



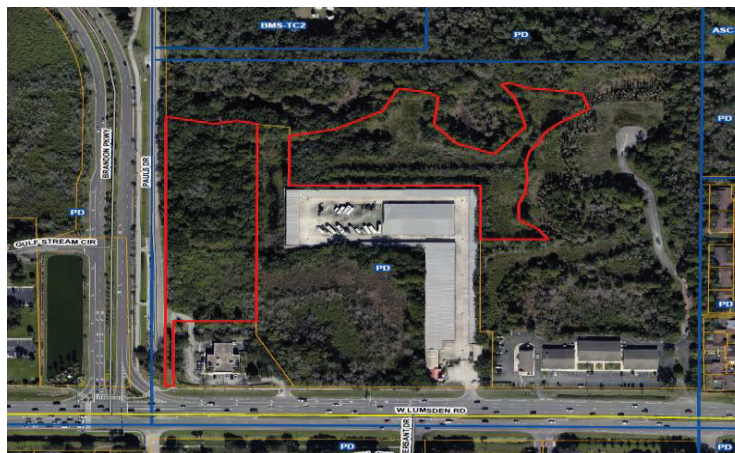
PD Modification Application: MM 23-0407

Zoning Hearing Master Date: October 16, 2023

BOCC Land Use Meeting Date: December 12, 2023

1.0 APPLICATION SUMMARY

Applicant: Brian Funk
FLU Category: Residential-12 (RES-12)
Service Area: Urban
Site Acreage: 7.67 MOL
Community Plan Area: Brandon
Overlay: None



Introduction Summary:

PD 87-0180 was modified in 2004 to allow for commercial, office professional, mini-warehouse, restaurant with drive through and single-family dwellings. The applicant requests a modification to allow for 40 multi-family residential dwelling units.

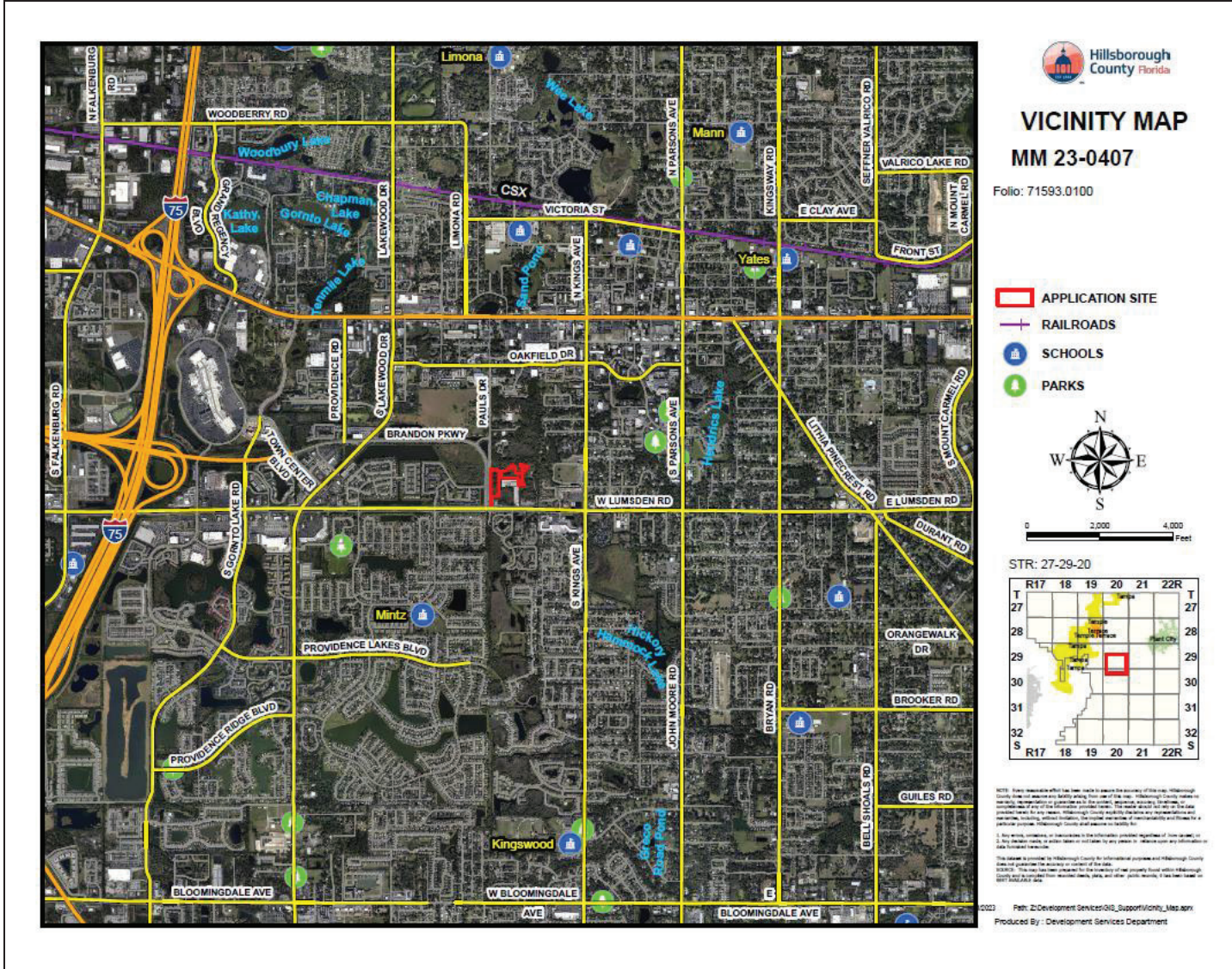
Existing Approval(s):	Proposed Modification(s):
Commercial, Office Professional, Mini-Warehouse, Restaurant with Drive through and Single-Family Residential	Allow for 40 multi-family residential dwelling units

Additional Information:	
PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None Requested as part of this application

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

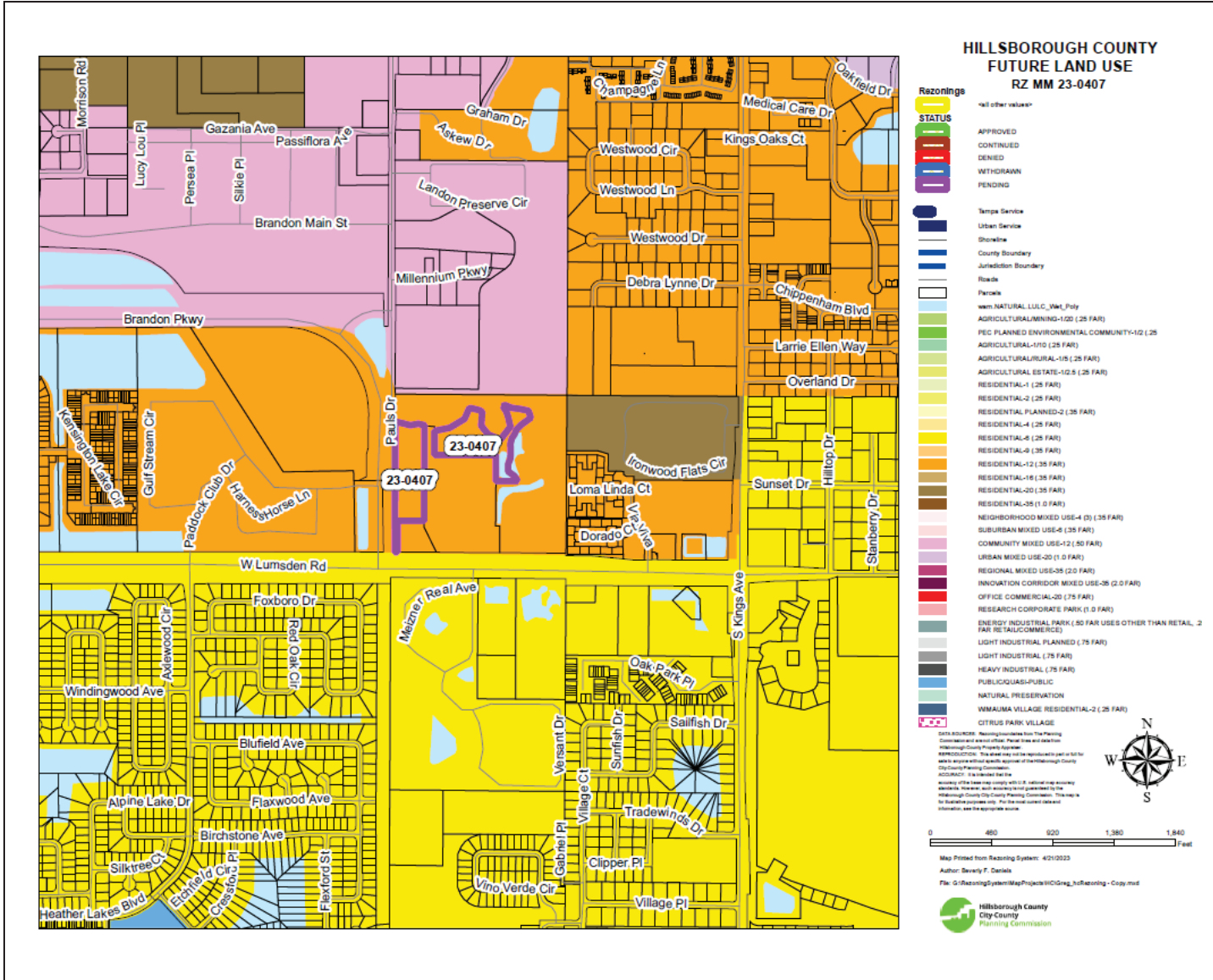


Context of Surrounding Area:

The site has two portions of land, one section is located in the general location of 180 feet east of the intersection of Brandon Parkway and Gulf Stream Circle. The second section is located in the general location of 600 feet northeast of the intersection of Brandon Parkway and Gulf Stream Circle. The area consists of residential, institutional, and commercial uses. To the north, the subject parcel is adjacent to a conservation area and vacant land zoned PD 87-0180. To the south, the subject parcel is adjacent to a bank, mini-storage, and vacant land zoned PD 87-0180. To the south across West Lumsden Road is a multi-family development zoned PD 80-0261. To the east, the subject parcel is adjacent to mini-storage and vacant land zoned PD 87-0180. To the west, across Brandon Parkway is a conservation area and a right of way zoned PD 84-0140. Further west of the right of way is a multi-family development. Also, further west of Lumsden Road is a single-family development.

2.0 LAND USE MAP SET AND SUMMARY DATA

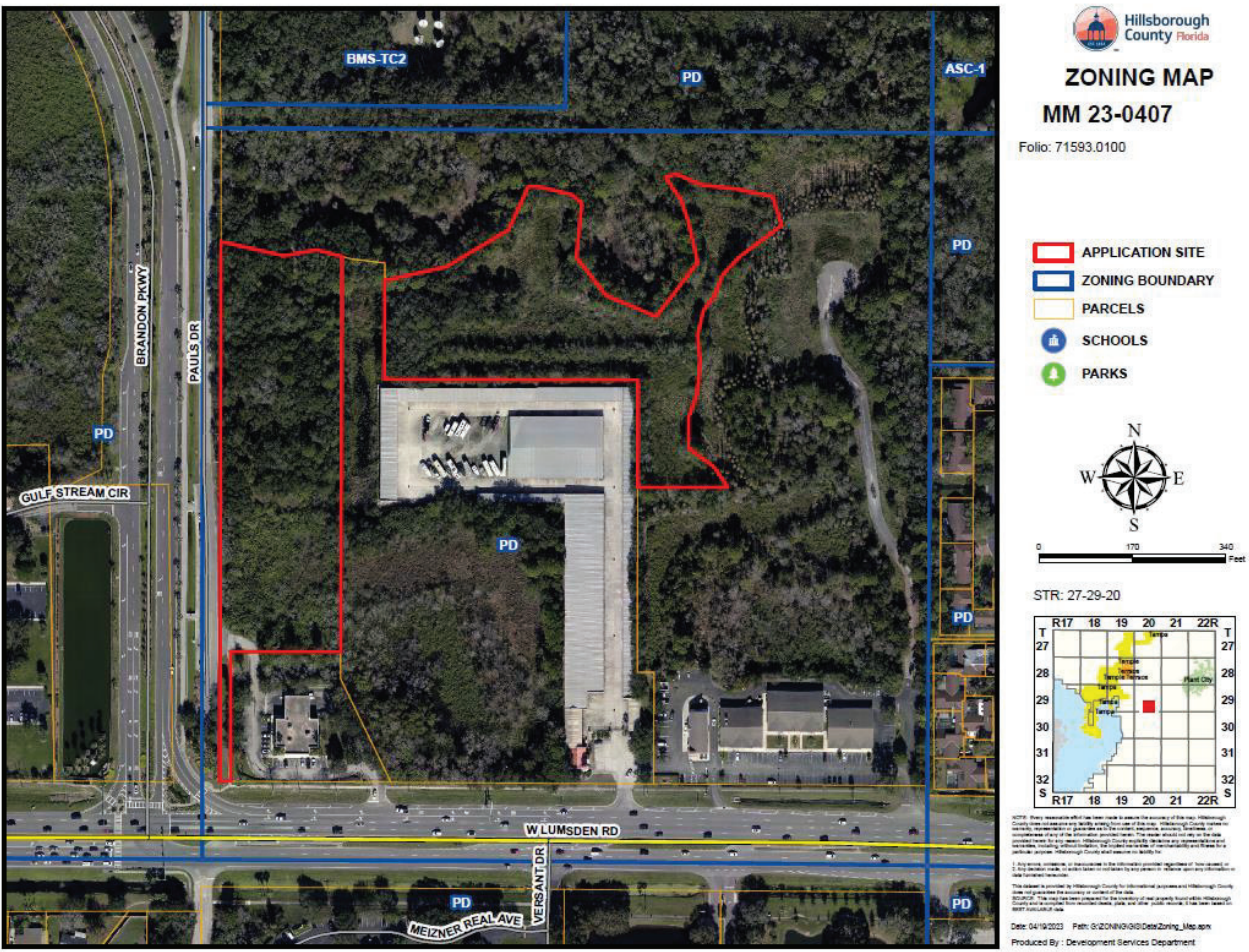
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-12 (RES-12)
Maximum Density/F.A.R.:	12.0 dwelling units/0.50 F.A.R.
Typical Uses:	Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

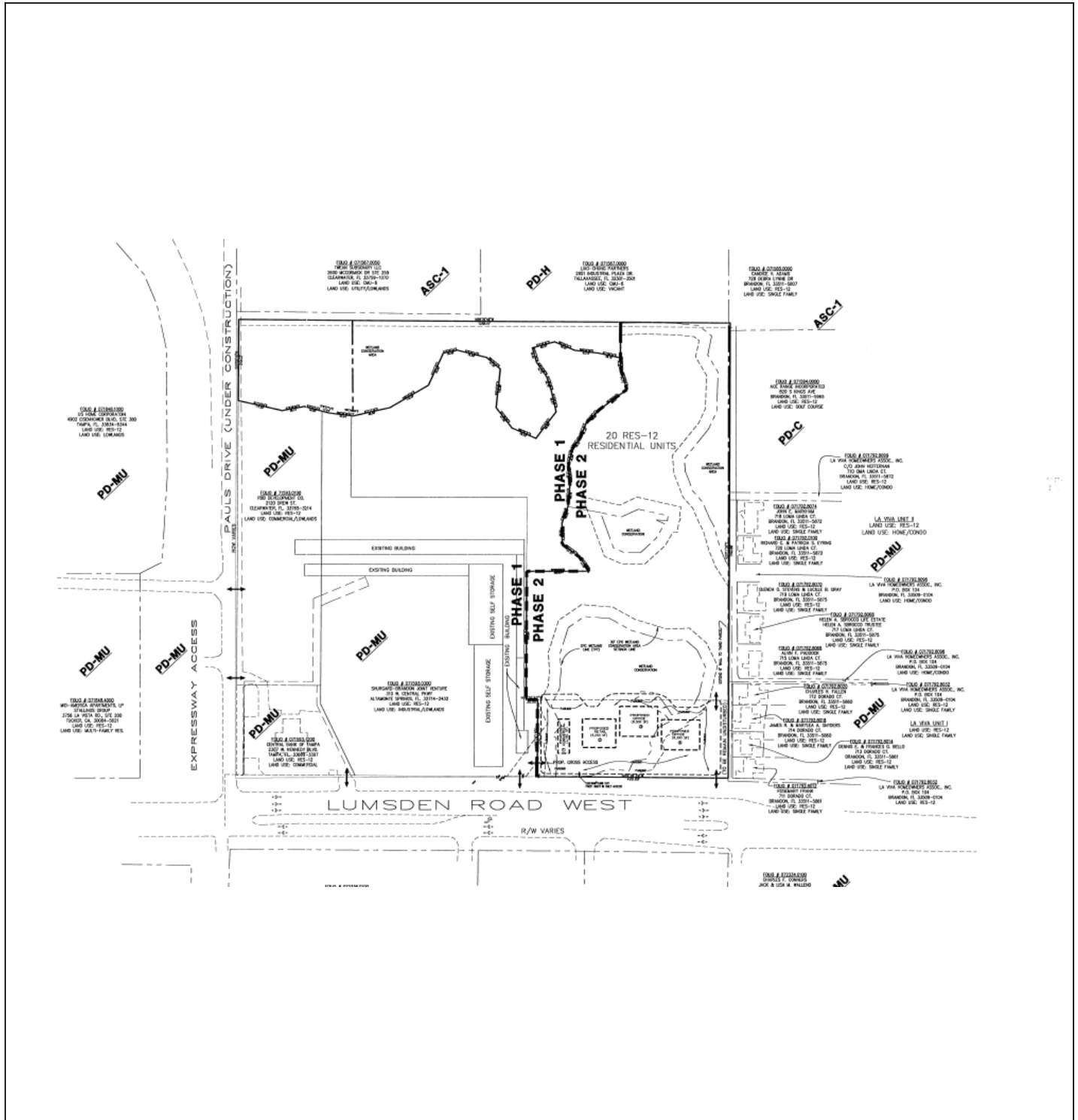


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 87-0180	Per PD 87-0180	Commercial, Office Professional, Mini-Warehouse, Restaurant with Drive through and Single-Family Residential	Vacant, Conservation Area
South	PD 87-0180, PD 80-0261	Per PD 87-0180, Per 80-0261	Same as above, Multi-Family	Bank, Mini-storage, Vacant, Multi-Family
East	PD 87-0180	Per PD 87-0180	Same as above	Mini-storage, Vacant
West	PD 84-0140	Per PD 84-0140	Conservation Area, Right of Way	Conservation Area, Right of Way

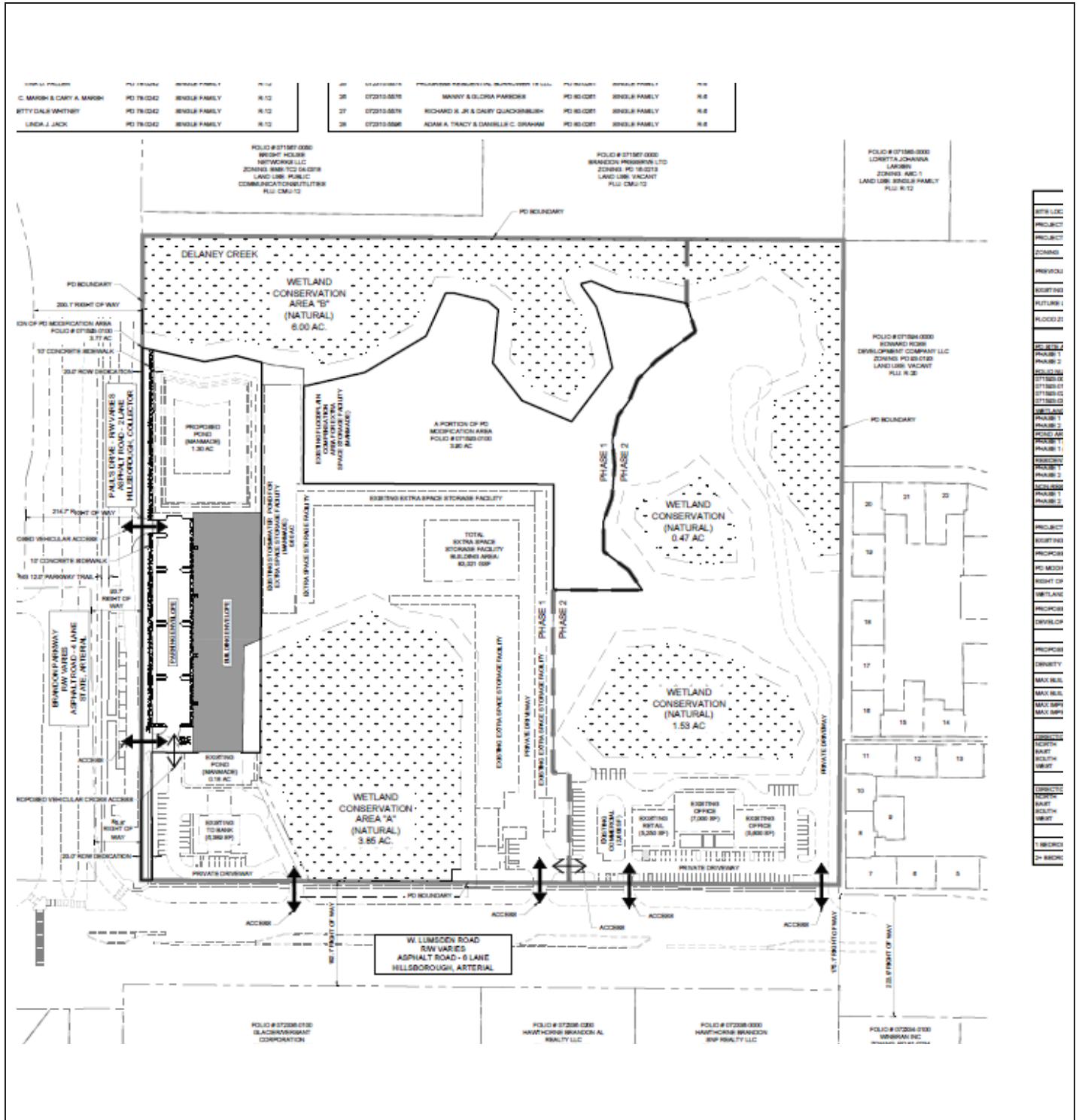
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Pauls Dr	County Local – Urban Street	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" 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	6,286	217	301
Proposed	830	89	75
Difference (+/-)	-5,456	-128	-226

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

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

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wetlands present to eastern and southeastern portions
Environmental Services	<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	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input 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 checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See report.
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 checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Individual permit will be required.
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees (Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$6,661 * 40 units = \$266,440 Parks: \$1,555 * 40 units = \$ 62,200 School: \$3,891 * 40 units = \$155,640 Fire: \$249 * 40 units = \$ 9,960 Total Multi-Family (1-2 story) = \$494,240				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input 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 checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 7.67 -acre vacant parcel is zoned PD 87-0180 (Planned Development). The site has two portions of land, one section is located in the general location of 180 feet east of the intersection of Brandon Parkway and Gulf Stream Circle. The second section is located in the general location of 600 feet northeast of the intersection of Brandon Parkway and Gulf Stream Circle. The applicant proposes a PD modification to allow for 40 multi-family residential dwelling units. The area consists of residential, institutional, and commercial uses. To the north, the subject parcel is adjacent to a conservation area and vacant land zoned PD 87-0180. To the south, the subject parcel is adjacent to a bank, mini-storage, and vacant land zoned PD 87-0180. To the south across West Lumsden Road is a multi-family development zoned PD 80-0261. To the east, the subject parcel is adjacent to mini-storage and vacant land zoned PD 87-0180. To the west, across Brandon Parkway is a conservation area and a right of way zoned PD 84-0140. Further west of the right of way is a multi-family development. Also, further west of Lumsden Road is a single-family development.

The subject property is designated Residential-12 (RES-12) on the Future Land Use map. The Planning Commission finds the proposed use consistent with the Comprehensive Plan. The uses in the vicinity are similar to the request; residential. Both multi-family and single-family residential are concentrated in this section of the West Lumsden Road corridor. Therefore, the modification of PD 87-0180 to allow for 40 multi-family residential dwelling units would be consistent with the existing zoning pattern of the area.

Based upon the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping with the general development pattern of the area.

5.2 Recommendation

Approvable, subject to proposed conditions.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

1. Remove existing mini-warehouse square footage in Phase 1.
2. Replicate Phase 2 as shown in 03-1333.

Approval - Approval, subject to the conditions listed below, is based on site plan received ~~January 6, 2004~~ August 30, 2023.

The project shall be permitted two phases of development:

1. In Phase One, the following uses are permitted:

~~1.~~ 1.1 Commercial: ~~In Phase One the~~ The maximum neighborhood commercial area shall be 75,000 square feet of CN uses and 15,000 sq. ft. of office/personal services uses for a maximum FAR of 0.19. Alternatively, mini-warehouses may be developed at a maximum FAR of .50. The mini-warehouses shall be architecturally finished on all sides.

1.2 Residential: 40 multifamily dwelling units are permitted on Folio 71593.0100, subject to the following development standards:

1.2.1 Minimum building setbacks: 10 feet (north), 20 feet (east), 10 feet (south), 25 feet (west)

1.2.2 Maximum building height: 2 stories or 35 feet, whichever is more restrictive

1.2.3 Maximum building coverage: 40 percent

1.2.4 Maximum impervious surface: 70 percent

1.2.5 Maximum density: 5.22 dwelling units per acre

~~1.1.~~ 1.3 At the district boundaries and at the boundaries between the commercial/office area and residential area, 2 feet of setback shall be provided for every 1 foot of structure height over 20 feet. This setback shall not apply to the multifamily dwelling units located on Folio 71593.0100.

~~1.2.~~ 1.4 The south access on Paul’s Drive shall be located a minimum of 300 feet north of Lumsden Avenue, unless otherwise approved by the Hillsborough County Public Works Department. This distance is measured from the near edge of pavement on Lumsden Avenue to the near edge of pavement of the drive.

~~1.3.~~ 1.5 The west access on Lumsden Avenue shall be located a minimum of 300 feet east of Paul’s Drive, unless otherwise approved by the Hillsborough County Public Works Department, and shall be restricted to right-in, right-out only. This distance is measured from the near edge of pavement on Paul’s Drive to near edge of pavement of the drive.

~~1.4.~~ 1.6 The parking layout shall be designed in such a way as to distribute traffic evenly at the two accesses on Paul’s Drive to minimize the possibility of a signal being warranted at either location.

~~1.5.~~ 1.7 Prior to the issuance of Zoning Compliance Permits the development shall dedicate an additional 20 feet of right-of-way on the east side of Paul's Drive. This will provide part of the 100 feet of total right-of-way needed ultimately to accommodate a symmetrical four-lane divided roadway section.

2. In Phase Two: 12,600 square feet of B-PO uses, 5,250 square feet of specialty retail, a 2,160 square foot restaurant w/ drive through, and 20 single family attached units. Pole signs and billboards shall not be permitted. A minimum of 50% of the office portion of Phase Two (Buildings 3 or 4) must be constructed and issued a certificate of occupancy prior to the issuance of a certificate of occupancy for the specialty retail portion (Building 2).

2.1. The height, bulk, lot coverage and yard requirements of the RMC-12 Zoning District shall apply to the Residential portion of the PD-MU project.

2.2. The 5,250 square feet of specialty retail shall be permitted the following uses: B-PO uses, newsstands, dance or martial arts studio, bicycle sales, and retail shopper's goods except alcoholic beverage sales.

2.3. Non-residential uses shall comply with the BPO district standards unless otherwise indicated herein. Building elevations shall be in accordance with the elevations submitted and received October 29, 2003. All renderings shall be shown on the site plan submitted to Hillsborough County Planning and Growth Management for certification. The minimum building setback along the eastern property line shall be 75 feet.

2.4. Non-residential uses shall have the following hours of operation:

- Building 1 – 24 hours
- Building 2 – 7am to 9pm
- Building 3 – 7am to 8pm
- Building 4 – 7am to 7pm

~~2.5. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department and may include, but is not limited to: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.~~

~~2.5.1.~~ 2.5 The eastern access into the site will be limited to right-in/right-out only.

~~2.5.2.~~ 2.5.1 The western access into the site will be limited to right-in only.

2.6. If required by Hillsborough County, and if warranted, the developer shall provide, at his expense, additional left turn storage lanes of sufficient length to accommodate anticipated left turning traffic, for vehicles making U-turns, on Lumsden Road, at each median cut adjacent (east/west of the site) to the project where a left turn is permitted. Prior to detail site plan approval, the developer shall provide a traffic analysis, signed by a Professional Engineer, showing the amount of left turn storage needed to serve development traffic. The design and construction of these left turn lanes shall be subject to Hillsborough County approval.

3. The developer shall show on the General Development Plan the approximate boundaries of all environmentally sensitive area(s) and shall label them "Conservation Area." Prior to Construction Plan approval, the developer shall submit to the County Planning and Growth Management Department evidence of approval from the


Environmental Protection Commission of the conservation area boundaries. All on-site conservation area(s) shall be preserved unless a mitigation plan is approved by the Environmental Protection Commission and submitted to the Planning and Growth Management Department as part of an approved Construction plan.

4. All new structures and/or impervious areas on site shall be set back a minimum of 30 feet from the boundaries of the on-site conservation area(s) and any adjacent conservation area(s) contiguous to any property boundary of the site.
5. All roadway construction shall be completed with proper transitions from the widened section to the existing roadway pavement.
6. The developer shall be responsible for removing existing pavement markings in the widened section and restriping of the roadway to delineate the left turn lanes in conformance with Hillsborough County standards.
7. Site access driveway radii into the commercial portion of the project shall be a minimum of 40 feet to accommodate single unit vehicles.
8. The area devoted to commercial uses may be reduced if not all land shown is required for the approved square footage.
9. If approved by the Hillsborough County Environmental Protection Commission, the disturbed wetland in the Southeast part of the site may be removed, and mitigation provided along the North boundary of the site.
10. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetland, and does not grant any implied or vested right to environmental approvals. Building location and layout may be modified as legally necessary to comply with Chapter 1-11, Wetlands, Rules of the Environmental Protection Commission. If modifications are required, the developer shall submit an application for a Minor Modification, per Section 5.03.04 of the Land Development Code, to change the general site plan to show the modifications required by the EPC. Construction plans for development of the tract will not propose impacts to the Wetland Conservation Areas and their associated 30-foot Wetland Setbacks outside of the area identified on the certified site plan for commercial use. Within 6 months of the completion of the construction of the commercial site, the title owner of the property shall convey a Conservation Easement in favor of the EPC over all remaining wetlands and their associated wetland setbacks. 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. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC). Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
11. The maximum height of the commercial/office portions of the PD-MU shall be 2 stories or 35 feet whichever is more restrictive.
12. Approval of this application does not ensure that water will be available at the time when the applicant seeks

permits to actually develop.

13. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan / plat approval.
14. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- ~~15. Within 90 days of approval of MM 03-1333 by Hillsborough County Board of County Commissioners, the applicant shall submit to the Planning and Growth Management Department a revised General Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of a revised plan will be required.~~
- ~~16. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.~~
15. Building, parking, and stormwater areas shall be developed where generally depicted on the site plan.
16. If PD 23-0407 is approved, the County Engineer will approve a Design Exception (dated September 26, 2023) which was found approvable by the County Engineer (on September 28, 2023). As Pauls Dr. is a substandard local roadway, the developer will be required, with the initial increment of development, to construct +/- 696 linear feet of 10-foot sidewalk/multi-use path and pedestrian crosswalk, to be coordinated and approved with the County Public Works Department, along the project frontage. consistent with the Design Exception.
17. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
18. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
19. 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. This condition only applies to the portion of the PD associated with that applies to MM 23-0407.

Zoning Administrator Sign Off:



J. Brian Grady
Mon Oct 16 2023 15:20:48

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

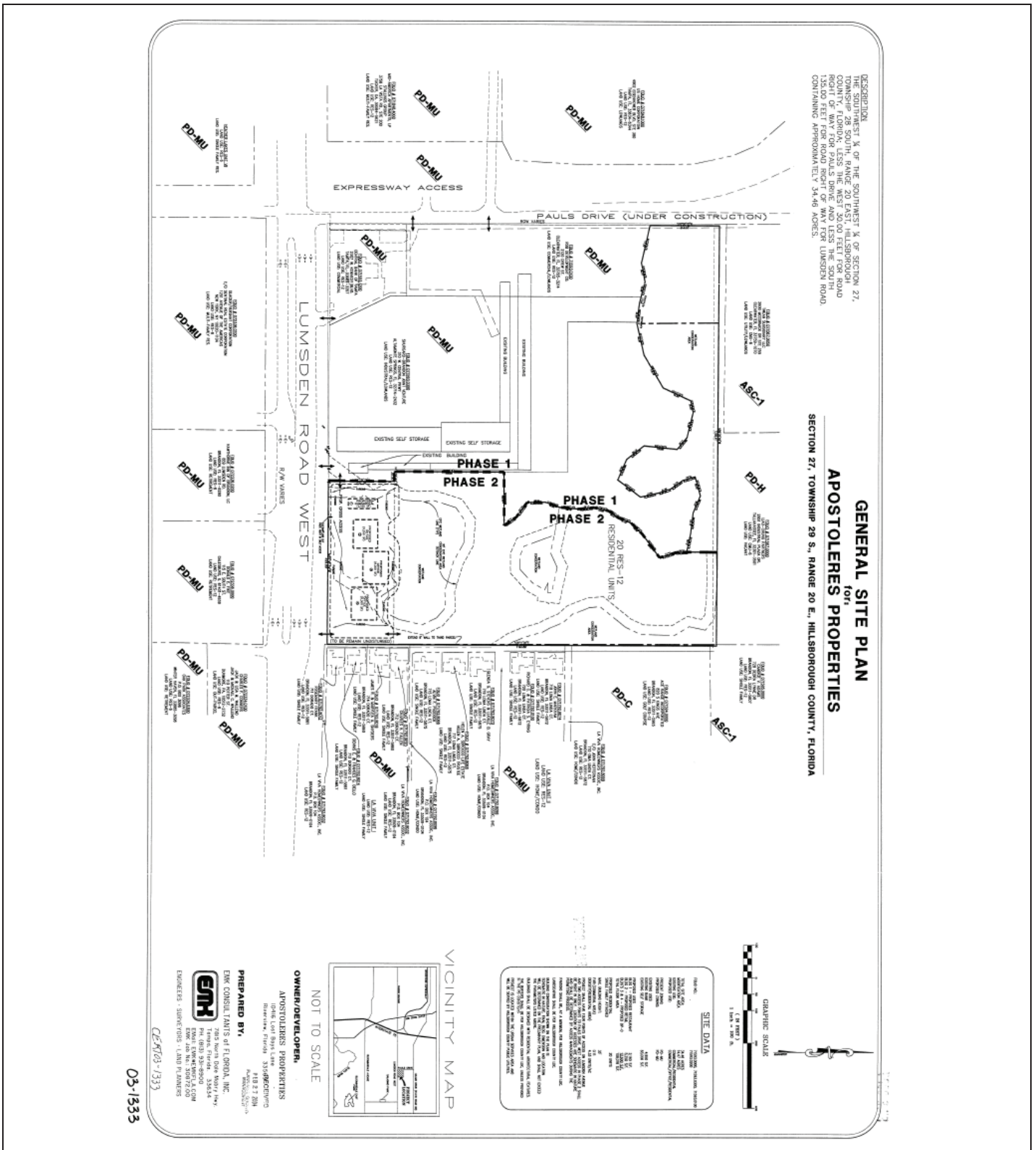
Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

None.

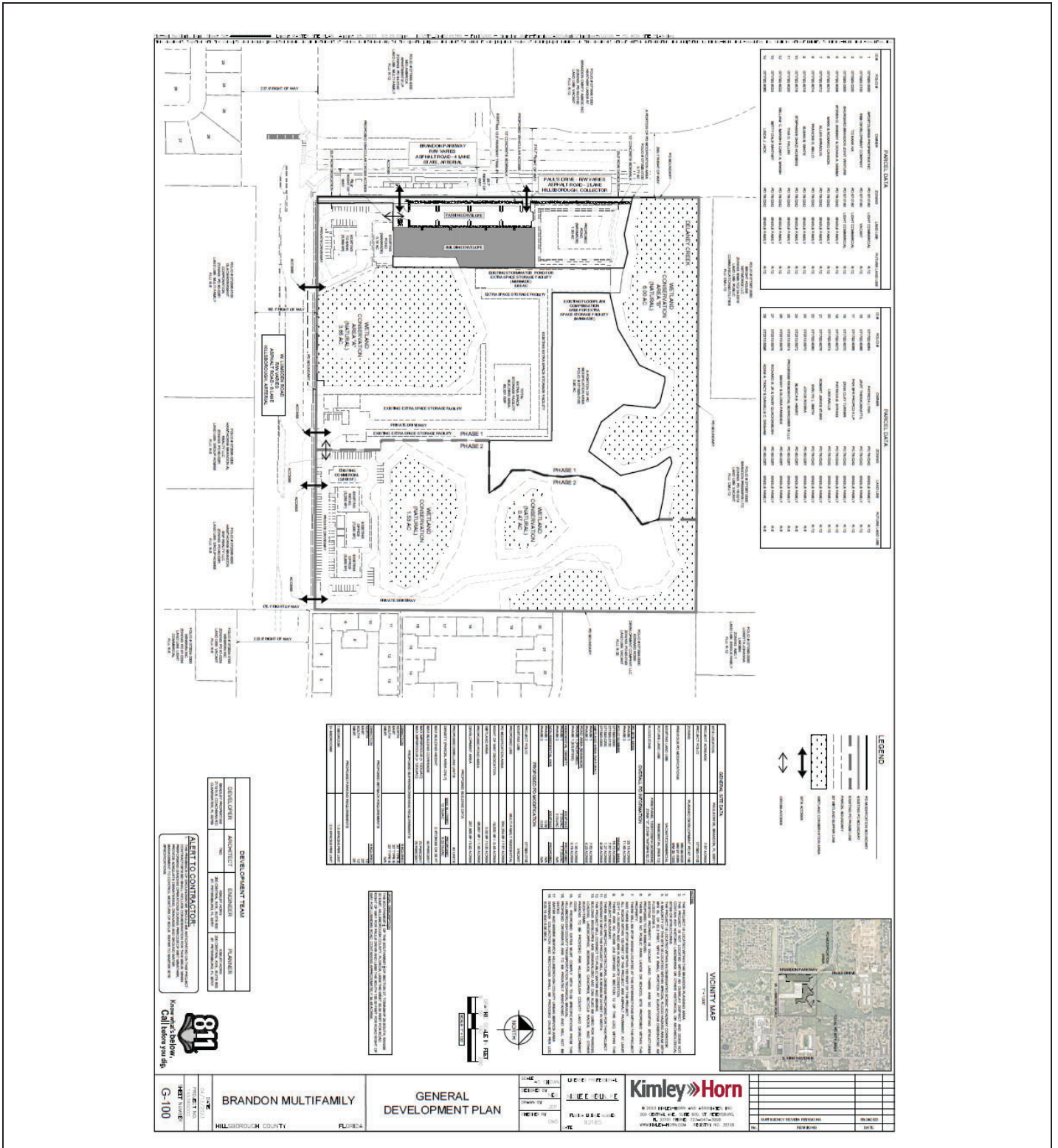
8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department	DATE: 10/04/2023
REVIEWER: Richard Perez, AICP	AGENCY/DEPT: Transportation
PLANNING AREA: BR/CENTRAL	PETITION NO: MM 23-0407

- 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

New Conditions:

- If PD 23-0407 is approved, the County Engineer will approve a Design Exception (dated September 26, 2023) which was found approvable by the County Engineer (on September 28, 2023). As Pauls Dr. is a substandard local roadway, the developer will be required, with the initial increment of development, to construct +/- 696 linear feet of 10-foot sidewalk/multi-use path and pedestrian crosswalk, to be coordinated and approved with the County Public Works Department, along the project frontage, consistent with the Design Exception.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

Revise Conditions:

- ~~2.5. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department and may include, but is not limited to: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.~~

[Staff recommends deletion of this condition. By its nature, a PD is a site plan-controlled zoning district and the number and location of access points are governed by the PD site plan and conditions of approval. Furthermore, they have been previously determined and constructed since the original Pd rezoning. Conditions 2.5.1. and 2.5.2. shall remain to reflect access restrictions.]

Transportation Review Comments

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to modify PD 08-0810, as most recently amended by MM 03-01333, to allow 40 multi-family units on a single parcel within "Phase 1" of the approved PD. Phase 1 of the approved PD allows for 75,000 sf of Commercial Neighborhood uses and 15,000 sf of office/personal service uses. Currently, there is a 6,400-sf drive-in bank constructed.

The Future Land Use designation is Residential 12 (R-12).

Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved PD (Phase 1):

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 83,600sf, Retail Plaza (ITE 821)	5,644	145	434
PD: 6,400sf, Drive-in Bank (ITE 912)	642	134	137
SubTotal	6,286	279	568
Internal Capture	N/A	0	96
Pass-By Trips	N/A	62	171
Net External Trips	6,286	217	301

Proposed PD Modification (Phase 1):

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD Mod: 40 Multi-Family Low Rise Units (ITE 220)	188	25	15
PD: 6,400sf, Drive-in Bank (ITE 912)	642	134	64
SubTotal	830	159	79
Internal Capture	N/A	8	4
Pass-By Trips	N/A	62	0
Net External Trips	830	89	75

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	-5,456	-128	-226

The proposed rezoning would generally result in a decrease of trips potentially generated by -5,456 average daily trips, -128 trips in the a.m. peak hour, and -226 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject site has frontage on Pauls Dr.

Pauls Drive is a substandard 2-lane, urban local roadway with +/- 11 ft lanes and serves as a frontage road to the Brandon Parkway within a total right of way, consisting of +/- 320 ft, that encompasses both roads. Paul's Dr. has no sidewalk along the project frontage, no bicycle lanes or paved shoulders, and no curb and gutter. There is parallel parking on the west side of the road and a sidewalk serving said parallel parking spaces that connects to the 10ft multi-use path on the east side of the Brandon Parkway.

Staff notes that Pauls Dr dead ends approximately 125ft south of the project's southern boundary.

According to the Hillsborough County Transportation Technical Manual a TS-3 local roadway typical section requires 12-foot lanes (to serve commercial uses to the south) and does not include on-street parking spaces. The applicant is requesting a design exception to construct +/- 696 feet of 10-foot sidewalk/multi-use path along the project frontage and pedestrian crosswalk. The request is described in greater detail herein under the section titled Requested Design Exception.

Staff notes that per the conditions of approval for PD# 08-0810, the developer is required to dedicate 20 feet of right of way along the project frontage on Pauls Dr. As such the proposed PD Modification site plan depicts the right of way dedication.

SITE ACCESS

The PD modification subject area proposes to two full access connections to Pauls Dr. The proposed multi-family development will not have direct access to Lumsden Rd. Internal cross access between the proposed multi-family and the existing bank parcel is provided for.

As Paul's Dr. is a local roadway, the project is not subject to LDC, Sec. 6.04.04. D. turn lane warrants.

Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.

Additional pedestrian access will be provided by a proposed 10-foot wide sidewalk/path and a crosswalk on Pauls Dr. along the project frontage. The exact location and approval of the crosswalk will be coordinated with the County Public Works Department.

REQUESTED DESIGN EXCEPTION – PAULS DR SUBSTANDARD ROAD

As Pauls Dr. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated September 26, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on September 28, 2023). The developer will be required to construct a 10-foot sidewalk/multi-use path and a pedestrian crosswalk along the entire project frontage, consistent with the Design Exception to mitigate the deviations from the Hillsborough County Transportation Technical Manual (TTM) TS-3 Typical Section (for urban local roadways).

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

Transportation Review Comments

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. Staff notes that Pauls Dr. is not a regulated roadway.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
BRANDON PKWY	LAKEWOOD	LUMSDEN RD	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Thursday, September 28, 2023 6:29 PM
To: nicole.berlin@kimley-horn.com
CC: kari.clark@kimley-horn.com; Nicole Neugebauer [nneugebauer@steamsweaver.com]; Suzanne Walker [swalker@steamsweaver.com]; Grandlienard, Christopher [GrandlienardC@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org]; De Leon, Eleonor [DeLeonE@hillsboroughcounty.org]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]
Subject: FW: MM 23-0407 Design Exception Review
Attachments: 23-0407 DEReq 09-26-23.pdf

Importance: High

Nicole,
I have found the attached Design Exception (DE) for PD 23-0407 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: WilliamsM@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Wednesday, September 27, 2023 6:21 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>; De Leon, Eleonor <DeLeonE@hillsboroughcounty.org>
Cc: Perez, Richard <PerezRL@hillsboroughcounty.org>
Subject: MM 23-0407 Design Exception Review
Importance: High

Hello Mike,

The attached DE is approvable to me, please include the following people in your response email:

- nicole.berlin@kimley-horn.com
- kari.clark@kimley-horn.com
- nneugebauer@stearnsweaver.com
- swalker@stearnsweaver.com
- grandlienardc@hillsboroughcounty.org
- perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@HCFLGov.net
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

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 Development Services



Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)		
Submittal Type (check one)	<input type="checkbox"/> New Request	<input type="checkbox"/> Revised Request	<input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1.	<input type="checkbox"/> 2.	<input type="checkbox"/> 3.
	<input type="checkbox"/> 4.	<input type="checkbox"/> 5.	<input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>			
Project Name/ Phase			
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>			
Folio Number(s)			
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers			
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876".</p>			
Name of Person Submitting Request			
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>			
Current Property Zoning Designation			
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>			
Pending Zoning Application Number			
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>			
Related Project Identification Number (Site/Subdivision Application Number)			
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>			

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September 26, 2023

Mr. Michael J. Williams, P.E.
Director, Development Review County Engineer
Hillsborough County Development Services Department
601 East Kennedy Boulevard, 20th
Floor Tampa, Florida 33602

Re: **DESIGN EXCEPTION FOR
PAULS DRIVE – MODIFIED TS-03 TYPICAL SECTION
CASE NUMBER: MM 23-0407
FOLIO # 071593-0100**

The purpose of this letter is to provide justification for the request for a Design Exception to section 1.7 of the Hillsborough County Transportation Technical Manual (TTM) to meet the requirements of Section 6.04.03.L of the Hillsborough County Land Development Code (LDC) in association with the PD Major Modification Application MM 23-0407, which would allow for the development of 40 multi-family apartment units on the property located in the northeast corner of West Lumsden Road and Brandon Parkway. The proposed Brandon Multi-Family Planned Development General Site Plan is provided in **Appendix A**.

The project proposes two (2) full-access driveways on Pauls Drive, one of which is existing and will provide cross-access to the bank south of the property. Pauls Drive is classified as a collector roadway on the Hillsborough County Functional Roadway Classification Map and has been identified as a substandard roadway during our virtual meeting with Hillsborough County staff. Within the existing ±93-foot right-of-way, Pauls Drive has two 11-foot travel lanes, with wetlands and drainage ditches on the east side of the road, and the Brandon Parkway Trail with associated on-street parallel parking and 6-foot sidewalk on the west side of the road. Brandon Parkway directly borders the Brandon Parkway Trail to the west.

Due to the presence of the Brandon Parkway Trail and its associated parking to the west, expansion of Pauls Drive to conform with the Hillsborough County TTM Typical Section TS-03 (Local Urban Road) would have to occur to the east, which cannot occur without significant impacts to the existing wetlands. The following modifications to the TS-03 typical section are requested:

- TS-03 requires 12-foot travel lanes with Miami curb and a 5-foot sidewalk on both sides of the roadway. The TS-03 typical section is provided in **Appendix C**.
- The request is to maintain the existing 11-foot travel lanes and Brandon Parkway Trail with associated on-street parallel parking and 6-foot sidewalk on the western side of

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the road. An additional 20-feet of right-of-way will be dedicated to Pauls Drive, and a 10-foot wide sidewalk in line with the Brandon Community Plan Urban General district. The developer is committed to build one (1) pedestrian mid-block crossing per Hillsborough County standards and specifications to provide pedestrians safe access to the Brandon Parkway Trail, the location of which will be coordinated and approved by the Public Works Department during site permitting. The proposed modified TS-03 typical section is provided in **Appendix B**.

Based on the information provided above, it is our opinion that the proposed modified TS-03 typical section meets the intent of the Hillsborough County TTM and will improve the pedestrian experience along Pauls Drive. Please contact me at (727) 498-2594 or nicole.berlin@kimley-horn.com you have any questions or desire additional information.

Sincerely,



Nicole Berlin
This document has been electronically signed and sealed using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.
2023.09.26 12:55:36 -04'00'

KIMLEY-HORN AND ASSOCIATES, INC.
Nicole E. Berlin, P.E.
Project Manager

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

- Disapproved
- Approved
- Approved with Conditions

Signature: _____

Name: _____

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Development Services



Page 3

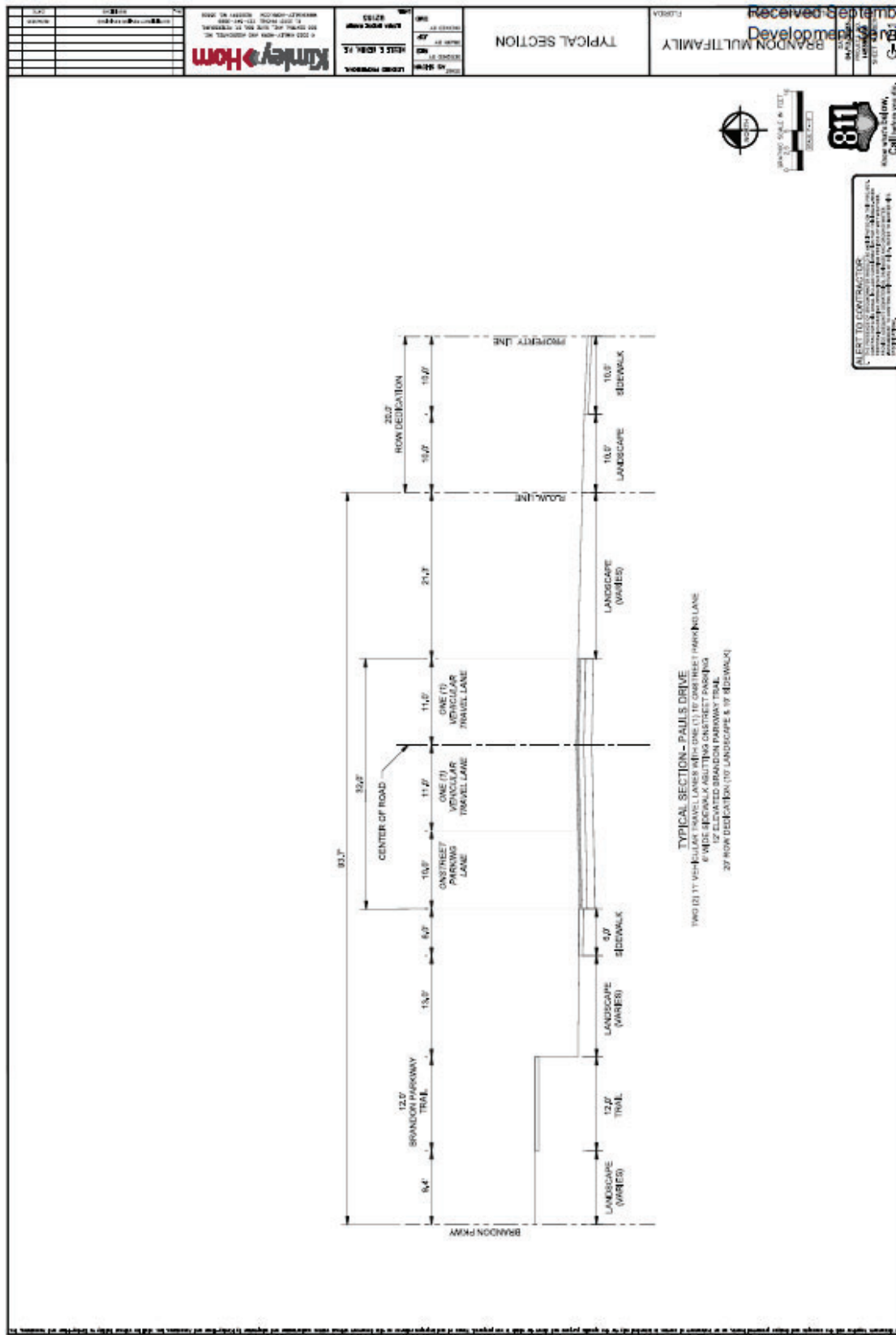
***APPENDIX A: Brandon Multi-Family Planned Development
General Site Plan***

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APPENDIX B: Pauls Drive Typical Section – Modified TS-03



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23-0407

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APPENDIX C: TS-03 Local Urban Road Typical Section

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: MM 23-0407

DATE OF HEARING: October 16, 2023

APPLICANT: Brian Funk

PETITION REQUEST: The Major Modification request is to modify PD 87-0180 to permit 40 multi-family dwelling units

LOCATION: 180 feet east of the intersection of Brandon Pkwy and Gulf Stream Circle

SIZE OF PROPERTY: 7.67 acres, m.o.l.

EXISTING ZONING DISTRICT: PD 87-0180

FUTURE LAND USE CATEGORY: RES-12

SERVICE AREA: Urban

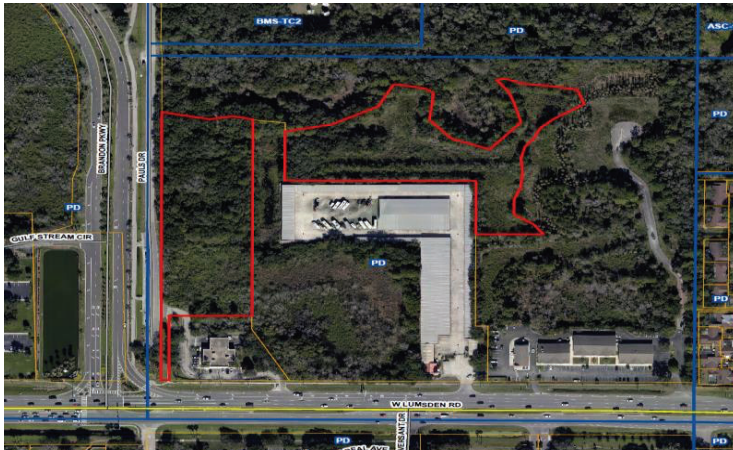
COMMUNITY PLAN: Brandon

DEVELOPMENT REVIEW STAFF REPORT

***Note:** Formatting issues prevented the entire Development Services Department staff report from being copied into the Hearing Master’s Recommendation. Therefore, please refer to the Development Services Department web site for the complete staff report.

1.0 APPLICATION SUMMARY

Development Services Department



Applicant: Brian Funk

FLU Category: Residential-12 (RES-12)

Service Area: Urban

Site Acreage: 7.67 MOL

Community Plan Area: Brandon

Overlay: None

Introduction Summary:	
PD 87-0180 was modified in 2004 to allow for commercial, office professional, mini-warehouse, restaurant with drive through and single-family dwellings. The applicant requests a modification to allow for 40 multi-family residential dwelling units.	
Existing Approval(s):	Proposed Modification(s):
Commercial, Office Professional, Mini-Warehouse, Restaurant with Drive through and Single-Family Residential	Allow for 40 multi-family residential dwelling units

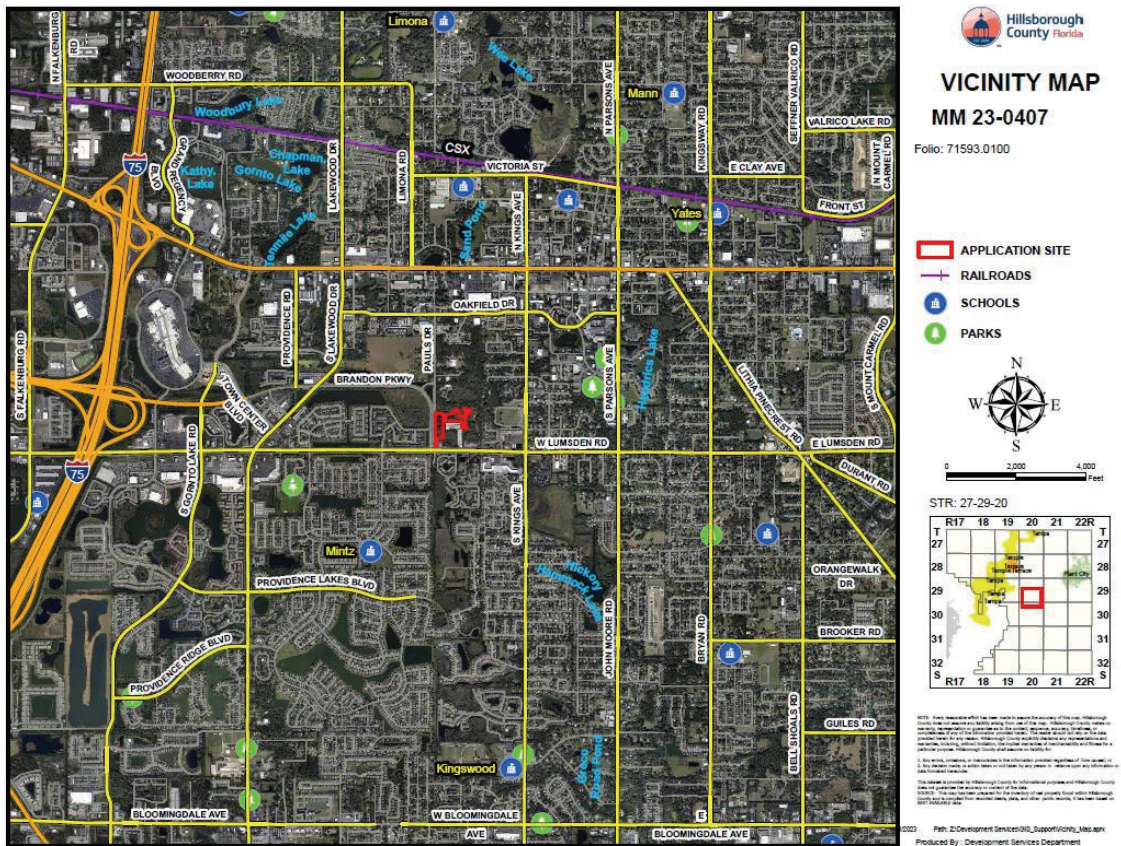
PD Variation(s): None Requested as part of this application

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

Planning Commission Recommendation: Consistent

Development Services Recommendation: Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map

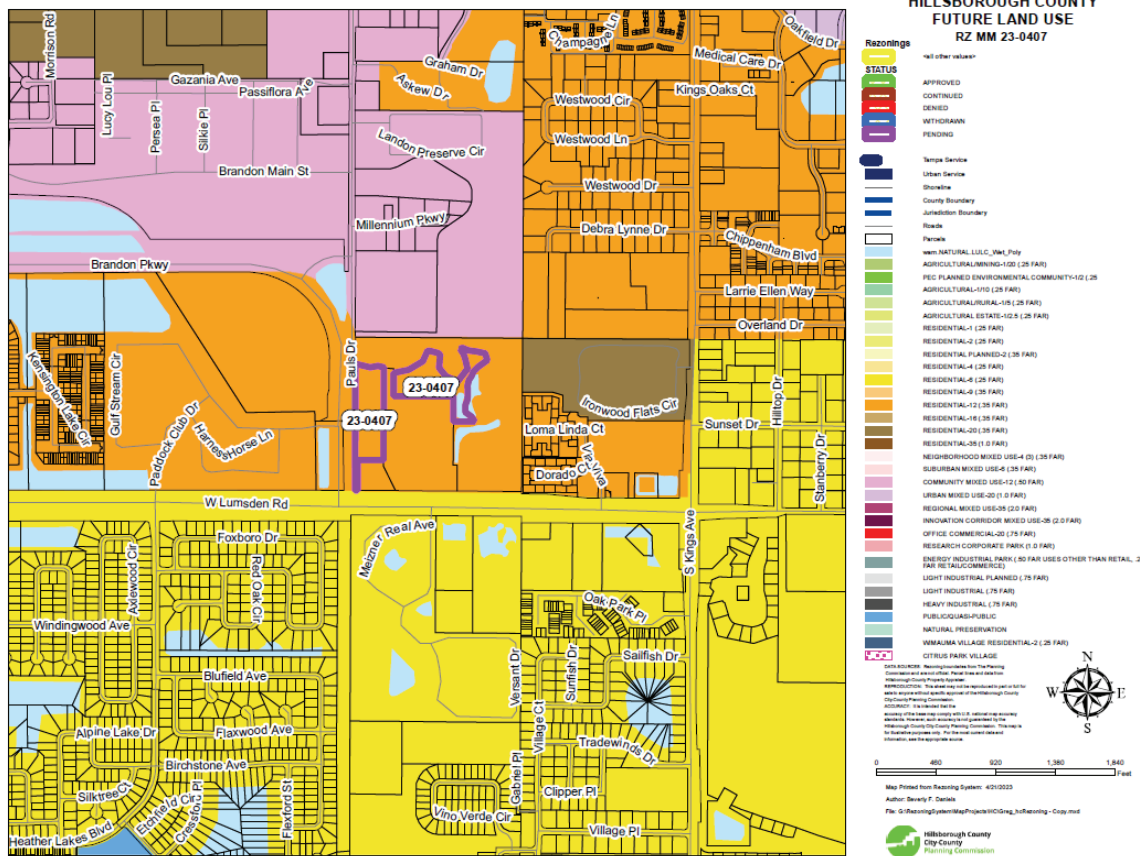


Context of Surrounding Area:

The site has two portions of land, one section is located in the general location of 180 feet east of the intersection of Brandon Parkway and Gulf Stream Circle. The second section is located in the general location of 600 feet northeast of the intersection of Brandon Parkway and Gulf Stream Circle. The area consists of residential, institutional, and commercial uses. To the north, the subject parcel is adjacent to a conservation area and vacant land zoned PD 87- 0180. To the south, the subject parcel is adjacent to a bank, mini-storage, and vacant land

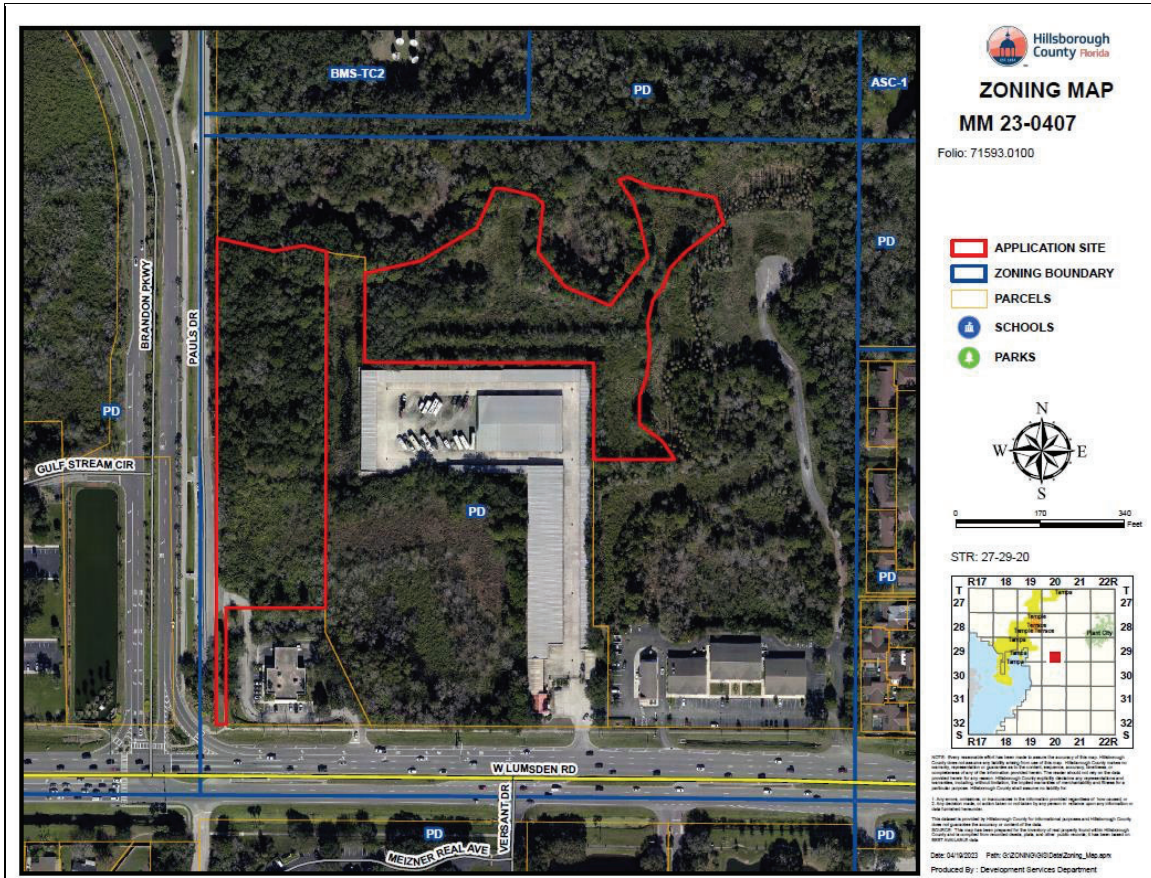
zoned PD 87-0180. To the south across West Lumsden Road is a multi-family development zoned PD 80-0261. To the east, the subject parcel is adjacent to mini-storage and vacant land zoned PD 87-0180. To the west, across Brandon Parkway is a conservation area and a right of way zoned PD 84-0140. Further west of the right of way is a multi-family development. Also, further west of Lumsden Road is a single-family development.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-12 (RES-12)
Maximum Density/F.A.R.:	12.0 dwelling units/0.50 F.A.R.
Typical Uses:	Residential, urban scale neighborhood commercial, office uses, multi- purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map

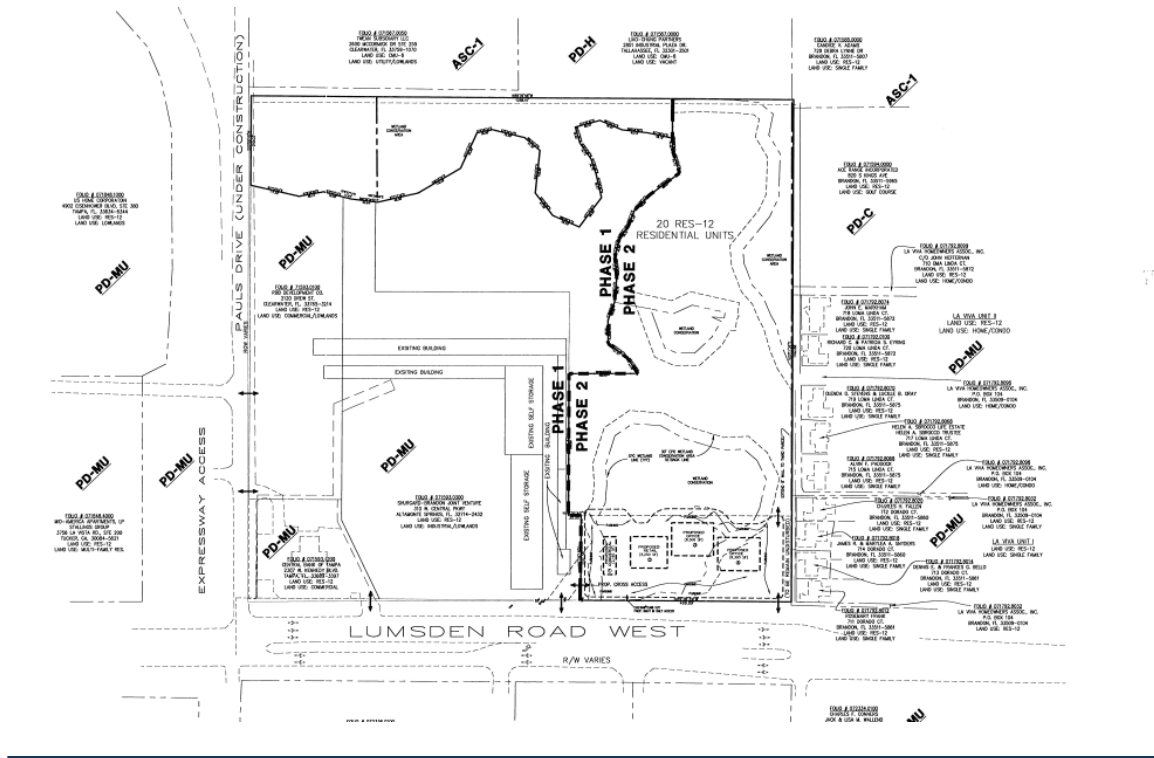


Adjacent Zonings and Uses

Location :	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 87-0180	Per PD 87-0180	Commercial, Office Professional, Mini-Warehouse, Restaurant with Drive through and Single-Family Residential	Vacant, Conservation Area
South	PD 87-0180, PD 80-0261	Per PD 87-0180, Per 80-0261	Same as above, Multi-Family	Bank, Mini-storage, Vacant, Multi-Family

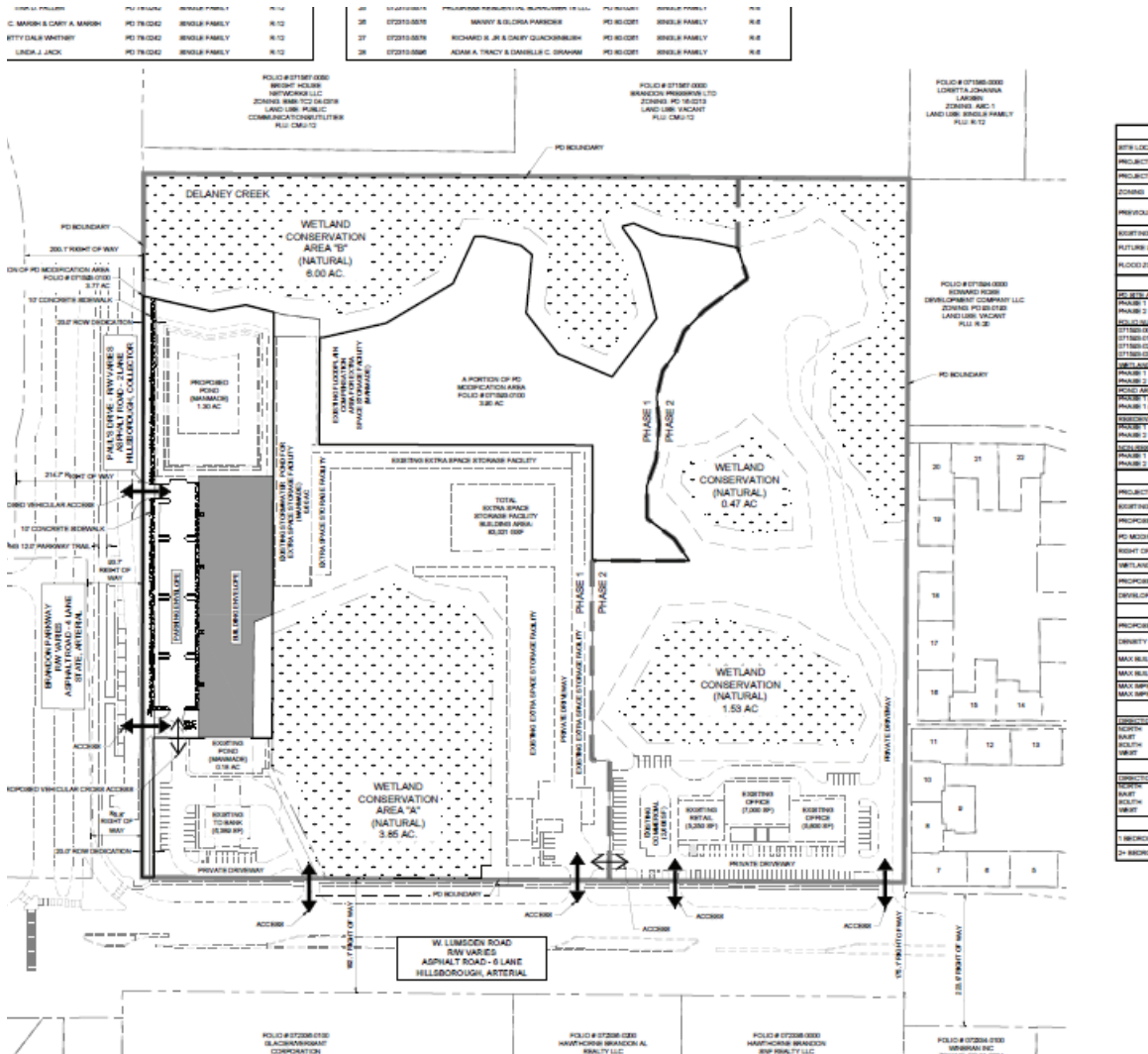
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)

Road Name Classification Current Conditions Select Future Improvements

Pauls Dr	County Local – Urban Street	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
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Project Trip Generation Not applicable for this request

Variance Not applicable for this request

Road Name/Nature of Request Type

Pauls Dr./Substandard Roadway Design Exception Requested

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				
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	Wetlands present to eastern and southeastern portions

Check if Applicable:

- Wetlands/Other Surface Waters
- Use of Environmentally Sensitive Land Credit
- Wellhead Protection Area
- Surface Water Resource Protection Area
- Potable Water Wellfield Protection Area Significant Wildlife Habitat
- Coastal High Hazard Area
- Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property
- Other

Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See report.
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 checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Individual permit will be required.
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Impact/Mobility Fees				
(Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$6,661 * 40 units = \$266,440				
Parks: \$1,555 * 40 units School: \$3,891 * 40 units Fire: \$249 * 40 units Total Multi-Family (1-2 story) = \$494,240				
= \$ 62,200 = \$155,640 = \$ 9,960				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input 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 checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 7.67 -acre vacant parcel is zoned PD 87-0180 (Planned Development). The site has two portions of land, one section is located in the general location of 180 feet east of the intersection of Brandon Parkway and Gulf Stream Circle. The second section is located in the general location of 600 feet northeast of the intersection of Brandon Parkway and Gulf Stream Circle. The applicant proposes a PD modification to allow for 40 multi-family residential dwelling units. The area consists of residential, institutional, and commercial uses. To the north, the subject parcel is adjacent to a conservation area and vacant land zoned PD 87-0180. To the south, the subject parcel is adjacent to a bank, mini-storage, and vacant land zoned PD 87-0180. To the south across West Lumsden Road is a multi-family development zoned PD 80-0261. To the east, the subject parcel is adjacent to mini-storage and vacant land zoned PD 87-0180. To the west, across Brandon Parkway is a conservation area and a right of way zoned PD 84- 0140. Further west of the right of way is a multi-family

development. Also, further west of Lumsden Road is a single-family development.

The subject property is designated Residential-12 (RES-12) on the Future Land Use map. The Planning Commission finds the proposed use consistent with the Comprehensive Plan. The uses in the vicinity are similar to the request; residential. Both multi-family and single-family residential are concentrated in this section of the West Lumsden Road corridor. Therefore, the modification of PD 87-0180 to allow for 40 multi-family residential dwelling units would be consistent with the existing zoning pattern of the area.

Based upon the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping with the general development pattern of the area.

5.2 Recommendation

Approvable, subject to proposed conditions.

Zoning conditions were presented to the Zoning Hearing Master at the hearing and are hereby incorporated into the Zoning Hearing Master's recommendation.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on October 16, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Ms. Nicole Neugebauer 401 East Jackson Street testified on behalf of RBB Development. She presented a PowerPoint presentation and stated that the request is for a major modification to an existing Planned Development for 40 apartment units in Brandon. Ms. Neugebauer submitted documents into the record. She stated that the property is 7.67 acres in size and located north of Lumsden, east of the Brandon Parkway, west of Kings Avenue and south of State Road 60. She pointed to a map to identify the two noncontiguous parcels which is located within the 35 acre PD. The subject property is vacant and other parcels within the PD are developed with self-storage and commercial land uses. She added that approximately 100,000 square feet has been developed in the PD. Ms. Neugebauer testified that the PD is currently approved for commercial, retail, restaurant, business, office, self-storage and some single-family units that are located on the eastern side of the PD. The modification is to request 40 multi-family dwelling units at a density of 5.22 units per acre which is far less than what could be considered under the RES-12 land use category. The maximum height will be two stories or 35 feet. Two buildings are proposed. Ms. Neugebauer stated that the project will be consistent with the Land Development Code requirements for parking. She identified an area of the PD that will not be developed and will be used for stormwater retention or open space. Ms.

Neugebauer testified that residents may testify that they are concerned about parking because there is a trail near the subject property but the multi-family will meet the required parking standards. Regarding traffic, the project will generate less than 50 peak hour trips and a traffic study is not required. She described a community meeting that was held virtually. Ms. Neugebauer detailed the staff's support of the modification and stated that no waivers or variations were requested.

Mr. Brian Funk 2119 NE Coachman Road Clearwater testified as the property owner. Mr. Funk stated that he has owned the property for 25 years and thinks that apartments are a good fit for the area considering that they have had issues with homeless persons on-site.

Mr. Chris Grandlienard of the Development Services Department, testified regarding the County staff report and stated that the proposed modification to PD 87-0180 to add 40 multi-family units. He described the surrounding land uses and stated that the modification is consistent with the existing development pattern. Staff recommends approval.

Ms. Karla Llanos of the Planning Commission testified regarding the Planning Commission staff report. Ms. Llanos stated that the property is designated Residential-12 by the Future Land Use Map and is located within the Urban Service Area and the Brandon Community Plan. She described the surrounding land uses and stated that the request meet Policy 1.4 regarding compatibility and Policy 22.2 regarding commercial locational criteria. She concluded her presentation by stating that the development is consistent with the Brandon Community Plan and the Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application.

Mr. Austin Zane 401 South Bryan Circle testified in opposition. Mr. Zane stated that he lives around the corner from the Brandon Parkway and people park in the 15 parking spots and on the grass of the subject property. The area is used by people and families that are walking children and dogs. He stated that the development of the property will destroy the character of the area. Mr. Zane testified that the area is under water after the last rain storm. He cited other apartment projects in the area and stated that there is not a need for more apartments. Mr. Zane described nearby projects on State Road 60 that were passed due to the Live Local Act. Mr. Zane concluded his remarks by detailing citizens that had been killed on State Road 60 due to excessive traffic.

Ms. Tory Wiley 1111 English Bluffs Court testified in opposition. Ms. Wiley stated that she agreed with Mr. Zane and stated that she has lived in Brandon for five

years. She testified that she is disappointed in the proposed project as it will be destructive to the wildlife in the area. Ms. Wiley mentioned a petition in opposition with 400 to 500 signatures that she would submit into the record and stated that the traffic is currently overloaded and that the subject property is wetlands and should be left alone.

County staff did not have additional comments.

Ms. Batsel testified during the rebuttal period. She stated that wildlife is handled by State and Federal permitting and that the developer cannot impact any endangered wildlife without the appropriate permits. Regarding wetlands, Ms. Batsel testified that there are zero wetlands on-site therefore there will be no impacts to wetlands. She stated that the stormwater pond will be 1.3 acres in size. The apartments address the affordability crisis in Hillsborough County and the subject property represents an infill project near commercial development. Ms. Batsel stated that the project will generate 5,000 less vehicular trips than what is currently permitted under the existing PD. Additionally, 83,000 square feet of commercial development entitlements are being removed to develop the proposed 40 apartment units. She testified that Mr. Zane mentioned the threat of the Live Local Act. She stated that it is not a threat but rather the State Statute that citizens live under today. She explained that the modification proposed 5 plus units per acre but under the Live Local Act, the applicant could develop upwards of 268 units with 108 units as affordable. The height of the 40 apartments is a maximum of two stories but under the Live Local Act could be as tall as the highest commercial or residential structure within one mile. Ms. Batsel concluded her rebuttal testimony by stating that the citizen in opposition mentioned people parking on the subject property and that the County has to consider private property rights as that property is owned by the applicant.

Hearing Master Finch asked Ms. Batsel to discuss what is currently approved on the subject property under the PD. Ms. Neugebauer replied that the subject property is part of Phase 1 which is approved for 90,000 square feet of which 75,000 square feet is permitted for CN commercial land uses and 15,000 square feet of office or professional land uses or a mini-warehouse at a 0.5 FAR could be developed. She described the entitlements for Phase 2 and stated that the subject property is the last development available in the PD.

Hearing Master Finch asked Ms. Neugebauer if the Phase 1 entitlements she listed results in the loss of approximately 80,000 square feet of entitlements. Ms. Neugebauer replied yes and added that she worked with County staff to determine the square footage amount that was being eliminated to develop the 40 multi-family units.

Hearing Master Finch then concluded the hearing.

EVIDENCE SUBMITTED

Ms. Heinrich submitted a revised staff report into the record.

Ms. Batsel submitted a copy of her PowerPoint presentation and documents which included resumes of the development team, a copy of the site plan, information regarding a community meeting, and information regarding Quasi-Judicial hearings into the record.

Ms. Wiley submitted a petition in opposition into the record.

PREFACE

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The subject site is 7.67 acres and is zoned Planned Development (87-0180). The property is designated RES-12 by the Comprehensive Plan and located in the Urban Service Area and the Brandon Community Planning Area.
2. The Planned Development (PD) is approved for two Phases of Development. The subject property is vacant and located in Phase 1. Phase 1 is currently approved for 75,000 square feet of CN uses and 15,000 square feet of office/personal service land uses or a mini-warehouse at a maximum FAR of 0.50.
3. The Major Modification requests to eliminate approximately 80,000 square feet of commercial entitlements from Phase 1 and develop 40 multi-family dwelling units.
4. No Planned Development variations or waivers are requested.
5. The Planning Commission found the project complies with Policy 1.4 regarding compatibility and Policy 22.2 regarding commercial locational criteria. Staff testified that the development is consistent with the Brandon Community Plan and the Comprehensive Plan.
6. Opposition was provided at the hearing and a petition in opposition with hundreds of names was submitted into the record. It is noted that the petition submitted provided a listing of names and addresses but did not provide any signatures. The testimony in opposition at the hearing from two residents was based on concerns that the development of the subject property will eliminate parking for the nearby Brandon Parkway Trail. Additionally, concerns were raised regarding the development's impact to

existing wetlands, the addition of the project traffic to already congested roadways and the possible negative impacts to wildlife.

In response, the applicant's representative testified that the subject property has zero wetlands therefore no wetlands will be impacted. Regarding wildlife impacts, the applicant's representative testified that all required permits will be obtained from State and Federal agencies. The representative stated that the multi-family project will adhere to the Land Development Code standards for parking. The modification represents a decrease of 5,000 vehicular trips per day when compared to the traffic generated by the currently approved commercial and office entitlements. Finally, the representative stated that the parking for the trail on the subject property is not appropriate as the property is owned by the applicant and can be developed in accordance with applicable regulations.

7. The subject property is adjacent to a bank to the south, a mini-storage facility to the east as well as right-of-way and conservation areas to the north and west.
8. The applicant's representative testified that the elimination of the Phase 1 80,000 square feet of commercial and office entitlements and development instead of 40 multi-family dwelling units represents a decrease of approximately 5,000 vehicular trips per day.
9. The Major Modification request is compatible with the development pattern in the area and consistent with the Comprehensive Plan and Land Development Code.

FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

The Major Modification request is in compliance with and does further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested Major Modification to the Planned Development zoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

SUMMARY

The Planned Development (PD) is currently approved for two Phases of Development. The subject property is vacant and located in Phase 1. Phase 1 is currently approved for 75,000 square feet of CN uses and 15,000 square feet of office/personal service land uses or a mini-warehouse at a maximum FAR of 0.50.

The Major Modification requests to eliminate approximately 80,000 square feet of commercial entitlements from Phase 1 and develop 40 multi-family dwelling units.

The Planning Commission supports the request and found the modification consistent with the Brandon Community Plan and the Comprehensive Plan.

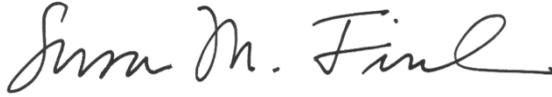
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The subject property is adjacent to a bank to the south, a mini-storage facility to the east as well as right-of-way and conservation areas to the north and west. The Major Modification request is compatible with the development pattern in the area and consistent with the Comprehensive Plan and Land Development Code.

RECOMMENDATION

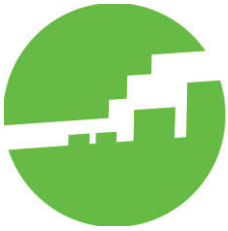
Based on the foregoing, this recommendation is for **APPROVAL** of the Major Modification to Planned Development 87-0180 as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



November 6, 2023

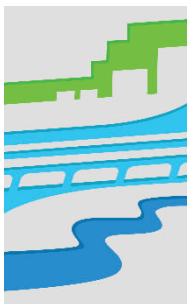
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: October 16, 2023	Petition: MM 23-0407
Report Prepared: October 4, 2023	Folio 71593.0100 Northeastern corner of the Brandon Parkway and Lumsden Road West intersection
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-12 (12 du/ga; 0.50 FAR)
Service Area	Urban
Community Plan:	Brandon
Request:	Major Modification to Planned Development (87-0180) for 40 multi-family residential dwelling units
Parcel Size (Approx.):	35 ± acres (1.525e+6 sq. ft.)
Street Functional Classification:	Brandon Parkway – Arterial Lumsden Road West – Collector
Locational Criteria	Meets
Evacuation Zone	E



Context

- The 35 ± acre subject site is located on the northeastern corner of the Brandon Parkway and Lumsden Road West intersection.
- The subject property is located within the limits of the Brandon Community Plan and is in the Urban Service Area.
- The subject property's Future Land Use designation is currently Residential-12 (RES-12), which can be considered for a maximum density of 12 dwelling units per gross acre and a maximum intensity of 0.5 FAR. The RES-12 Future Land Use category is intended for areas with medium residential density, urban scale neighborhood commercial, office, multi-purpose projects and mixed use developments. Typical uses of RES-12 include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The Residential-12 (RES-12) Future Land Use category extends east and west of the subject site. To the east is also Residential-20 (RES-20). Community Mixed Use-12 (CMU-12) is located north of the subject site. Residential-6 (RES-6) is located to the south.
- To the south and west of the subject site is multi-family. In addition to the west is vacant and right-of-way land. East and southwest of the site is single family residential. In addition to the south is public institutional, group homes and light commercial. North of the site is vacant, light commercial, public utilities, public institutional and right-of-way land.
- The subject site is currently zoned as Planned Development (PD 87-0180). Zoning districts to the east, south and west are also PD. To the north is PD and Brandon Main Street (BMS-TC2) zoning.
- The applicant is requesting to modify an existing Planned Development (87-0180) to add 40 multi-family residential units.

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

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

Land Use Categories

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

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

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

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.

Environmental Considerations

Objective 13: New development and redevelopment shall not adversely impact environmentally sensitive areas and other significant natural systems as described and required within the

Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan.

Policy 13.3: Environmentally Sensitive Land Credit

Density and FAR calculations for properties that include wetlands will comply with the following calculations and requirements for determining density/intensity credits:

Wetlands are considered to be the following:

Conservation and preservation areas as defined in the Conservation and Aquifer Recharge Element

Man-made water bodies as defined (including borrow pits).

If wetlands are less than 25% of the acreage of the site, density and intensity is calculated based on:

Entire project acreage multiplied by Maximum intensity/density for the Future Land Use Category

If wetlands are 25% or greater of the acreage of the site, density and intensity is calculated based on:

Upland acreage of the site multiplied by 1.25 = Acreage available to calculate density/intensity based on

That acreage is then multiplied by the Maximum Intensity/Density of the Future Land Use Category

Neighborhood/Community Development

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 16.8: *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.*

Commercial-Locational Criteria

Objective 22: *To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.*

Policy 22.2: *The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.*

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long Range Transportation Plan; major local roadways are defined in the definitions section of this element.

At least 75% of the subject property must fall within the specified distance from the intersection. All measurements should begin at the edge of the road right-of-way.

Community Design Component

2.1 MIXED-USE DEVELOPMENT

Goal 1: *Plan a pattern of compact, livable and walkable neighborhoods and communities within the urban service area which are supported by locally-oriented employment, goods and services.*

Objective 1-1: *Make it easier to develop in a traditional urban pattern in the Urban Service Area of the County.*

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

GOAL 12: *Design neighborhoods which are related to the predominant character of the surroundings.*

OBJECTIVE 12-1: *New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) 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.*

5.2 URBAN/SUBURBAN

GOAL 13: *Within urban and/or suburban areas of the County, encourage new developments or infill developments to incorporate a mix of uses.*

LIVABLE COMMUNITIES ELEMENT: Brandon Community Plan

Goal 1: *Establish a balanced transportation system by prioritizing options to serve local and regional needs and facilitating multi-modal choices.*

1. *Encourage an increase in the frequency of roadway linkages. Design new developments to encourage connectivity.*
 - a. *Complete the Gornto Lake Road extension.*
 - b. *Complete the Providence Lakes Boulevard connection between Providence Road and Kings Avenue.*
 - c. *Complete the intersection improvements at Lithia-Pinecrest/Lumsden/Bell Shoals Roads.*
 - d. *Improve north-south travel particularly access to I-4.*
 - i. *Require a transportation study for the widening of Parsons Avenue north of SR-60.*
 - e. *Support a transportation study for Valrico Road improvements.*
 - f. *Support a consensus decision of the study to widen Lithia-Pinecrest Road.*

5. *As roads are improved, require the addition of amenities for pedestrians and bicyclists. Provide intersection improvements, turn lanes, bicycle lanes, traffic signalization, roadway maintenance, crosswalks, and landscape improvements that maintain the adopted level of service and reflect the best practices of the Livable Roadways Guidelines.*
 - a. *New development and transportation infrastructure investments should place emphasis on proximity to community and social services, walkability and creating a healthy street life.*
 - b. *Accommodate all modes of transportation by providing safe and functional infrastructure and services for driving, walking, biking and transit compatible with the community character.*
 - i. *The community recognizes the need for a system of bike lanes and trails.*

Goal 6: *Re-establish Brandon’s historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.*

5. *General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.*
 - a. *Urban General, including Brandon Main Street - Mixed use building types immediately adjacent to the Urban Center District designed to accommodate retail, offices and dwellings including row houses, town houses and multi-family housing. This district will contain a tight network of streets and blocks with wide sidewalks, consistent street tree planting and buildings 2-5 stories set close to the building setback line. Property within the Brandon Main Street (BMS) zoning districts shall be governed by the Brandon Main Street Development Regulations as set forth in the Land Development Code.*

Staff Analysis of Goals, Objectives and Policies:

The 35 ± acre site is located on the northeastern corner of the Brandon Parkway and Lumsden Road West intersection. The property is located within the limits of the Brandon Community Plan and is in the Urban Service Area. The applicant is requesting a major modification to an existing Planned Development (87-0180) to add 40 multi-family residential units. The major modification area is 7.67 acres out of the total PD’s 35 acres.

The subject site is located within the Urban Service Area, where according to Objective 1 of the Future Land Use Element (FLUE), 80% of all population growth will occur during the horizon of the currently adopted Comprehensive Plan for Unincorporated Hillsborough County. Policy 1.4 outlines compatibility as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development. The proposed major modification is compatible with the existing residential, public, vacant and commercial uses surrounding the subject site.

Objective 8 of the FLUE establishes Future Land Use Categories that outline the maximum level of intensity and density as well as the range of permitted land uses allowed for certain areas. The proposed major modification is to allow for 40 multi-family units with the subject sites RES-12 Future Land Use classification. The proposed 40 units is for the 7.67 acres

modification area out of the total PD's 35 acres. There are approximately 11.85 acres of wetlands that cover 33.9% of the subject site. Per Policy 13.3, if wetlands are 25% or greater of the acreage of the site, intensity or density is calculated by the upland acreage of the site multiplied by 1.25. Based on this, the major modification area is multiplied by 1.25 for a total of 9.59 acres. A total of 115 units can be built on site. The site does meet Commercial Locational Criteria per Policy 22.2. The closest qualifying intersection is the Brandon Parkway and Lumsden Road. 75% of the site is within the 1,000 foot distance. In addition to the residential, the existing PD (87-0180) is approved for 110,010 square feet of office, personal services and commercial entitlements. Phase 1 also allows mini warehouse up to a maximum FAR of 0.50. The existing PD (87-0180) also is entitled to 20 single family residential units as part of phase II. As this request is only modifying a portion of the Planned Development, for the purposes of this report, Planning Commission staff only reviewed the density/intensity that can be permitted on the major modification portion (7.67 acres) of the total Planned Development (35 acres). The proposed major modification is therefore in compliance with Policies 8.1, 8.2, 13.3 and 22.2.

Per FLUE Policy 1.2, at least 75% of the allowable density of the land use category is required. The proposed 40 units is far below the 75% threshold of 86 units. Policy 1.3 does allow for an exemption to minimum density if the development would have an adverse impact on the site's environmental features. The applicant has submitted a request for the exemption to minimum density due to the large number of wetlands on the subject site. The applicant has stated that the modification area is not contiguous and separated by the self-storage facility. The proposed location for the density is to minimize impacts to the environmental features on site. The applicant stated that increasing density on the site would require additional parking that would not be possible with the existing environmental features. Based on this, Planning Commission staff is supportive of the minimum density exemption.

The subject site was previously approved as Planned Development (PD 87-0180). Objective 9, Policy 9.1 and Policy 9.2 require that all development meet or exceed the land development regulations in Hillsborough County. At the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposed major modification meets the intent of Objective 16 and Policies 16.1, 16.2, and 16.3. The proposed major modification is similar in nature to the surrounding neighborhood, which utilizes a variety of residential, vacant, public and commercial uses. The applicant is proposing a 20 foot type B buffer and 20 foot setback on the east and south to buffer the residential from the self-storage to the east and bank to the south. The proposed major modification will create complementary uses to the area and will still be compatible with the surrounding developments.

The Community Design Component (CDC) Goal 13 encourages new developments to provide a mix of uses in urban areas of the county. Similarly, Goal 17, Objective 17.1, and Policy 17-1.4 encourage purposeful commercial developments that contribute to their overall character. The proposed major modification would meet these policy directions by providing purposeful commercial developments in the surrounding area.

The site is also located within the Urban General Character District, as outlined in the Brandon Community Plan. The Urban General District includes mixed use building types designed to accommodate retail, offices and dwellings, including row houses, town

houses and multi-family housing. The proposed development will include multi-family housing residential units, which meets the intent of the Urban General Character District. Goal 6 of the plan also requires wide sidewalks, buildings 2-5 stories in height and set close to the building setback line. The applicant is proposing 10 foot sidewalks along Pauls Drive, and a maximum building height of 2 stories. Per the applicant, placing the building close to the setback line does not allow for the County's parking requirements to be met. Per Goal 1 of the plan, the project will be designed with two access points onto Pauls Drive/Brandon Parkway and one proposed cross-access point to the south. Cross access to the east is not feasible given the wetland conservation area and several stormwater ponds.

Overall, the proposed major modification would allow for the development of this property in a manner that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* but that is also comparable to the existing development pattern found within the surrounding area.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ MM 23-0407

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service

Urban Service

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

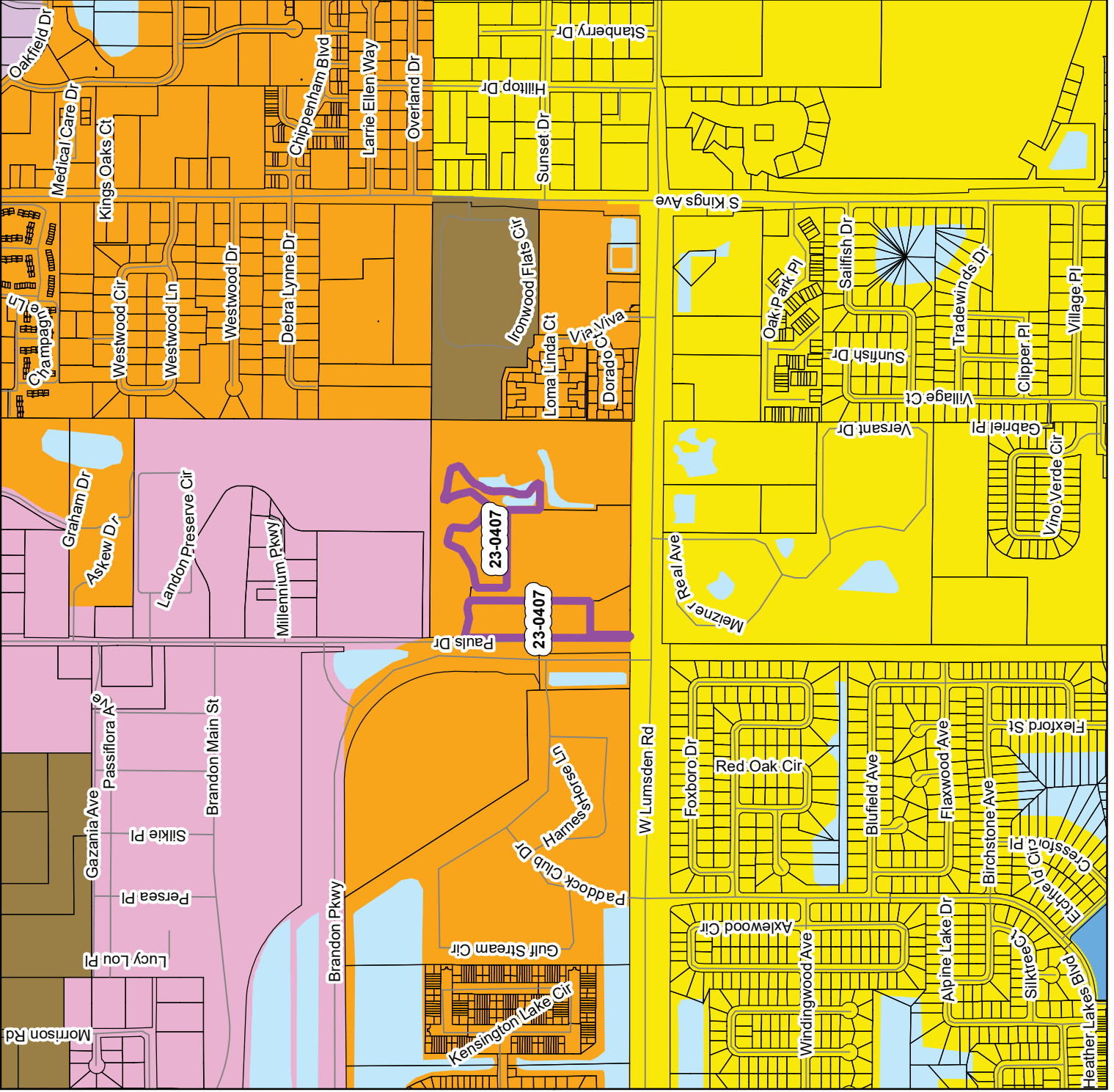
- WATER NATURAL LULC Wet Poly
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.26 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-.35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASH-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning boundaries are subject to change without specific approval of the Hillsborough County City-County Planning Commission.

ACCURACY: It is intended that this map be used for informational purposes only. The rezoning boundaries are not guaranteed by the Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 4/21/2023
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Rezoning\Rezoning - Copy.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



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
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

Gwendolyn "Gwen" Myers
Michael Owen
Donna Cameron Cepeda
Joshua Wostal

COUNTY

ADMINISTRATOR Bonnie
M. Wise **COUNTY**

ATTORNEY Christine M.
Beck **INTERNAL AUDITOR**
Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: Brandon Multi- Family

Zoning File: None Modification: MM (23-0407)

Atlas Page: None Submitted: 11/20/23

To Planner for Review: 11/20/23 Date Due: ASAP

Contact Person: Nicole Berlin Phone: 727-498-2594/ nicole.berlin@kimley-horn.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: Chris Grandlienard Date: 11/20/2023

Date Agent/Owner notified of Disapproval: _____



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Richard Perez, AICP
PLANNING AREA: BR/CENTRAL

DATE: 10/04/2023
AGENCY/DEPT: Transportation
PETITION NO: MM 23-0407

- 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

New Conditions:

- If PD 23-0407 is approved, the County Engineer will approve a Design Exception (dated September 26, 2023) which was found approvable by the County Engineer (on September 28, 2023). As Pauls Dr. is a substandard local roadway, the developer will be required, with the initial increment of development, to construct +/- 696 linear feet of 10-foot sidewalk/multi-use path and pedestrian crosswalk, to be coordinated and approved with the County Public Works Department, along the project frontage. consistent with the Design Exception.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

Revise Conditions:

- ~~2.5. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department and may include, but is not limited too: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.~~

[Staff recommends deletion of this condition. By its nature, a PD is a site plan-controlled zoning district and the number and location of access points are governed by the PD site plan and conditions of approval. Furthermore, they have been previously determined and constructed since the original Pd rezoning. Conditions 2.5.1. and 2.5.2. shall remain to reflect access restrictions.]

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to modify PD 08-0810, as most recently amended by MM 03-01333, to allow 40 multi-family units on a single parcel within “Phase 1” of the approved PD. Phase 1 of the approved PD allows for 75,000 sf of Commercial Neighborhood uses and 15,000 sf of office/personal service uses. Currently, there is a 6,400-sf drive-in bank constructed.

The Future Land Use designation is Residential 12 (R-12).

Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved PD (Phase 1):

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 83,600sf, Retail Plaza (ITE 821)	5,644	145	434
PD: 6,400sf, Drive-in Bank (ITE 912)	642	134	137
SubTotal	6,286	279	568
Internal Capture	N/A	0	96
Pass-By Trips	N/A	62	171
Net External Trips	6,286	217	301

Proposed PD Modification (Phase 1):

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD Mod: 40 Multi-Family Low Rise Units (ITE 220)	188	25	15
PD: 6,400sf, Drive-in Bank (ITE 912)	642	134	64
SubTotal	830	159	79
Internal Capture	N/A	8	4
Pass-By Trips	N/A	62	0
Net External Trips	830	89	75

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	-5,456	-128	-226

The proposed rezoning would generally result in a decrease of trips potentially generated by -5,456 average daily trips, -128 trips in the a.m. peak hour, and -226 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject site has frontage on Pauls Dr.

Pauls Drive is a substandard 2-lane, urban local roadway with +/-11 ft lanes and serves as a frontage road to the Brandon Parkway within a total right of way, consisting of +/-320 ft, that encompasses both roads. Paul's Dr. has no sidewalk along the project frontage, no bicycle lanes or paved shoulders, and no curb and gutter. There is parallel parking on the west side of the road and a sidewalk serving said parallel parking spaces that connects to the 10ft multi-use path on the east side of the Brandon Parkway.

Staff notes that Pauls Dr dead ends approximately 125ft south of the project's southern boundary.

According to the Hillsborough County Transportation Technical Manual a TS-3 local roadway typical section requires 12-foot lanes (to serve commercial uses to the south) and does not include on-street parking spaces. The applicant is requesting a design exception to construct +/-696 feet of 10-foot sidewalk/multi-use path along the project frontage and pedestrian crosswalk. The request is described in greater detail herein under the section titled Requested Design Exception.

Staff notes that per the conditions of approval for PD# 08-0810, the developer is required to dedicate 20 feet of right of way along the project frontage on Pauls Dr. As such the proposed PD Modification site plan depicts the right of way dedication.

SITE ACCESS

The PD modification subject area proposes to two full access connections to Pauls Dr. The proposed multi-family development will not have direct access to Lumsden Rd. Internal cross access between the proposed multi-family and the existing bank parcel is provided for.

As Paul's Dr. is a local roadway, the project is not subject to LDC, Sec. 6.04.04. D. turn lane warrants.

Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.

Additional pedestrian access will be provided by a proposed 10-foot wide sidewalk/path and a crosswalk on Pauls Dr. along the project frontage. The exact location and approval of the crosswalk will be coordinated with the County Public Works Department.

REQUESTED DESIGN EXCEPTION – PAULS DR SUBSTANDARD ROAD

As Pauls Dr. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated September 26, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on September 28, 2023). The developer will be required to construct a 10-foot sidewalk/multi-use path and a pedestrian crosswalk along the entire project frontage, consistent with the Design Exception to mitigate the deviations from the Hillsborough County Transportation Technical Manual (TTM) TS-3 Typical Section (for urban local roadways).

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

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. Staff notes that Pauls Dr. is not a regulated roadway.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
BRANDON PKWY	LAKWOOD	LUMSDEN RD	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Thursday, September 28, 2023 6:29 PM
To: nicole.berlin@kimley-horn.com
CC: kari.clark@kimley-horn.com; Nicole Neugebauer [nneugebauer@stearnsweaver.com]; Suzanne Walker [swalker@stearnsweaver.com]; Grandlienard, Christopher [GrandlienardC@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org]; De Leon, Eleonor [DeLeonE@hillsboroughcounty.org]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]
Subject: FW: MM 23-0407 Design Exception Review
Attachments: 23-0407 DEReq 09-26-23.pdf

Importance: High

Nicole,

I have found the attached Design Exception (DE) for PD 23-0407 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851

M: (813) 614-2190

E: WilliamsM@HillsboroughCounty.org

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Wednesday, September 27, 2023 6:21 PM

To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>; De Leon, Eleonor <DeLeonE@hillsboroughcounty.org>

Cc: Perez, Richard <PerezRL@hillsboroughcounty.org>

Subject: MM 23-0407 Design Exception Review

Importance: High

Hello Mike,

The attached DE is approvable to me, please include the following people in your response email:

nicole.berlin@kimley-horn.com

kari.clark@kimley-horn.com

nneugebauer@stearnsweaver.com

swalker@stearnsweaver.com

grandlienardc@hillsboroughcounty.org

perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE *(she/her/hers)*

Transportation Review Manager

Development Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)		
Submittal Type (check one)	<input type="checkbox"/> New Request	<input type="checkbox"/> Revised Request	<input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1.	<input type="checkbox"/> 2.	<input type="checkbox"/> 3.
		<input type="checkbox"/> 4.	<input type="checkbox"/> 5.
		<input type="checkbox"/> 6.	
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>			
Project Name/ Phase			
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>			
Folio Number(s)			
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers			
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>			
Name of Person Submitting Request			
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>			
Current Property Zoning Designation			
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>			
Pending Zoning Application Number			
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>			
Related Project Identification Number (Site/Subdivision Application Number)			
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>			



September 26, 2023

Mr. Michael J. Williams, P.E.
Director, Development Review County Engineer
Hillsborough County Development Services Department
601 East Kennedy Boulevard, 20th
Floor Tampa, Florida 33602

Re: **DESIGN EXCEPTION FOR
PAULS DRIVE – MODIFIED TS-03 TYPICAL SECTION
CASE NUMBER: MM 23-0407
FOLIO # 071593-0100**

The purpose of this letter is to provide justification for the request for a Design Exception to section 1.7 of the Hillsborough County Transportation Technical Manual (TTM) to meet the requirements of Section 6.04.03.L of the Hillsborough County Land Development Code (LDC) in association with the PD Major Modification Application MM 23-0407, which would allow for the development of 40 multi-family apartment units on the property located in the northeast corner of West Lumsden Road and Brandon Parkway. The proposed Brandon Multi-Family Planned Development General Site Plan is provided in **Appendix A**.

The project proposes two (2) full-access driveways on Pauls Drive, one of which is existing and will provide cross-access to the bank south of the property. Pauls Drive is classified as a collector roadway on the Hillsborough County Functional Roadway Classification Map and has been identified as a substandard roadway during our virtual meeting with Hillsborough County staff. Within the existing ±93-foot right-of-way, Pauls Drive has two 11-foot travel lanes, with wetlands and drainage ditches on the east side of the road, and the Brandon Parkway Trail with associated on-street parallel parking and 6-foot sidewalk on the west side of the road. Brandon Parkway directly borders the Brandon Parkway Trail to the west.

Due to the presence of the Brandon Parkway Trail and its associated parking to the west, expansion of Pauls Drive to conform with the Hillsborough County TTM Typical Section TS-03 (Local Urban Road) would have to occur to the east, which cannot occur without significant impacts to the existing wetlands. The following modifications to the TS-03 typical section are requested:

- TS-03 requires 12-foot travel lanes with Miami curb and a 5-foot sidewalk on both sides of the roadway. The TS-03 typical section is provided in **Appendix C**.
- The request is to maintain the existing 11-foot travel lanes and Brandon Parkway Trail with associated on-street parallel parking and 6-foot sidewalk on the western side of

the road. An additional 20-feet of right-of-way will be dedicated to Pauls Drive, and a 10-foot wide sidewalk in line with the Brandon Community Plan Urban General district. The developer is committed to build one (1) pedestrian mid-block crossing per Hillsborough County standards and specifications to provide pedestrians safe access to the Brandon Parkway Trail, the location of which will be coordinated and approved by the Public Works Department during site permitting. The proposed modified TS-03 typical section is provided in **Appendix B**.

Based on the information provided above, it is our opinion that the proposed modified TS-03 typical section meets the intent of the Hillsborough County TTM and will improve the pedestrian experience along Pauls Drive. Please contact me at (727) 498-2594 or nicole.berlin@kimley-horn.com you have any questions or desire additional information.

Sincerely,



Nicole Berlin
This document has been electronically signed and sealed using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.
2023.09.26 12:55:36 -04'00'

KIMLEY-HORN AND ASSOCIATES, INC.

Nicole E. Berlin, P.E.
Project Manager

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

Disapproved

Approved

Approved with Conditions

Signature: _____

Name: _____

***APPENDIX A: Brandon Multi-Family Planned Development
General Site Plan***

APPENDIX B: Pauls Drive Typical Section – Modified TS-03

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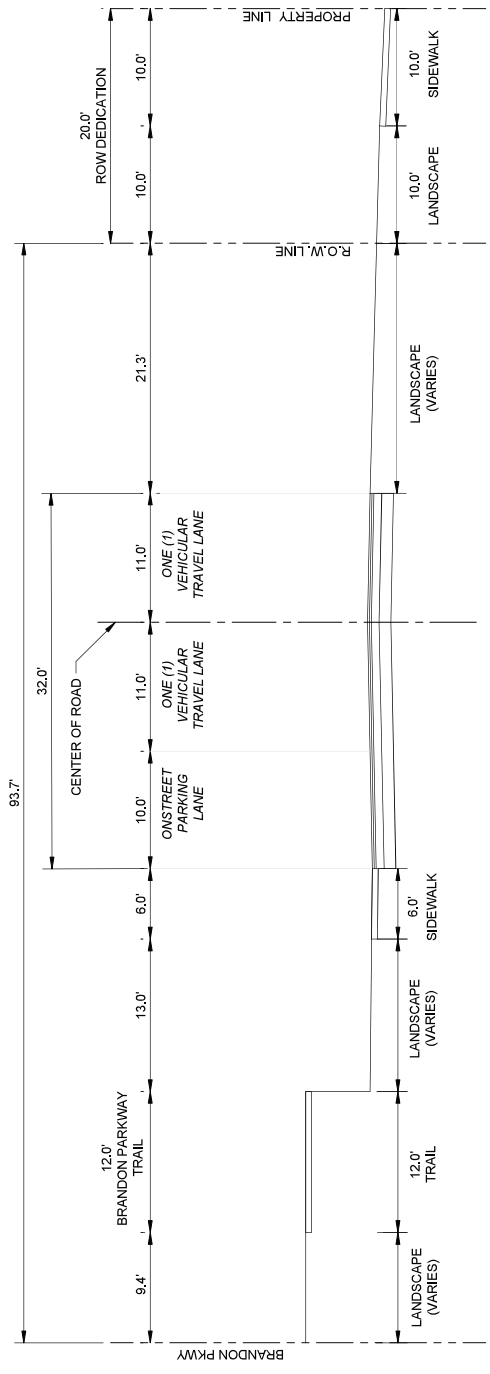
NO.	REVISIONS
1	SUPPLEMENTARY REVISIONS
DATE	6/24/2023

© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
 220 CENTRAL AVE., SUITE 600, ST. PETERSBURG, FL 33701
 PHONE: 727-647-9999
 WWW.KIMLEY-HORN.COM REGISTERED NO. 25106

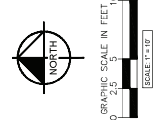
SCALE AS SHOWN
 DESIGNED BY NER
 DRAWN BY JOP
 CHECKED BY RYAN
 DATE 9/21/23
 FLORIDA LICENSE NUMBER 92165
 LICENSED PROFESSIONAL

TYPICAL SECTION

BRANDON MULTIFAMILY
 DEVELOPMENT PHASE 2
 14536723
 SHEET NUMBER
 G-11
 RECEIVED SEPTEMBER 26, 2023



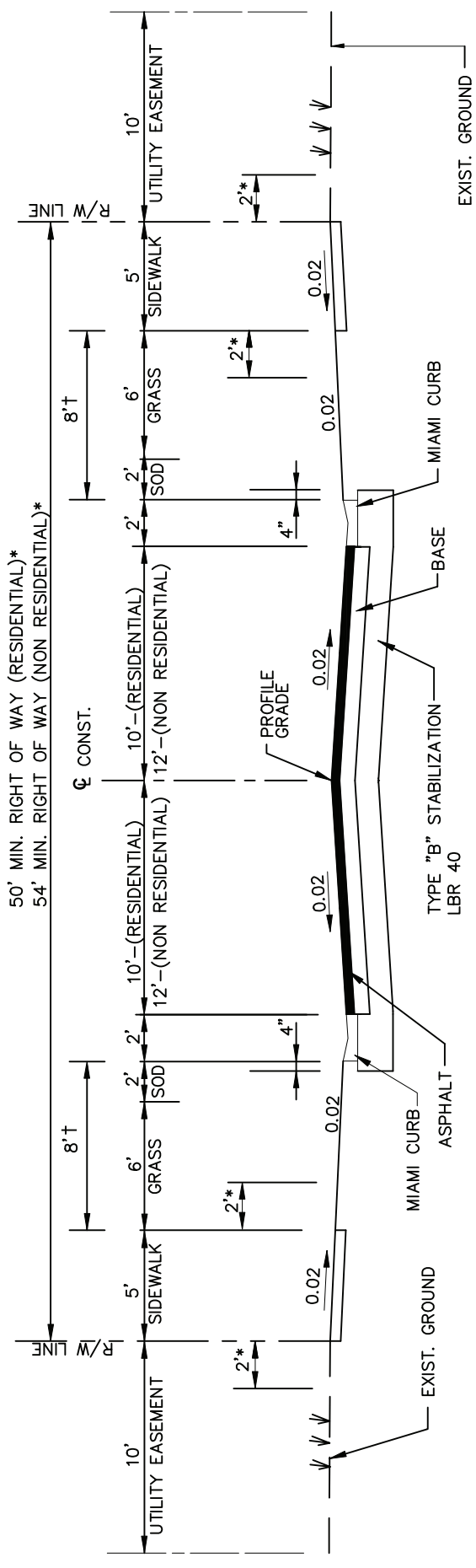
TYPICAL SECTION - PAULS DRIVE
 TWO (2) 11' VEHICULAR TRAVEL LANES WITH ONE (1) 10' ONSTREET PARKING LANE
 6' WIDE SIDEWALK ABUTTING ONSTREET PARKING
 12' ELEVATED BRANDON PARKWAY TRAIL
 20' ROW DEDICATION (10' LANDSCAPE & 10' SIDEWALK)



811
 Know what's below.
 Call before you dig.

ALERT TO CONTRACTOR:
 THE PRESENCE OF UTILITIES SHOULD BE DETERMINED ON THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE UTILITY OWNERS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE UTILITY OWNERS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE UTILITY OWNERS.

APPENDIX C: TS-03 Local Urban Road Typical Section




TYPICAL SECTION

N.T.S.

LESS THAN 5,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 35 MPH

1. ALL DIMENSIONS SHOWN ARE MINIMUM.
2. SEE APPROPRIATE SECTIONS OF TECHNICAL MANUAL FOR DESIGN PARAMETERS.
- * 3. PROVIDE 2' MINIMUM CLEARANCE FROM FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES OR IMPROVEMENTS, DROP OFFS, OR FROM THE TOPS OF BANKS WITH SLOPES STEEPER THAN 1 TO 4, THAT INTERFERE WITH THE SAFE, FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES, OR MATURE TREES, 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
- † 4. SEE SIDEWALK PROTECTION OPTIONS, DRAWING NO. TD-16 SHEET 7 OF 7 FOR USE WHEN TREES ARE PLANTED IN THE PARKWAY AREA (BETWEEN THE BACK OF CURB AND SIDEWALK).
5. SOD SHALL BE PLACED IN TWO ROWS STAGGERED. (BOTH TEMPORARY AND PERMANENT)

REVISION DATE: 10/17	TRANSPORTATION TECHNICAL MANUAL	 Hillsborough County Florida	LOCAL URBAN ROADS (2 LANE UNDIVIDED) TYPICAL SECTION	DRAWING NO. TS-3 SHEET NO. 1 OF 1
-------------------------	---------------------------------------	--	--	--------------------------------------

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
Pauls Dr	County Local – Urban Street	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" 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	6,286	217	301
Proposed	830	89	75
Difference (+/-)	-5,456	-128	-226

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

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

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

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input checked="" 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	See report.

COMMISSION

Joshua Wostal CHAIR
 Harry Cohen VICE-CHAIR
 Donna Cameron Cepeda
 Ken Hagan
 Pat Kemp
 Gwendolyn "Gwen" W. Myers
 Michael Owen



DIRECTORS

Janet D. Lorton EXECUTIVE DIRECTOR
 Elaine S. DeLeeuw ADMIN DIVISION
 Sam Elrabi, P.E. WATER DIVISION
 Michael Lynch WETLANDS DIVISION
 Rick Muratti, Esq. LEGAL DEPT
 Steffanie L. Wickham WASTE DIVISION
 Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: June 24, 2023</p> <p>PETITION NO.: MM 23-0407</p> <p>EPC REVIEWER: Kelly M. Holland</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1222</p> <p>EMAIL: hollandk@epchc.org</p>	<p>COMMENT DATE: May 19, 2023</p> <p>PROPERTY ADDRESS: Pauls Drive, Brandon</p> <p>FOLIO #: 0715930100</p> <p>STR: 27-29S-20E</p>
<p>REQUESTED ZONING: Minor Modification to an existing Planned Development</p>	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	N/A
WETLAND LINE VALIDITY	Expired
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Eastern and southeastern portions of the parcel
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be 	

Environmental Excellence in a Changing World

Environmental Protection Commission - Roger P. Stewart Center
 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

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

INFORMATIONAL COMMENTS:

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

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11 prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

kmh / app

ec: Brian Funk, Applicant - bfunk@bradleyconstruction.com
Nicole Berlin, Agent - Nicole.berlin@kimley-horn.com



Adequate Facilities Analysis: Rezoning

Date: 5/30/23 **Acres:** 7.67 (+/- acres)
Jurisdiction: Hillsborough County **Proposed Zoning:** Planned Development
Case Number: RZ 23-0407 **Future Land Use:** RES-12
HCPS #: RZ 529 **Maximum Residential Units:** 40
Address: Intersection of Brandon Parkway and Gulf Stream Circle **Residential Type:** Multifamily
Parcel Folio Number(s): 071593.0100

School Data	Yates Elementary	McLane Middle	Brandon High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	860	1270	2505
2022-23 Enrollment K-12 enrollment on 2022-23 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	627	823	1566
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	73%	65%	63%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 11/9/2022	85	132	336
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	5	2	3
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	83%	75%	76%

Notes: At this time, adequate capacity exists at Yates Elementary, McLane Middle, and Brandon High School for the proposed rezoning.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.

Andrea A. Stingone

Andrea A. Stingone, M.Ed.
 Department Manager, Planning & Siting
 Growth Management Department
 Hillsborough County Public Schools
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AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 19 April 2023

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

APPLICANT: Nicole Berlin

PETITION NO: MM 23 - 0407

LOCATION: Brandon, FL 33511

FOLIO NO: 71593.0100

SEC: 27 TWN: 29 RNG: 20

- 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: ____.



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: 07/12/2023

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Brian Funk

PETITION NO: 23-0407

LOCATION: Pauls Drive

FOLIO NO: 71593.0100

Estimated Fees:

(Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story)

Mobility: \$6,661 * 40 units = \$266,440

Parks: \$1,555 * 40 units = \$ 62,200

School: \$3,891 * 40 units = \$155,640

Fire: \$249 * 40 units = \$ 9,960

Total Multi-Family (1-2 story) = \$494,240

Project Summary/Description:

Urban Mobility, Central Park/Fire - 40 multi-family units



Agency Review Comment Sheet

NOTE: Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO: Zoning Review, Development Services **REQUEST DATE:** 7/21/2023
REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 7/24/2023
APPLICANT: RBB Development Company **APP ID:** 23-0407
LOCATION: 0 Pauls Dr Brandon, FL 33511
FOLIO NO.: 71593.0100

AGENCY REVIEW COMMENTS:

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Surface Water Protection Area (SWPA), and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code. Hillsborough County Environmental Services Division (EVSD) has no objection.



Wellhead Resource Protection Area		
Within WRPA Zone(s)	WRPA Prohibited/Restricted Activity	WRPA Prohibited/Restricted Activity Type
Select One	Select One	

Surface Water Resource Protection Area		
Within SWRPA	SWRPA Restricted Activity	SWRPA Restricted Activity Type
Select One	Select One	

Potable Water Wellfield Protection Areas	
Within 500-ft Setback of NTNC/CWS	PWWPA Hazard Type
Select One	

SDWA System				
PWS No.	PWS Name	PWS Type	Est. Distance (ft)	Active
		Select One		Select One
		Select One		Select One



Hillsborough
County Florida

SM

ENVIRONMENTAL SERVICES DIVISION

PO Box 1110

Tampa, FL 33601-1110

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

PETITION NO.: RZ-STD 23-0407 REVIEWED BY: Clay Walker, E.I. DATE: 10/6/2023

FOLIO NO.: 71593.0100, 71593.0000, 71593.0300, 71593.0200

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 south of the subject property within the north Right-of-Way of West Lumsden Road. 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 4 inch wastewater force main exists (adjacent to the site), (approximately ___ feet from the site) and is located south of the subject property within the north Right-of-Way of West Lumsden Road. 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. The subject area is located within the Hillsborough County Wastewater Service Area and will be served by the Falkenburg Wastewater Treatment Plant. If all of the development commitments for the referenced facility are added together, they would exceed the existing reserve capacity of the facility. However, there is a plan in place to address the capacity prior to all of the existing commitments connecting and sending flow to the referenced facility. As such, an individual permit will be required based on the following language noted on the permits: The referenced facility currently does not have, but will have prior to placing the proposed project into operation, adequate reserve capacity to accept the flow from this project.



VERBATIM TRANSCRIPT

Zoning Master Hearing ---
October 16, 2023

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: Susan Finch
 Land Use Hearing Master

DATE: Monday, October 16, 2023

TIME: Commencing at 6:00 p.m.
 Concluding at 10:13 p.m.

LOCATION: Hillsborough County BOCC
 601 East Kennedy Boulevard
 Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654

1 MS. HEINRICH: Our next item is Item D.2, Major Mod
2 Application 23-0407. The applicant is requesting a major
3 modification of PD 87-0180. Chris Grandlienard with Development
4 Services will present Staff findings after the applicant's
5 presentation.

6 HEARING MASTER: All right. Is the applicant here?
7 Good evening.

8 MS. NEUGEBAUERT: I have a flash drive PowerPoint
9 presentation.

10 Good evening, Madam Hearing Officer. My name is
11 Nicole Neugebauert and I'm a land use attorney at Stearns,
12 Weaver, Miller in Tampa. My address is 401 East Jackson Street,
13 for the record.

14 I'm here tonight on behalf of RBB Development Company
15 to request a major modifications to an existing plan development
16 for 40 apartment units in Brandon. We have a package of
17 materials ready for you to review. Ms. Batsel is going to go
18 ahead and pass that out to the clerk. Thanks.

19 So here with us tonight we have the applicant. And we
20 also have our engineers from Kimley Horn and then Ms. Batsel and
21 myself for legal representation. The property is approximately
22 7.67 acres located in Brandon. It's generally located north of
23 Lumsden, east of Brandon Parkway, west of Kings Avenue and south
24 of State Road 60. It's located near multi-family, single-family
25 and commercial developments. As you can see here on the

1 property map, we do have a unique configuration. There are two
2 noncontiguous parcels. This is a -- about a seven and a half
3 acre portion of a global 35 acre PD zoning property. The
4 property today is currently vacant, although other portions
5 within the PD are developed out with a self-storage facility and
6 then scattered commercial parcels located against Lumsden.

7 To date, there have been about 100,000 square feet
8 built on the existing PD, which is far less than allowed under
9 the Future Land Use Category of the Residential-12 which allows
10 up to 12 dwelling units over an acre or 0.5 FAR or 175,000
11 square feet, whichever is less. The property is also in the
12 urban service area. As I previously mentioned, the property is
13 part of a PUD. You can see the boundary outlined on the map
14 here with the two parcels within it. The PD does allow for
15 commercial, retail, restaurant, business, office, self-storage
16 and some single-family units that are on the eastern part of our
17 parcels.

18 So what we're proposing today is 40 multi-family units
19 for a density of 5.22 dwelling units per acre. This is far less
20 than the maximum permitted of 12 units per acre. And I've
21 outline the parcels in blue on the site plan. The maximum
22 height is two stories or 35 feet. We are proposing two building
23 within the building envelope highlighted in gray. And the
24 project will be consistent with the Land Development Code
25 requirements for parking.

1 And so something that's unique about this project is
2 that the areas that are highlighted in green will not be
3 developed as part of this project. We're actually only
4 proposing the 40 multi-family units within the area that's
5 highlighted in blue. The remainder of the property will either
6 be a storm water pond or will remain open space conservation
7 area that is currently out there today. Parking, you'll -- you
8 you might hear when you get to public comment on this item that
9 they're concerned about parking because there is a trail that is
10 nearby this project. Parking will be as I mentioned, consistent
11 with the county code for the 44 apartment units. We are not
12 proposing any on-street parking on Pauls Drive to the parking
13 that's currently there for the trail will not be affected by
14 this application.

15 Moving forward to traffic. So this project because
16 the unit count is so low, the project will generate less than 50
17 peak hour trips. So under the Hillsborough County Development
18 review procedures manual, a traffic study is not required. Our
19 traffic consultant did prepare an analysis and determined that
20 it's projected to create 16 new a.m. peak hour trips and 20 new
21 p.m. peak hour trips. Community engagement after seeing that
22 there was active community members who were interested in this
23 application, we did hold a virtual community meeting on
24 October 10th. Notice was sent to all the property owners who
25 are required to receive notice under the code and then all

1 property owners who have submitted a letter into the record as
2 of the day that the information was sent out on September 26th
3 if their email was included in their public comment.

4 Moving forward to Staff findings. Development
5 Services Staff recommends approval. They found that the
6 modification to be compatible with the surrounding property
7 owners, the surrounding properties and keeping in with the
8 general development pattern of the area. Planning Commission
9 also found the project consistent. They found it compliant with
10 multiple policies from the comprehensive plan including this
11 project is within the urban service area. It's is consistent
12 and compatible with the surrounding area. They also found that
13 they will support a waiver of the minimum density exemption
14 because the project does proposed a density that's less than 75%
15 that's allowed. That is based on the current configuration of
16 the area and also because of the unique configuration of the
17 site, we can't actually fit any more units on it at this time
18 because of the parking requirements. And did not want to ask
19 for a parking waiver for this project.

20 With that county and Planning Commission Staff have
21 recommended approval, found the project consistent. This is an
22 ideal infill development and area that's designated for a mix of
23 uses, including residential. We are not requesting any waivers
24 and the project generates such little traffic that a traffic
25 study is not required. And I do have a property owner here

1 who'd like to say a few words if that's okay.

2 HEARING MASTER: Okay.

3 MR. FUNK: Hi. I'm Brian Funk. Address is 2119 NE
4 Coachman Road, Clearwater, Florida.

5 We're long term owners of the property about 25 years.
6 I think the apartment should be a very good fit for the area and
7 beneficial for the safety and quality of the area considering
8 that we've had issue with homelessness, if not on the property.
9 We've had to have the sheriff come out and get force. So I
10 think overall it will be a benefit for the area. Thank you.

11 HEARING MASTER: Thank you. I appreciate it. If you
12 could please sign in as well with the clerk.

13 All right. We'll go to Development Services.

14 MR. GRANDLIENARD: Good evening. Chris Grandlienard
15 again, Development Services. I'm here to present application of
16 Major Mod 23-0407.

17 The approximate 7.67 acre vacant parcel. It's
18 currently zoned PD 87-0180. The site has two portions of land.
19 One section is located in the general location of 108 feet east
20 of the intersection of Brandon Parkway and Gulfstream Circle.
21 The second section is located in the general location of 600
22 feet northeast of the intersection of Brandon Parkway and
23 Gulfstream Circle. The applicant proposes PD modification to
24 allow for 40 multifamily residential dwelling units. The area
25 consists of residential, institutional and commercial uses. To

1 the north, the subject parcel is adjacent to a conservation
2 area. To the south, the subject parcel is adjacent to a bank,
3 mini storage and a vacant land on zone PD. To the south across
4 West Lumsden Road is a multifamily development zoned PD. To the
5 east, the subject parcel is adjacent to mini storage in a vacant
6 land zoned -- also zone PD. To the west across Brandon Parkway
7 is a conservation area and a right-of-way zoned PD. Further
8 west of the right-of-way is a multifamily development. Also
9 further west of Lumsden Road is a single-family development.

10 The subject property is designated Residential-12 of
11 the Future Land Use Map. Planning Commission finds the proposed
12 use consistent with the Comprehensive Plan. The uses in the
13 vicinity are similar to the request residential. Both
14 multifamily and single-family residential are concentrated in
15 this section of the West Lumsden Road corridor. Therefore, the
16 modification of PD 87-0180 to allow for 40 multifamily
17 residential dwelling units would be consistent with the existing
18 zoning pattern of the area. Based on the Residential-12 Future
19 Land Use classification, the surrounding zoning and development
20 pattern of the proposed uses for the modified plan development
21 district, Staff finds the request approvable subject to proposed
22 conditions.

23 That includes my Staff Report. I'd be glad to answer
24 any questions you might have.

25 HEARING MASTER: None at this time, but thank you.

1 MR. GRANDLIENARD: Thank you.

2 HEARING MASTER: Planning Commission, please.

3 MS. LLANOS: Karla Llanos with Planning Commission
4 Staff. The subject site is located within the limits of the
5 Brandon Community Plan and it's within the urban service area of
6 the property's Future Land Use designation is Residential-12,
7 which can be considered for up to 12 dwelling units per the
8 gross acre or a maximum intensity of 0.50 floor area ratio. The
9 RES-12 Future Land Use Category's intended for areas with medium
10 residential density urban scale neighborhood, commercial,
11 office, small projects mixed use developments. Typical RES-12
12 uses include nonresidential uses, which are subject to that
13 locational criteria for the specific land use.

14 Now Residential-12 Land Use Category extends east,
15 west of the subject site, east it's also Residential-20.
16 Community mixed use 12 is located north of the subject site and
17 Residential-6 is located south. Now to the south and west of
18 the subject site is multifamily. In addition, west is vacant
19 and right-of-way and east and southwest of the site is
20 single-family residential, in addition to -- to the southern
21 portion is a public institutional or group homes and light
22 commercial. North of this site is a light commercial public
23 utilities and public institutional and right-of-way lane.

24 Now Planning Commission Staff reviewed it for
25 consistency with the Objective one of the Future Land Use

1 Element, which is for the urban service area. And this is where
2 we want to see 80% of the population growth to occur. And we
3 also reviewed it for consistency with Policy 1.4, which outlines
4 compatibility characteristics and we found that the major
5 modification is compatible with the existing residential,
6 public, vacant and commercial uses surrounding the site.

7 In addition, there -- the modification area of the --
8 of the total PD's 35 acres, there are approximately 11.85 acres
9 of wetlands that cover and equivalent of up to 33.9% of the
10 subject site. So per Policy 13.3, if wetlands are of greater
11 than 25% then you have this modified calculation. So utilizing
12 the -- the multiplication factor of 1.25, the total amount of
13 units that can be built on the site is 115.

14 Now, this site does meet commercial locational
15 criteria per Policy 22.2. The closest qualifying intersection
16 is the Brandon Parkway Lumsden Road, which is 75% of the site
17 within the 1,000 square foot distance or linear square foot
18 distance. The existing PD under 87-0180 was original approved
19 for 110,000 square feet of office and personal services and
20 commercial -- other commercial entitlements. Phase one also
21 allows for mini warehouse up to floor area maximum of 0.50.

22 So as this request is only modifying a portion of that
23 plan development for the purpose of this report, Planning
24 Commission Staff found -- review the intensity or density
25 permitted for the -- by the major modification and it meets

1 the -- the criteria and compliance with Policies 8.1, 8.2, 13.3
2 and 22.2.

3 Now, major modification also is located within the
4 urban general character district as outlined by the Brandon
5 Community Plan. Now, this district includes mixed use building
6 types designed to accommodate retail and office dwellings and
7 including houses and townhomes and other multifamily housing.
8 The proposed development will include multifamily housing
9 residential units, which we see intent of that urban general
10 character district of the Brandon Community Plan.

11 Goal six also requires that you know, the -- the
12 development proposed wide sidewalks and building two to five
13 stories in height be close to the building setback line. The
14 applicant is proposing to input wide sidewalks Pauls Drive --
15 along Pauls Drive and a maximum building height of two stories.
16 Now, the applicant placing that building close to the setback
17 line does not allow for the County's parking requirements to be
18 met. So just, you know, per Goal one of the plan, the project
19 needs to be designed with two access point onto Pauls Drive and
20 Brandon Parkway with one proposed cross access point to the
21 south. Cross access to the east is not feasible given the
22 wetland conservation area and several storm water ponds.

23 Now overall, Planning Commission Staff finds that this
24 proposed major modification be found consistent with the
25 Unincorporated Hillsborough County Comprehensive Plan subject to

1 the conditions proposed by Development Services Department.

2 HEARING MASTER: Thank you so much. I really
3 appreciate it.

4 All right. Is there anyone in the audience or -- in
5 the room or online that would like to speak in support? Anyone
6 in favor. I'm seeing no one.

7 Anyone in opposition to this request? All right. I
8 have two hands in the room. Is there anyone online to speak?
9 All right. I'm seeing no one. If you all could please both of
10 you come forward. We'll give you -- it's 15 minutes total, so
11 that's seven and a half minutes a piece. Feel free to make it
12 shorter you would like.

13 Good evening.

14 MR. ZANE: Good evening. Good evening. My name is
15 Austin Zane. I live at 401 South Bryan Circle in Brandon,
16 Florida.

17 This morning -- well, I just want to start off by
18 saying this project cannot be approved because I live right
19 around the corner from the Brandon Parkway and I walked there
20 every day with my dog. This morning, I walked there this
21 morning because it was such a gorgeous day. People were all
22 out. It was park -- parking -- I wish I could pull up a map of
23 the location, but there's about 15 parking spots for the Trail
24 Parkway and then people park in the grass where they're
25 proposing to put the apartments. So people kind of use both

1 sides of Pauls Drive to the park because it gets a little
2 crowded and there's not enough space there. Also people walk
3 along the sides of the road on the parkway itself and also on
4 Pauls Drive. And I've seen people almost get hit. I've almost
5 been hit on that road many times just walking and I even have to
6 like jump off the road. It's dangerous. The roads are getting
7 very dangerous. And this is why I'm saying no.

8 The project is located directly in front of the 15
9 parking spaces or so. There's a steady stream of families,
10 walkers, bikers, dog walkers, roller bladers, children, all
11 kinds of people are coming up and down, walking and using that
12 Brandon Parkway because it's our only trail that you could
13 consider a nature trail in Brandon, everything else has been
14 either turned to like sports complexes or playgrounds. I mean,
15 we have parks and things, but we don't have, like, a trail. And
16 if this is built, it's going to totally destroy the character of
17 the trail. There's already hundreds of apartments going in just
18 north of it on Pauls Drive, just right up the street. And when
19 all of those apartments going, it's going to be traffic on Pauls
20 Drive. And Paul Drive is a dead end road. It goes right to the
21 end of the road and then there's the bank and there's like a
22 little driveway through the bank and it's like the parking lot
23 and it's very narrow. And on the plan, they propose to put an
24 additional driveway connecting the bank and the -- the apartment
25 complex. And if that happens, it's just -- it doesn't -- it's

1 not compatible because the bank's driveway is private. It says
2 private driveway and it's specifically for customers of the
3 bank, not for people to cut through and use as their driveway to
4 get home.

5 It's -- and I also want to added in that I go out
6 there all the time. I've seen it after hurricanes. The whole
7 area is basically a wetland. The sign for the hearing -- for
8 this hearing was under water after the last big rain we got. And
9 I was like, there's no way that they can just fill this in with
10 sand. I've seen bunnies, armadillos, bald eagles, field mice,
11 like all sorts of creatures live out there and they live in the
12 trees. I've seen bats. And the bats live inside of the tree
13 limbs. I had a limb fall out of my tree and I was taking care
14 of it because it was a big limb and two little bats fly out and
15 I don't even know that bats lived in tree limbs like that.

16 So we're totally destroying the character and quality
17 of the parkway with all of the apartments. There's apartments
18 across from the parkway. There's apartments for -- like huge
19 sky rise apartments that are just going up on Kings Avenue.
20 There's the hundreds of apartments that are being built right
21 now in the middle of the Parkway. There's hundreds of
22 apartments that are right across from the street on Pauls Dive
23 where they are building a new apartment. So there's apartments
24 everywhere. We don't need more apartments right here because
25 the quality of the Brandon Parkway, which is our only natural

1 trail that people can enjoy, is being encroached on by so much
2 traffic and construction and the wetlands are being impacted,
3 the ducks and all the animals out there are being impacted. The
4 people who walk there and enjoy the peace and quiet are
5 impacted. I mean, it's right on the parkway, so there's cars
6 zipping by all the time and it's not the most peaceful, but it's
7 the best that we have in Brandon. And with this happening, I
8 just find that it's -- it's overall not a good plan. There will
9 be nowhere for people to park because people will be coming in
10 and out, it'll make the Pauls Drive very narrow and
11 uncomfortable to go on.

12 I go out there and pick up trash all the time with
13 a -- I get like a pickup stick and a bag because people just
14 litter trash out the door and windows while they're driving by.
15 And it's only going to get worse with the more people that live
16 there and then there's more dumpsters and things. So it's just
17 going to be a trashed and busy --

18 Recently, there were two projects approved on State
19 Road 60, which Pauls Drive is -- comes off of State Road 60 and
20 people were in opposition to it, but they got passed because
21 the -- the -- they were strong holded from the Live Local Act,
22 the commissioners were strongholded that they had to approve it
23 or the developers would go further than what they proposed and
24 build even more apartments if they didn't get what they wanted.
25 And so after that, two weeks later, a girl named Nicole got hit

1 and killed on Highway 60 and Cassandra also was hit and killed
2 on Highway 60 and another 72 year old woman was hit and killed
3 on Highway 60 in the month of September alone. And this is
4 continuing and continuing because the -- the traffic is getting
5 out of hand. We're getting crammed in. We're getting
6 overcrowded, over -- too dense. It's too dense. There's too
7 many cars, too many accidents. Our roads are the complete
8 opposite of safe. And with so many people recklessly driving on
9 the unsustainable roads that aren't -- they're -- they're not
10 fit for the kind of traffic that we're getting. And so it's
11 just -- it's -- I don't see it as something that can benefit the
12 community. We already have apartments. The Brando Parkway is
13 beautiful as it is. There's already apartments going up now and
14 there's nothing we can do about it. And there's like -- it's
15 like a -- they're creating a whole new road to go through it.
16 And there's one, two, three, four, five huge blocks that are all
17 apartments and then across on Kings there's sky rise apartments.
18 So it's going in everywhere and it's -- I just don't think it's
19 a good idea. Like I said, the wetlands, it's all wetlands.
20 It's all wildlife. And I don't know, just wanted to actually --
21 I did want to use the last minute or so of my time for just like
22 a moment of silence to people that have been hit and struck and
23 killed on Highway 60, Nicole, Cassandra and the third women, I
24 do not her name, but may they all rest in peace. Thank you.

25 HEARING MASTER: Thank you for your time and coming

1 down. I appreciate it. If you could please sign in with the
2 clerk's office. Thank you.

3 Next, please.

4 MS. WILEY: Hello.

5 HEARING MASTER: Good evening.

6 MS. WILEY: My name is Tory Wiley, 1111 English Bluffs
7 Court, Brandon, Florida 33511.

8 And I did not know Austin was coming today, but I can
9 second everything that he said. Let me just read what I wrote
10 down. My husband and I, we have lived in Brandon for five years
11 and we have seen many buildings coming up. So first of all, we
12 just wanted to say that we're disappointing -- disappointed in
13 this project. We do understand that the land owner can do what
14 he wants with his property. However, we would like to be a
15 voice, we're concerned citizens that live in Brandon. There's a
16 lot of traffic, continuous traffic day and night. So any
17 apartment complex that comes up it's just going to create more
18 of that just like he said. There is a lot of wildlife like he
19 said. It's destructive for the land and it's hard for us to
20 continuously come and go for a walk over in that area. It's a
21 very beautiful, lots of wildlife and that's something that you
22 need when you are stressed out and you've been to work all day,
23 you need to go to a place to get some nature and peace and
24 quiet. So that's what we do.

25 I have a friend with me that's also has started a

1 petition. We didn't know it was going to be turning on a
2 Friday, but we have all the printed paper, so I can give that to
3 you when I'm done.

4 So I'll continue to read here. We have done the same
5 thing as Austin. We've taken it upon ourselves to pick up trash
6 around the parkway area to make it nice for everyone using it or
7 for wildlife's sake that it have their lives right there.
8 Adding more people means adding more traffic and trash and cars,
9 exhaust, pollution, which also will clog the roads during
10 emergencies like for hurricane evacuation, the more people, more
11 cars are going to be clogging the road. And also will be
12 cutting down more trees and nature that provides us with oxygen.
13 We started -- I was going to say, yes, my petition is right
14 here. We have about four or 500 people that signed that. And I
15 just wanted to read some of the comments that people wrote under
16 this petition. There are statements that says, this is
17 wetlands. It should be left alone. Use existing apartment
18 areas that are there already. New apartments may be overpriced
19 and may stay empty anyway. We are overloaded with traffic
20 already. Stop all the building in our area. Our infrastructure
21 cannot handle it now as it is. Expand the capacity of our roads
22 and highways before approving huge apartments developments.
23 Stop ruining the land. It used to be beautiful here. Stop
24 greed and erosion over green space. We already have too many
25 car accidents due to the overcrowding, etcetera, etcetera.

1 So we will just ask that you please consider voices
2 and opinions of those that this will affect negatively with all
3 the extra traffic. So I just wanted to thank you for the
4 opportunity to share.

5 HEARING MASTER: Thank you. I appreciate it. You can
6 submit your documents to the clerk.

7 All right. I'm seeing no one else in opposition,
8 we'll go back to Development Services, Ms. Heinrich.

9 MS. HEINRICH: Nothing further, ma'am.

10 HEARING MASTER: All right. Then we'll go back to the
11 applicant who has five minutes for rebuttal. Good evening.

12 MS. BATSEL: Good evening. Elise Batsel, Stearns,
13 Weaver and Miller on behalf of the applicant.

14 Can I have the slides again, please?

15 So one of the things that you heard from Mr. Zane and
16 the -- the other young women were impacts to wildlife. As many
17 of us know that work in this area, wildlife is handled through
18 state and local -- state and federal permitting. We can't go
19 in -- impact any kind of endangered species or any kind of
20 protected specs without the appropriate permits. And that all
21 happens during the permitting process after a rezoning takes
22 affect.

23 With respect to wetlands, I'm going to address that
24 first. There are only uplands on the site. There are zero
25 wetlands on the site, so there will be no impact to any wetlands

1 as part of this particular approval. We do have a 1.3 acre
2 storm water pond. I know there were concerns about storm water
3 on site as part of his development approval.

4 With respect to apartments, I think everyone
5 recognizes that we're in an affordability crisis in Hillsborough
6 County. That's the reason we see so much housing going up. But
7 housing is directly -- the affordability is directed -- directly
8 affected by supply and demand. And so this is an infill project
9 near commercial development. This is exactly where our
10 comprehensive plan says this type of density should occur. And
11 so when developers look at the comprehensive plan, they look and
12 they say where do you direct us? And this is exactly that type
13 of place.

14 With respect to traffic, your Staff Report indicates
15 that this generates 5,000 less trips than what is currently
16 approved on the project today. Let me say that again, 5,000
17 plus less trips than what could be -- then what would be
18 generated by what can be built today. We are also removing
19 83,000 feet of commercial development entitlements from this
20 property for these 40 apartment units.

21 Mr. Zane mentioned the threat of the Live Local Act.
22 That is not a threat. That's the reality of the state statute
23 that we live under today. And so I just wanted to sit -- put
24 this comparator up for you. Right now, we are asking for five
25 point something units per acre. That's 40 units. If we were to

1 develop under the Live Local Act, we could develop upwards of
2 268 units. There would be no affordable units today, but there
3 would be 40% of those units, that's 108 units under Live Local
4 Act that could be developed as affordable housing units.

5 We are only asking for two stories. We could go up to
6 the highest, tallest structure within with -- with a commercial
7 or residential development within one mile of the site, which
8 far exceeds two stories. And there would be over 100 a.m. and
9 p.m. peak hour trips as opposed to 16 and 20 peak hour trips
10 with the proposal that we have today.

11 I also want to mention, I wasn't going to show this
12 slide, but he mentioned that people were parking on the grass.
13 Well, that grass is actually Mr. Funk's private property. And
14 one of the things that your comprehensive plan says must be
15 considered in any application is the private property rights of
16 the land owner. The County has to consider their right to
17 physically possess and control the interest in their property.
18 They must cons -- you must consider the right of a property
19 owner to use, maintain, develop and improve that property. And
20 again, we rely on a comprehensive plan as a decisionmaking tool.
21 You guide us there. And that's what we've be done with this
22 property. You have -- it's an appropriate development with
23 respect to infill you. Have staff support. You have Planning
24 Commission support and we hope that we will also have your
25 support, Madam Zoning Hearing Master.

1 HEARING MASTER: I have -- before you leave Ms.
2 Batsel --

3 MS. BATSEL: Yes.

4 HEARING MASTER: -- I have one question. Regarding
5 the -- the decrease, the 5,000 vehicular trips that are
6 decreased by this change in use. Go over again for me what is
7 currently permitted on that property.

8 MS. BATSEL: Sure. Nicole actually is going to do
9 that because she knows all the details.

10 HEARING MASTER: All right. Thank you so much.

11 MS. NEUGEBAUERT: Good evening. Nicole Neugebauert
12 again for the record.

13 Today -- today on the property, it's a very unique
14 configuration because they have allocated entitlements based on
15 phase, not based on the parcels within the PD. And my
16 understanding from the County is that they do not process PDs
17 like this anymore because it kind of creates difficulty when
18 you've got multiple property owners pulling from a bucket of
19 entitlements.

20 So this property is part of phase one. Today, phase
21 one is approved for 90,000 square feet, specifically, 75,000
22 square feet of CN and then 15,000 square feet of office or
23 professional uses or they can develop mini warehouse at a 0.5
24 FAR. Today, there's approximately a little over, let's see
25 here, a little bit -- about 90,000 square feet developed in

1 phase one. Part of that is for a mini storehouse -- mini
2 warehouse, part of it is from a bank that's on a corner parcel
3 that's about 6,000 square feet.

4 Phase two is the property that's just to the east of
5 us, still within the same PD, but it's just to the east of our
6 property. Phase two is allowed with scattered commercial along
7 the Lumsden Road corridor, about 20,000 square feet of that and
8 then 20 single-family attached units could go on there. It has
9 not been built out. A lot of the the phase two property and a
10 portion of the phase one property is within the wetlands, so
11 that area will never be developed.

12 So today you're really looking at a property that's
13 the last -- other than the -- the 20 single-family units that go
14 in phase -- phase two, this is really the last development
15 that's available within this PD because of the proportion of
16 wetlands that are on the property.

17 HEARING MASTER: And that results in a loss of
18 approximately 80,000 square feet of entitlements?

19 MS. NEUGEBAUERT: Right. So when you do all the math
20 and calculations, and I worked extensively with Planning
21 Commission and Hillsborough County Staff to walk through kind of
22 how this would work because of this unique situation with the
23 PD. If you developed up to the maximum allowed in the
24 Comprehensive Plan of the 175,000 square feet or 0.5 FAR, based
25 on what's built today, the net is about 80,000 square feet. And

1 so we would be taking that away and instead building the 40
2 units on our seven and a half acre parcel.

3 HEARING MASTER: Understood. Thank you so much. Does
4 that conclude the rebuttal testimony?

5 MS. NEUGEBAUERT: Yes, ma'am.

6 HEARING MASTER: All right. Thank you.

7 MS. NEUGEBAUERT: Thank you.

8 HEARING MASTER: Then with that, we'll close Major
9 Modification 23-0407 and go to the next case.

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER)
HEARINGS)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
 Land Use Hearing Master

DATE: Monday, September 18, 2023

TIME: Commencing at 6:00 p.m.
 Concluding at 10:54 p.m.

LOCATION: Hillsborough County BOCC
 601 East Kennedy Boulevard
 Tampa, FL 33601

Reported by:
Diane DeMarsh, AAERT No. 1654

1 Ms. Heinrich, do you want to go over the rest of the
2 changes?

3 MS. HEINRICH: Sure. On our published withdraws and
4 continuances, we have Item A.1, PD 23-0153. This application is
5 being withdrawn from the Zoning Hearing Master process.

6 Item A.2, Major Mod 23-0281, this application is being
7 continued by the applicant to the October 16th, 2023, Zoning
8 Hearing Master hearing.

9 Item A.3, PD 23-0287, this application is out of order
10 to be heard and is continued to the October 16th, 2023, Zoning
11 Hearing Master hearing.

12 Item A.4, this -- Major Mod 23-0407, this application
13 is being continued by staff to the October 16th, 2023, Zoning
14 Hearing Master hearing item.

15 Item A.5, PD 23-0422, this application is out of order
16 to be heard and is being continued to the October 16th, 2023,
17 Zoning Hearing Master hearing.

18 Item A.6, Standard Rezoning 23-0443, this application
19 is out of order to be heard and is being continued to the
20 October 16th, 2023, Zoning Hearing Master hearing.

21 Item A.7, PD 23-0472, this application is out of order
22 to be heard and is being continued to the November 13th, 2023
23 Zoning Hearing Master hearing.

24 Item A.8, PD 23-0517, this application is out of order
25 to be heard and is being continued to the October 16th, 2023,

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, August 21, 2023

TIME: Commencing at 6:00 p.m.
 Concluding at 8:43 p.m.

LOCATION: Hillsborough County BOCC
 601 East Kennedy Boulevard
 Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654

1 Item A.5, Major Mod Application 23-0281. This
2 application is out of order to be heard and is being continued
3 to September 18, 2023 ZHM hearing.

4 Item A.6, PD 0287. This application is out of order
5 to be heard is being and is being continued to the
6 September 18, 2023 ZHM hearing.

7 Item A.7, PD 23-0369. This application is out of
8 order to be heard and is being continued to the
9 September 18, 2023 ZHM hearing.

10 Item A.8, PD 23-0406. This application is out of
11 order to be heard and is being continued to the October 16, 2023
12 ZHM hearing.

13 Item A.9, Major Mod Application 23-0407. This
14 application is being continued by Staff to the
15 September 18, 2023 ZHM hearing.

16 Item A.10, Major Mod 23-0414. This application is
17 being continued by the applicant to the September 18, 2023 ZHM
18 hearing.

19 Item A.11, PD 23-0472. This application is out of
20 order to be heard and is being continued to the
21 September 18, 2023 ZHM hearing.

22 Item A.12, PD 23-0516. This application is being
23 withdrawn from the ZHM process.

24 Item A.13, PD 23-0517. This application is out order
25 to be heard and is being continued to the September 18, 2023 ZHM

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, July 24,
 2023

TIME: Commencing at 6:00
 p.m.
 Concluding at 9:30 p.m.

Reported via Cisco Webex Videoconference by:
Samantha Kozlowski, Digital Reporter

1 order to be heard and is being continued to the August 21, 2023
2 ZHM hearing.

3 Item A.10, Major Modification 23-0281. This
4 application is out of order to be heard and is being continued
5 to the August 21, 2023 ZHM hearing.

6 Item A.11 PD 23-0287. This application is out of
7 order to be heard and is being continued to the August 21, 2023
8 ZHM hearing.

9 Item A.12, Standard Rezoning 23-0324. This
10 application is out of order to be heard and is being continued
11 to the August 21, 2023 ZHM hearing.

12 Item A.13, PD 23-0369. This application is out of
13 order to be heard and is being continued to the August 21, 2023
14 ZHM hearing.

15 Item A.14 PD 23-0406. This application is out of
16 order to be heard and is being continued to the August 21, 2023
17 ZHM hearing.

18 Item A.15, Major Modification, 23-0407. This
19 application is out of order to be heard and is being continued
20 to the August 21, 2023 ZHM hearing.

21 Item A.16, PD 23-0408. This application has been
22 continued by the applicant to the August 21, 2023 ZHM hearing.

23 Item A.17, Major Mod 23-0414. This application is
24 being continued by Staff to the August 21, 2023 ZHM hearing.

25 Item A.18, PD Application 23-0422. This application



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

From: [JACQUI REICHERT](#)
To: [Medrano, Maricela](#)
Subject: NO MORE BUILDING APARTMENTS AND HOMES IN BRANDON!!!
Date: Saturday, September 9, 2023 2:48:12 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Ms. Medrano,

As I am sure you do not live in this area of Brandon/upper Riverview, I would invite you to move here and deal with all this traffic that our infrastructure cannot handle. We have enough apartments and housing in this area and no green space anymore. Also, No one has taken into account that Bloomingdale Road cannot be widened anymore than it is and more apartments are going up in that area, HUNDREDS MORE!!! It takes me 30 minutes to go 2 miles to get to the highway in the morning and home in the evening when it used to take me 5 to 8 minutes. Brandon area cannot handle all these people and cars. One apartment equals at least 2 cars per apartment. This is ridiculous and all of you getting cutbacks from the builders is just greedy. EVERYONE NEEDS TO LEARN TO LIVE BY MAKING EVERYONES LIFE EASIER NOT JUST YOUR OWN!!

Jacqueline Barron
Sent from my iPhone

From: [Bryan Crosswait](#)
To: [Medrano, Maricela](#)
Subject: Apartment complex proposal on Paul's drive in Brandon, Fl
Date: Saturday, September 9, 2023 7:04:24 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Hello,

I'm writing today to let you know my opposition to the proposed apartment complex on Paul's drive. The area is already congested, and living across from proposed location (Loma Linda Ct) I can tell you the patch of land is FULL of wildlife. I've signed a petition against this and will be attending the hearing.

Bryan Crosswait

From: [Anas Ababou](#)
To: [Medrano, Maricela](#)
Subject: Concerns Regarding Proposed Apartment Project on Pauls Drive
Date: Saturday, September 9, 2023 2:05:42 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Dear Maricela Medrano,

I hope this email finds you well. I am writing to express my deep concerns about the proposed construction project that would result in the building of over 40 apartments on Pauls Drive, adjacent to the Brandon Parkway Trail. As a resident of this beautiful green area for the past five years, I believe it is essential to voice our opposition to this project, which threatens the very reasons many of us chose to move here.

First and foremost, my family and I moved to this area to escape the over-crowding and traffic congestion we experienced in New York. We were drawn to the tranquility, natural beauty, and sense of community that this neighborhood offered. However, the rapid changes taking place, including the numerous construction projects, are eroding the very qualities that attracted us here in the first place.

The construction of 40+ apartments on Pauls Drive will undoubtedly lead to increased traffic, congestion, and potential strain on our local infrastructure. It may also alter the peaceful character of our community and negatively impact the nearby Brandon Parkway Trail, a cherished green space that we all enjoy

Sincerely,

Alex Falcon

From: [fisherdiann](#)
To: [Medrano, Maricela](#)
Subject: Overgrowth in Brandon
Date: Saturday, September 9, 2023 9:27:38 AM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Stop all the overgrowth in Brandon!

THIS is the reason there's climate change! Destruction of green space and overgrowth affects wildlife, drainage, traffic, schools, and so much more in negative ways! STOP THIS OVERGROWTH NOW!!!! STOP PUSHING THESE PROJECTS!

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

From: [Vicky Hunt](#)
To: [Medrano, Maricela](#)
Subject: Site of apartment project on the Brandon Parkway trail, Brandon
Date: Tuesday, August 15, 2023 12:40:40 PM
Attachments: [IMG_0055.PNG](#)

External email: Use caution when clicking on links, opening attachments or replying to this email.

Many people are planning to attend the public hearing.
Thank you,
Victoria Hunt



Sent from my iPad



👤❤️👤 67

❤️ Like

💬 149



From: [Vicky Hunt](#)
To: [Medrano, Maricela](#)
Subject: Apartment project on Pauls Drive in Brandon
Date: Tuesday, August 15, 2023 12:39:10 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Dear Ms. Medrano,

As a concerned resident of Brandon, I am writing to oppose the building of 40+ apartments on the Brandon Parkway Trail in Brandon.

The project is located on Paul's Drive, a dead end road which has 15 + parking spaces for people to park and have access to the walkway.

From dawn to late evening, a steady stream of pedestrians, families, walkers, bikers, dog walkers and joggers come to use the parkway trail.

Building this project will increase traffic in an already congested area, putting people and animals at further risk of being injured or killed.

The project will tear up wetlands and wildlife habitat in an already small area of green space, causing a shortage of water and food for birds, animals and aquatic creatures.

In addition, building on top of our aquifer will further decrease our water supply, which currently struggles to meet the demands of an over-populated area.

On behalf of myself and many concerned residents of Brandon (on Next Door), we respectfully ask that this project not move forward.

Thank you so much,
Victoria Hunt

Sent from my iPad

From: [Pablo Jimenez](#)
To: [Medrano, Maricela](#)
Subject: Please stop building
Date: Saturday, September 9, 2023 10:30:15 AM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Hello,

40+ APARTMENTS ON PAULS DRIVE, ADJACENT TO THE BRANDON PARKWAY TRAIL.

I oppose this project because traffic is ready bad in the Brandon area and we need more green space rather than more apartment complex. BRANDON IS ALREADY FULL.
Thank you

From: [kristin johnson](#)
To: [Medrano, Maricela](#)
Subject: Pauls Dr project
Date: Sunday, September 10, 2023 7:08:28 AM

External email: Use caution when clicking on links, opening attachments or replying to this email.

I OPPOSE 40+ APARTMENTS ON PAULS DRIVE, ADJACENT TO THE BRANDON PARKWAY TRAIL.

We have too many apartments already & our beautiful neighborhood is slowly getting ruined, becoming a concrete city with congestion and crime.

Our entire community is opposed to this, even if you only get one e-mail (mine). People are not sure where to go to communicate & express their concerns.

Please stop moving forward with these types of projects & instead help keep our community safe and enjoyable for the current residents.

Respectfully,
Kristin Johnson
Brandon Florida

From: [rubishkaya76](#)
To: [Medrano, Maricela](#)
Subject: 40+ APARTMENTS ON PAULS DRIVE, ADJACENT TO THE BRANDON PARKWAY TRAIL.
Date: Monday, September 11, 2023 8:32:21 AM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Ms. Medrano,

Reference subject project, consider the ongoing and worsening urban sprawl situation we locals are unfortunately experiencing due to excessive apartment development throughout Brandon/Valrico, FL.

Feel free to recommend your proposed project to Crystal River or some other county. The impact of overcrowding is untenable given the effects on the current transportation infrastructure (insupportable), increased demand for housing (prices skyrocketing), water shortages, energy price hikes, healthcare, etc. This excess consumption contributes to higher risk of large-scale disasters like pandemics, ecological degradation, increased crime/conflicts, environmental deterioration, worsening of our quality of life and disharmony of the population.

Perhaps the northeast, midwest and western transplants should reconsider their voting habits so as not to flee the obvious tyranny (overtaxation, crime, political dictates (lockdowns)) of their own states. That way they, too, could experience the benefits of a free state like ours. Notwithstanding, and to reiterate the problem that stems from overdevelopment, please stop any further plans to build additional apartment complexes given the fact that we've gone from an acceptable to an unacceptable quality of life throughout Brandon, FL.

Sincerely,

Leonardo Neyra
MAJ (ret)
Homeowner
Valrico, FL

Sent with [Proton Mail](#) secure email.

From: [Sasha Perez](#)
To: [Medrano, Maricela](#)
Subject: Brandon Parkway Path
Date: Saturday, September 16, 2023 8:26:47 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Hello,

I am a new resident of Brandon and have been living here for about a year. I am a young female that rarely finds a place where I can walk in peace and feel safe and focused on my exercise. The Brandon parkway has been this for me! Please please do what you can to keep it available for the rest of us. We have nowhere really else to go that has the level of nature, safety, and peace in this area.

Thank you!
Concerned resident.
Sent from my iPhone

From: [Dawn Saccavino](#)
To: [Medrano, Maricela](#)
Subject: Brandon Parkway Project
Date: Friday, August 25, 2023 4:54:40 PM

External email: Use caution when clicking on links, opening attachments or replying to this email.

Good afternoon Maricel,

As a resident of Valrico who has driven the parkway for years and enjoyed seeing the wild life on my drive I'm disappointed to hear that it can be turned into parking lots.

I took time off to attend the meeting on 8/21, then the meeting was moved to 9/18. I hope the meeting will take place that day, at I've once again requested time off.

This project needs to be stopped. There's so few green spaces left.

Sincerely
Dawn Saccavino