of vehicular and pedestrian ingress and egress over and across the driveways, access ways, entrances and exits as may, from time to time, be developed, altered or modified on the McDonald's Property, except that the Radiant Owner, its tenants, employees, licensees and invitees will have no rights to use any portion of the McDonald's Property that is designated for use as a drive-through lane.
 - c. The common driveway connection point between the Radiant Property and the McDonald's Property will be as depicted on the Site Plan (the "**Curb Cut**"). At such time as the Radiant Owner intends to construct the improvements on the Radiant Property (the "**Radiant Improvements**"), the Radiant Owner will submit to McDonald's, however, if McDonald's is no longer the tenant of the McDonald's Property, then to the McDonald's Owner, the plans and specifications for the Curb Cut and a site plan for the Radiant Improvements. The site plan must depict at least one connection point from the Radiant Property directly to Citrus Park Lane with both ingress and egress to and from the Radiant Property (the "**Radiant ROW Connection**"), and the Radiant Improvements must be constructed with the Radiant ROW Connection. The construction of the Curb Cut and related driveway improvements will be at the sole cost and expense of the Radiant Owner. Prior to the time that the Radiant Improvements are constructed, the Curb Cut will be closed off.
 - d. Subsequent to the completion of construction of the Curb Cut, in no event will the Curb Cut be blocked, closed, altered, changed, or removed without the prior written consent of both the Radiant Owner, the McDonald's Owner and McDonald's (if McDonald's is still a tenant of the McDonald's Property).
 - e. Notwithstanding anything herein to the contrary, at any time during the construction or material alteration of improvements on the Radiant Property, in no event shall any vehicles, equipment, or other traffic related to such construction be permitted to access the Radiant Parcel utilizing the access easement over the McDonald's Property described above. All such construction traffic shall access the Radiant Property directly from Citrus Park Lane only.
2. **MAINTENANCE.** The Radiant Owner agrees to maintain, at its sole cost and expense, all of the parking, driveway and other access easement areas located on the Radiant Parcel. The McDonald's Owner agrees to maintain, at its sole cost and expense, all of the parking, driveway and other access easement areas located on the McDonald's Parcel.

3. **INDEMNITY.** The McDonald's Owner and the Radiant Owner agree to indemnify, defend and hold each other harmless against all claims, demands, losses, damages, liabilities and expenses and all suits, actions and judgments (including, but not limited to, reasonable costs and attorneys' fees) arising out of, or in any way related to, the McDonald's Owner's or the Radiant Owner's breach of this Declaration, including a failure to maintain their respective properties in a safe condition. The McDonald's Owner and the Radiant Owner will give prompt and timely notice of any claim made or suit or action commenced against the other Party that could result in indemnification under this Declaration.
4. **COMPLIANCE WITH LAWS AND REGULATIONS.** The McDonald's Owner and the Radiant Owner covenant and agree, with respect to their own properties, to comply with all laws, rules, regulations and requirements of all public authorities, including without limitation, the Americans with Disabilities Act, environmental laws, money laundering, anti-terrorism, trade embargos and economic sanctions, now or hereafter in effect.
5. **COVENANTS RUNNING WITH LAND.** All provisions of this Declaration, including the benefits and burdens, run with the land and are binding upon and inure to the benefit of the heirs, assigns, licensees, invitees, successors, tenants, employees and personal representatives of the parties.
6. **TERMINATION OF LIABILITY.** Whenever a transfer of ownership of either parcel takes place, the transferor will not be liable for a breach of this Declaration occurring after a transfer, except that the Radiant Owner will remain liable if it transfers its interest to a licensee or subsidiary.
7. **CONSTRUCTION.** The rule of strict construction does not apply to this grant. This grant will be given a reasonable construction so that the intention of the parties to convey a commercially usable right of enjoyment to Radiant Owner is carried out.
8. **NOTICE.** Upon acquisition of the McDonald's Property, the McDonald's Owner may provide notice of its notice address to the Radiant Owner for the purposes of this Declaration. Otherwise, notices to the McDonald's Owner shall be provided to McDonald's Corporation, One McDonald's Plaza, Oak Brook, IL 60523 Attn: L/C 009-1870. Any owner notices due to the Radiant Owner shall be provided to 1320 E. 9th Avenue, Tampa, FL 33605 Attn: Real Estate Department. Any notices due to McDonald's under this Declaration shall be provided to One McDonald's Plaza, Oak Brook, Illinois 60523, Attention: Director, U.S. Legal Department #091, L/C: 009-1870. Either Party may lodge written notice of a change of address with the other. All notices will be sent by reputable overnight courier with written confirmation of delivery or by certified mail, return receipt requested, to the addresses provided for in this paragraph and will be deemed given when deposited with such courier or when placed in the mail, as applicable.
9. **WAIVER OF TRIAL BY JURY.** The McDonald's Owner and the Radiant Owner agree to waive any right to have a trial by jury with respect to any lawsuit based on, or arising under this Declaration or any course of conduct, course of dealing, statements or actions of the McDonald's Owner and the Radiant Owner in connection with this Declaration.

10. **AUTHORITY TO SIGN.** No employee or agent of the Radiant Owner (other than an authorized signatory) has authority to make any warranty, representation, agreement or undertaking. All negotiations, considerations, representations and understandings between the parties are incorporated in this document and may be modified or altered only by agreement in writing between the parties, and no act or omission of any employee or agent of the parties, if any, will alter, change or modify any of the provisions of this Declaration. The parties executing this Declaration on behalf of McDonald's Owner and Radiant Owner represent that they have authority and power to sign this Declaration on behalf of McDonald's Owner and the Radiant Owner.

11. **MCDONALD'S.** McDonald's is joining into this Declaration in order to evidence their consent to the terms and conditions hereof. Further, McDonald's by entering into this Declaration, acknowledges and agrees that from and after the date hereof, the Declarant shall have the right to utilize the easement rights described herein with respect to its development and operation of the Radiant Property, notwithstanding the lease of the McDonald's Property by McDonald's, and Declarant acknowledges and agrees that from and after the date hereof, McDonald's shall have the right to utilize the easement rights described herein with respect to the operation of the McDonald's Property, provided, however, that as a condition to the utilization by Declarant of the easement rights described herein, Declarant covenants and agrees that any such use of any such easement rights by Declarant shall be subject to in and in accordance with the terms and conditions of this Declaration (specifically including, but not limited to, the obligation of Declarant to maintain the required insurance coverages and to indemnify McDonald's as if McDonald's were the owner of the McDonald's Property), and as a condition to the utilization by McDonald's of the easement rights described herein, McDonald's covenants and agrees that any such use of any such easement rights by McDonald's shall be subject to and in accordance with the terms and conditions of this Declaration (specifically including, but not limited to, the obligation of McDonald's to maintain the required insurance coverages and to indemnify Declarant). For so long as McDonald's remains the tenant of the McDonald's Property, McDonald's shall be deemed to be a third party beneficiary under this Declaration and may enforce all of McDonald's Owner's rights under this Declaration, including without limitation, enforcement of any breach of Radiant Owner's obligation under Article 1.e above.

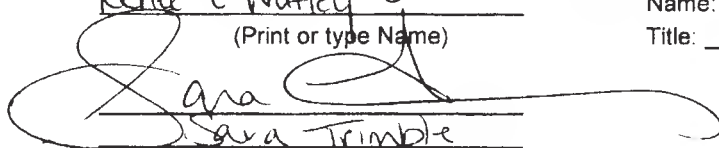
12. **ADDENDA AND EXHIBITS.** This Declaration includes the following Addenda and/or Exhibits, which take precedence over conflicting provisions (if any) of this Declaration, and are made an integral part of this Declaration and fully incorporated by reference:
 - Exhibit A (Legal Description of Property)
 - Exhibit B (Legal Description of McDonald's Property)
 - Exhibit C (Legal Description of Radiant's Property)
 - Exhibit D Site Plan

[SIGNATURE PAGE TO THE DECLARATION OF EASEMENT AGREEMENT]

TO INDICATE ITS CONSENT TO THIS DECLARATION, Declarant has signed this document.

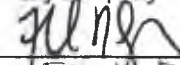
WITNESSES:

Renee E Watley
Renee E Watley
 (Print or type Name)


Sara Trimble
 (Print or type Name)

DECLARANT:

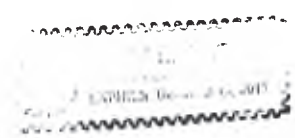
THE RADIANT GROUP, LLC, a Florida limited liability company

By: 
 Name: Frank D. Capitano
 Title: Manager

STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me on this 30th day of May, 2017, by Frank D. Capitano as Manager of The Radiant Group, LLC, a Florida limited liability company, on behalf of the company. Such person is personally known to me or has produced a valid driver's license as identification.



Renee E Watley
 Notary Public

My Commission Expires: December 15, 2017

JOINDER BY MCDONALD'S

McDonald's USA, LLC, a Delaware limited liability company ("McDonald's") hereby joins into the foregoing Declaration of Easement Agreement (Cross Access) for the purposes of giving its consent thereto as lessee of the McDonald's Property and for the purpose of acknowledging that Declarant shall have the present right to utilize the Easement Rights described in the Declaration subject to the terms and conditions thereof as further described in Section 11 thereof.

WITNESSES:

Tiffany Megawick
(Print or type Name)

Tamara Salinas
(Print or type Name)

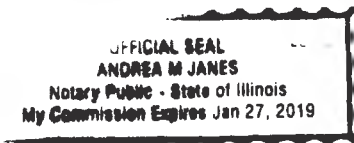
MCDONALD'S USA, LLC, a Delaware limited liability company

By: Thomas R. Pickett
Name: THOMAS R. PICKETT
Title: SENIOR COUNSEL

STATE OF Illinois

COUNTY OF DuPAGE

The foregoing instrument was acknowledged before me on this 23rd day of May, 2017, by Thomas R. Pickett as senior counsel of McDonald's USA, LLC, a Delaware limited liability company, on behalf of the company. Such person is personally known to me or has produced a valid driver's license as identification.



Notary Public Andrea M. James

My Commission Expires: 1-27-2019

EXHIBIT A
Property

A PARCEL OF LAND LYING IN THE NORTH ONE-HALF OF THE EAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 11, THENCE ALONG THE NORTH BOUNDARY THEREOF, N89°13'04"W, A DISTANCE OF 1332.62 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11; THENCE ON THE WEST BOUNDARY THEREOF, S00°34'58"W, A DISTANCE OF 1320.58 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11; THENCE ON THE NORTH BOUNDARY THEREOF, N89°16'56"W, A DISTANCE OF 76.58 FEET; THENCE DEPARTING SAID NORTH BOUNDARY, S02°49'43"E ALONG THE WEST RIGHT-OF-WAY LINE EXTENDED OF CITRUS PARK DRIVE, A DISTANCE OF 81.18 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING; THENCE CONTINUE S02°49'43"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 70.94 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°26'52"W, A DISTANCE OF 197.11 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, N89°59'09"W, A DISTANCE OF 121.16 FEET; THENCE CONTINUE N89°59'09"W, A DISTANCE OF 143.43 FEET TO A POINT ON THE EAST BOUNDARY OF A PRIVATE (INGRESS/EGRESS EASEMENT) (AKA EASY STREET), THENCE N00°31'52"E ALONG SAID EAST BOUNDARY, A DISTANCE OF 284.35 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SHELDON ROAD; THENCE S89°59'09"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 243.08 FEET; THENCE S45°56'08"E, A DISTANCE OF 23.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,824 SQUARE FEET OR 1.72 ACRES, MORE OR LESS

AND

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 11; THENCE N89°13'04"W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1332.62 FEET, TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE, DEPARTING SAID NORTH LINE, S00°34'58"W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11, A DISTANCE OF 1320.58 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE N89°16'56"W, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11, A DISTANCE OF 76.58 FEET; THENCE DEPARTING SAID NORTH LINE S02°49'43"E ALONG THE WEST RIGHT-OF-WAY LINE EXTENDED OF CITRUS PARK DRIVE A DISTANCE OF 81.18 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SHELDON ROAD; THENCE, CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING TWO(2) COURSES: (1)S02°49'43"E, 70.94 FEET; (2)S00°26'52"W, 197.11' TO THE POINT OF BEGINNING; THENCE, CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°26'52"W, A DISTANCE OF 281.40 FEET TO A POINT 30.00 FEET NORTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE EAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11; THENCE, N89°16'53"W, 30.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 249.99 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE EASY STREET (PRIVATE INGRESS/EGRESS EASEMENT); THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°31'52"E, A DISTANCE OF 278.48 FEET; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, S89°59'09"E, A DISTANCE OF 248.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 69,924 SQUARE FEET, 1.605 ACRES, MORE OR LESS.

EXHIBIT B
McDonald's Property

A PARCEL OF LAND LYING IN THE NORTH ONE-HALF OF THE EAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 11; THENCE ALONG THE NORTH BOUNDARY THEREOF, N89°13'04"W, A DISTANCE OF 1332.62 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11; THENCE ON THE WEST BOUNDARY THEREOF, S00°34'58"W, A DISTANCE OF 1320.58 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11; THENCE ON THE NORTH BOUNDARY THEREOF, N89°16'56"W, A DISTANCE OF 76.58 FEET; THENCE DEPARTING SAID NORTH BOUNDARY, S02°49'43"E ALONG THE WEST RIGHT-OF-WAY LINE EXTENDED OF CITRUS PARK DRIVE, A DISTANCE OF 81.18 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING; THENCE CONTINUE S02°49'43"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 70.94 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°26'52"W, A DISTANCE OF 197.11 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, N89°59'09"W, A DISTANCE OF 121.16 FEET; THENCE CONTINUE N89°59'09"W, A DISTANCE OF 143.43 FEET TO A POINT ON THE EAST BOUNDARY OF A PRIVATE INGRESS/EGRESS EASEMENT (AKA EASY STREET); THENCE N00°31'52"E ALONG SAID EAST BOUNDARY, A DISTANCE OF 284.35 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SHELDON ROAD; THENCE S89°59'09"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 243.08 FEET; THENCE S45°56'08"E, A DISTANCE OF 23.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,824 SQUARE FEET OR 1.72 ACRES, MORE OR LESS.

EXHIBIT C
Radiant Property

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 89,924 SQUARE FEET, 1.605 ACRES, MORE OR LESS.



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