

Rezoning Application: 24-0232

Zoning Hearing Master Date: 05/14/2024

BOCC Land Use Meeting Date: 07/09/2024



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman

FLU Category: R-4

Service Area: Urban

Site Acreage: 4.53 +/-

Community Plan Area: Greater Carrollwood Northdale

Overlay: None

Special District: None

Request: Rezone from AS-1 to CG-R



Introduction Summary:

The applicant is requesting to rezone property from AS-1 (Agricultural Single-Family 1) to CG (Commercial General) with restrictions. The applicant has proposed restrictions to certain commercial uses and a trip generation limit.

Zoning:	Existing	Proposed
District(s)	AS-1	CG-R
Typical General Use(s)	Single-Family Residential/Agricultural	General Commercial, Office and Personal Services
Acreage	4.53 +/-	4.53 +/-
Density/Intensity	1 dwelling unit (du) / 1 gross acre or 0.25 FAR	0.25 FAR
Mathematical Maximum*	4 du or 49,767.3 square feet (sf)	53,748.68 sf

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AS-1	CG-R
Lot Size / Lot Width	43,560 SF / 150'	10,000 SF / 75'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	30' Front 20' Type B Buffer (East) 20' Type B Buffer (West) 20' Type B Buffer (North)
Height	50'	50'

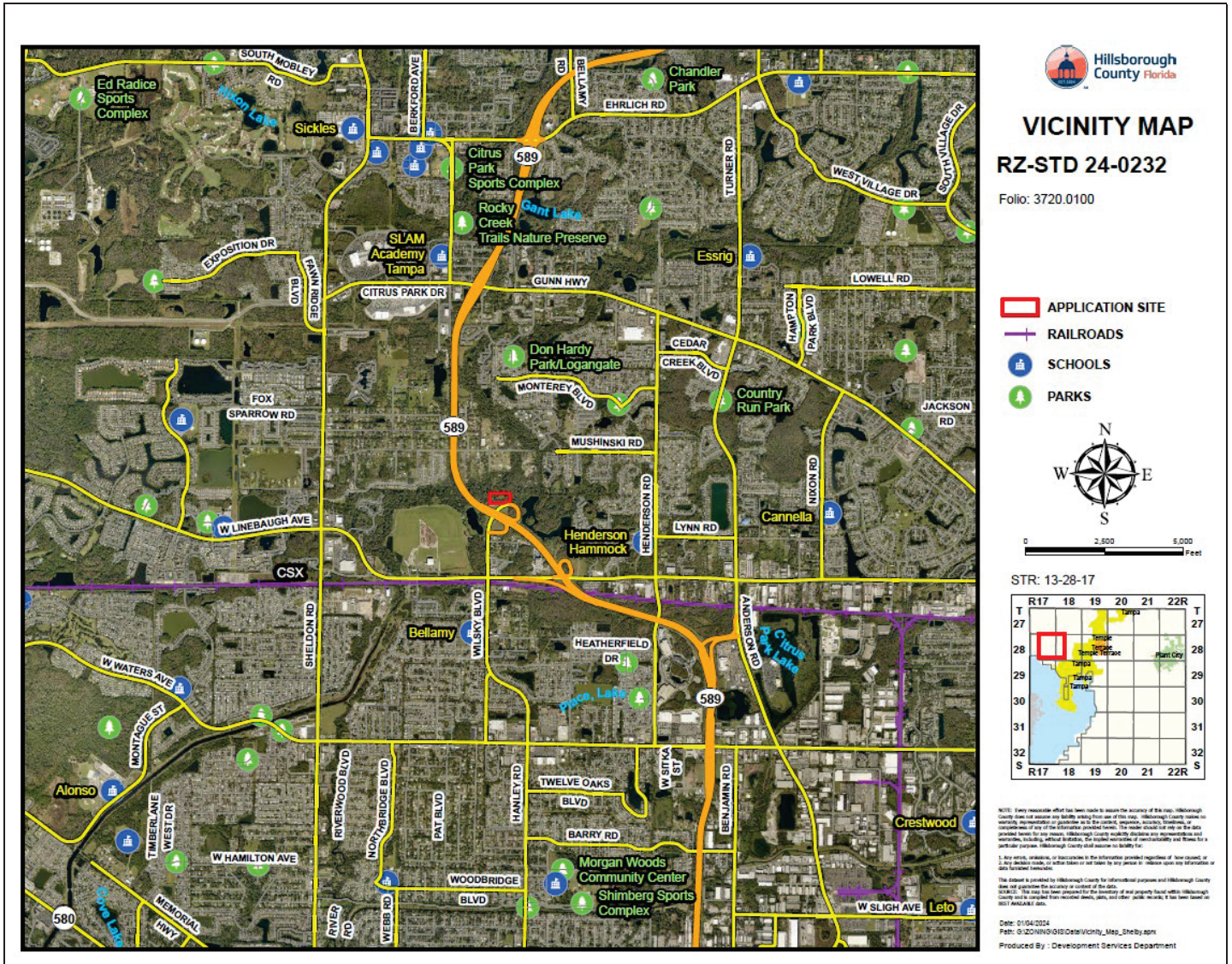
Additional Information:

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: Inconsistent	Development Services Recommendation: Approvable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

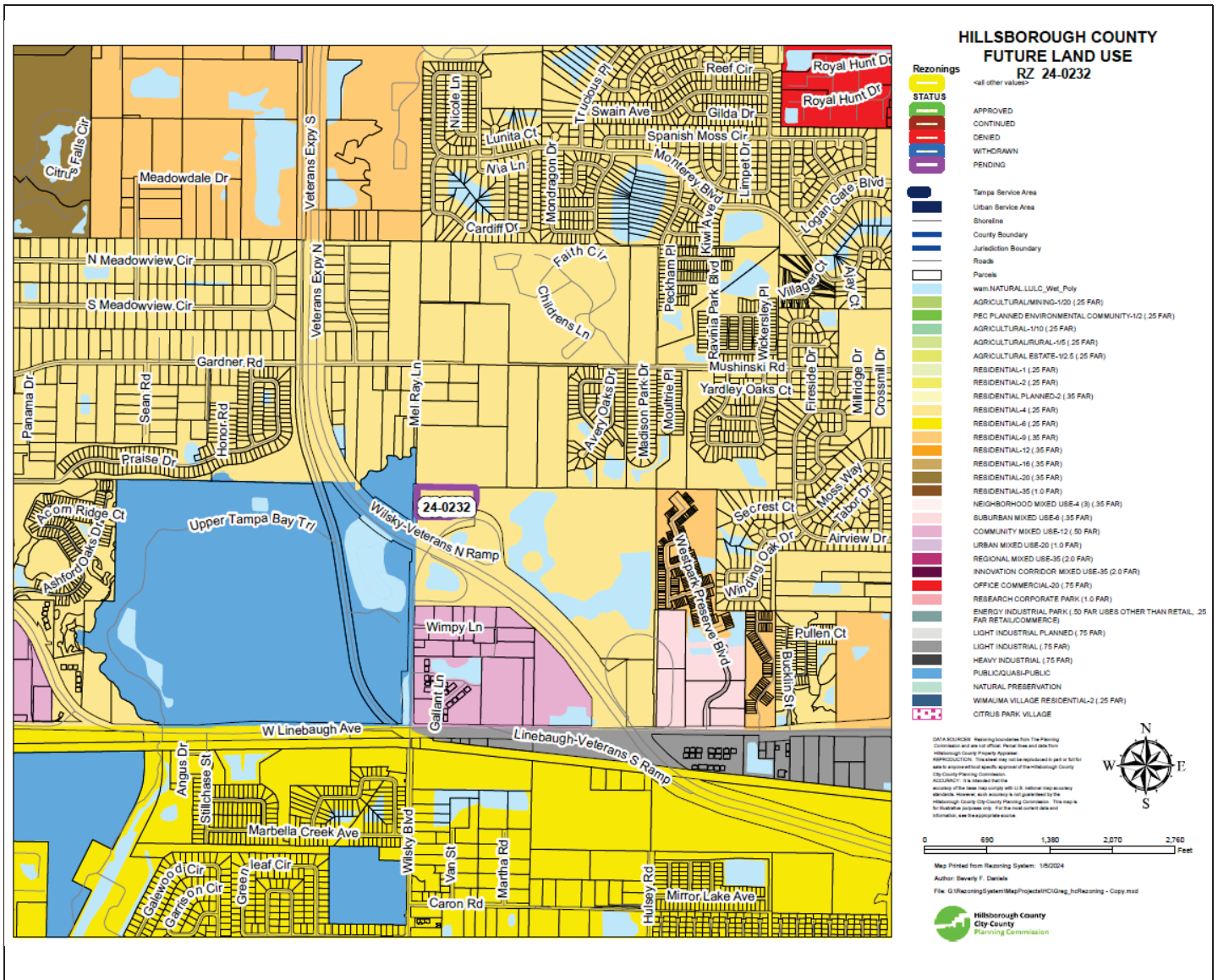


Context of Surrounding Area:

The subject property is located 10619 Summer Seasons Place, Tampa, in a largely agricultural and residential area. Large agricultural sites surround the property, with several residential developments nearby. To the south of the subject site off Wilsky Boulevard and West Linebaugh Avenue are commercial, office, and manufacturing uses. The site is accessed by Wilsky Boulevard, just before the beginning of a northern on-ramp on to Veterans Expressway.

2.0 LAND USE MAP SET AND SUMMARY DATA

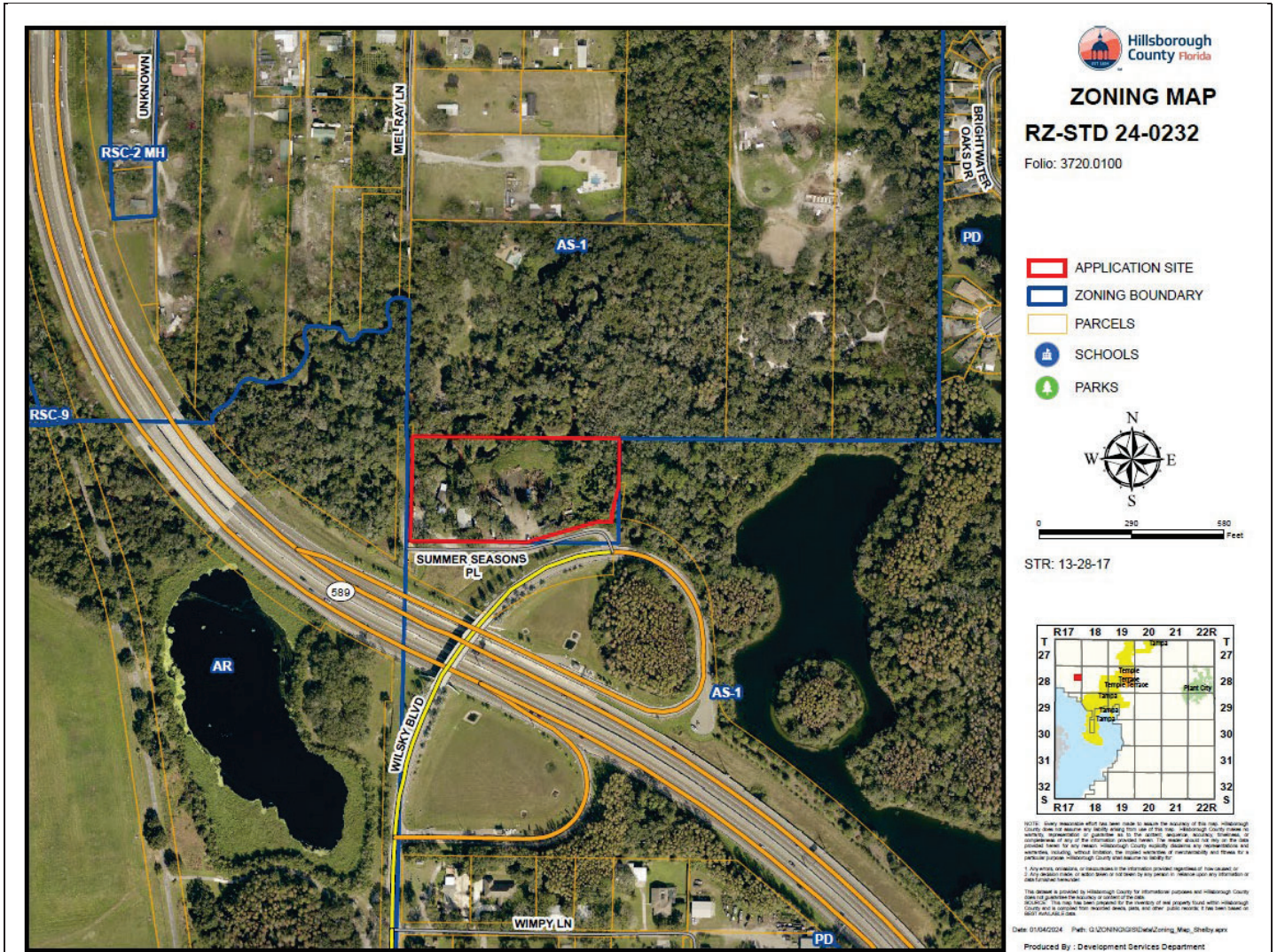
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-4
Maximum Density/F.A.R.:	4 DU/GA or 0.25 FAR
Typical Uses:	Residential, suburban commercial, offices, multi-purpose

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	AS-1	1 DU / GA	Single-Family Residential/Agricultural	Single-Family Residential
South	AS-1	1 DU / GA	Single-Family Residential/Agricultural	FDOT Right-of-Way
East	AS-1	1 DU / GA	Single-Family Residential/Agricultural	FDOT Owned
West	AR	1 DU / 5 GA	Agricultural	County Owned / Landfill west of Veteran's expressway

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

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
Wilsky Blvd.	FL Turnpike Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
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Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	38	3	3
Proposed	398	38	28
Difference (+/-)	(+) 360	(+) 35	(+) 25

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wetlands present.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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 checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See full 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See full report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is requesting to rezone an approximate 4.5-acre property located at 10619 Summer Seasons Place, Tampa, from AS-1 to CG-R to develop for commercial use. The property sits at the end of Wilsky Boulevard, just preceding a northern on-ramp to Veterans Expressway.

The site is directly abutted by AS-1 zoned properties along all property boundaries. To the south and east of the property are FDOT owned lands for the Veterans Expressway right-of-way, and to the west is county owned land which is part of a landfill site. Directly abutting the property to the north is a single-family residence on a 15-acre lot. The proposed CG zoning would require a 20-foot Type B buffer along each abutting property boundary. The property boundary abutting the single-family residence is also buffered by approximately an acre of wetland area. Commercial activities begin along Wilsky Boulevard with BPO zoned properties approximately 1,600 feet to the south.

The applicant has proposed restricting development by certain commercial uses and by the number of inbound trips, due to concerns raised by Transportation Review staff based on the site’s access point off Wilsky Boulevard. The proposed trip cap of less or equal to 19 inbound trips in the AM or PM peak hour will exclude the high intensity uses permitted in the CG district. Therefore, staff finds the proposed CG zoning district with Restrictions compatible with the existing uses, zoning districts, and development patterns in the area.

5.2 Recommendation

Based on the above considerations, staff finds the request **approvable**, subject to the following restrictions:

1. The following uses are to be restricted: car wash, convenience store, contractor with open storage, blood plasma donation, recycle metal recovery facility, and motor vehicle repair.
2. The developer shall limit development to that which does not exceed (less or equal to) 19 inbound trips, either in the AM or PM peak hour.

Zoning Administrator Sign Off:



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

N/A

8.0 PROPOSED SITE PLAN (FULL)

N/A

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 5/7/2024

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: CGN

PETITION NO: RZ 24-0232

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

PROPOSED RESTRICTIONS

The parcel shall be permitted to develop under the Commercial General (CG) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Commercial General (CG) district uses, except for the following:
 - a. Car Wash
 - b. Convenience Store;
 - c. Contractor's Office with Open Storage
 - d. Blood Plasma Donation Facilities; and,
 - e. Motor Vehicle Repair Facilities.

- 2) Permitted uses shall be limited to development that generates 19 or fewer inbound trips in either the a.m. peak hour or p.m. peak hour.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.53 ac. parcel from Agricultural Single-Family – 1 (AS-1) to Commercial General with Restrictions (CG/R). The applicant is proposing the below restrictions:

- 1) The following uses are proposed to be restricted:

Car wash
C-Store
contractor with open storage
Blood plasma donation
Recycle metal recovery facility
Motor vehicle repair

- 2) Adding an additional restriction:

The developer shall limit development to that which does not exceed (less than or equal to) 19 INBOUND trips in either the AM or PM peak hour.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 4 Single-Family Detached Dwelling Units (ITE LUC 210)	38	3	3

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips*	
		AM	PM
CG/R, 850 s.f. Fast-Food with Drive-Through (ITE LUC 934)	398	38	28

**The a.m. peak hour period, the highest peak generating period, generates 19 inbound and 19 outbound trips in this scenario.*

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 360	(+) 35	(+) 25

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The section of Wilsky Blvd. which the subject parcels fronts is a 2-lane, collector roadway owned and maintained by the Florida Turnpike Enterprise (FTE). The roadway is characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a right-of-way of indeterminate width. There are no sidewalks present along this section of Wilsky Blvd. in the vicinity of the proposed project. There are +/- 5-foot-wide bicycle facilities (on paved shoulders) along the roadway in the vicinity of the proposed project.

Wilsky Blvd. east of the project driveway becomes the Veterans Expressway onramp. West of the project driveway, the roadway is shown as being owned and maintained by Hillsborough County; however, the FTE indicated via email that they own and maintain all portions of the roadway north of Wimpy Ln. Although such records were not obtained and verified by Real Estate prior to the writing of this report, the County Engineer verified these limits. Determination of access limits is important, since if the road were not owned and maintained by FTE County substandard road and other site access requirements would be applied.

SITE ACCESS AND CONNECTIVITY

It is anticipated that access to the site will be from Wilsky Blvd. The applicant proposed a restriction on development such that the no more than a cumulative total of 19 inbound trips in either the a.m. or p.m. peak hour would be permitted. This will minimize the likelihood that construction of a turn lane would be needed, given that it would likely be impossible to do so without reconstructing the bridge over the Veterans Expressway. Additionally, it helps minimize the potential for site distance issues and conflict with traffic coming from the south, over the bridge, and through the roadway curve (as shown in the access below, the access driveway is just to the left).



Although FTE staff was afforded an opportunity to comment, it was unclear whether they were familiar with County zoning processes, and such comments did not come in through the usual method (i.e. they were not uploaded to the Agency Comments folder in Optix). County staff attempted to engage with FDOT staff to have them assist in providing comments through the usual process/forms; however, such efforts were not successful by the time this report was written. Comments via email were received from the FTE Permits Engineer, who stated, "...since this is an existing Driveway they don't need to get an access permit but if they will be doing any work on Wilsky like Striping or Signing we would need to review the plans before any Construction. You would also need a General Use permit for this work." It was unclear from the communication who will be determining whether such work will be needed.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Wilsky Blvd.	Hanley Rd.	Veterans Expressway	D	E

Source: Hillsborough County 2020 Level of Service Report.

**COUNTY OF HILLSBOROUGH
ZONING HEARING MASTER'S RECOMMENDATION**

Application number:	RZ-STD 24-0232
Hearing date:	May 14, 2024
Applicant:	Todd Pressman
Request:	Rezone to CG-R
Location:	10619 Summer Season Place, Tampa
Parcel size:	4.53 acres +/-
Existing zoning:	AS-1
Future land use designation:	Res-4 (4 du/ga; 0.25 FAR)
Service area:	Urban Services Area
Community planning area:	Greater Carrollwood-Northdale Community Plan

A. APPLICATION REVIEW

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

Rezoning Application: 24-0232

Zoning Hearing Master Date: 05/14/2024

BOCC Land Use Meeting Date: 07/09/2024



Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman

FLU Category: R-4

Service Area: Urban

Site Acreage: 4.53 +/-

Community Plan Area: Greater Carrollwood Northdale

Overlay: None

Special District: None

Request: Rezone from AS-1 to CG-R



Introduction Summary:

The applicant is requesting to rezone property from AS-1 (Agricultural Single-Family 1) to CG (Commercial General) with restrictions. The applicant has proposed restrictions to certain commercial uses and a trip generation limit.

Zoning:	Existing	Proposed
District(s)	AS-1	CG-R
Typical General Use(s)	Single-Family Residential/Agricultural	General Commercial, Office and Personal Services
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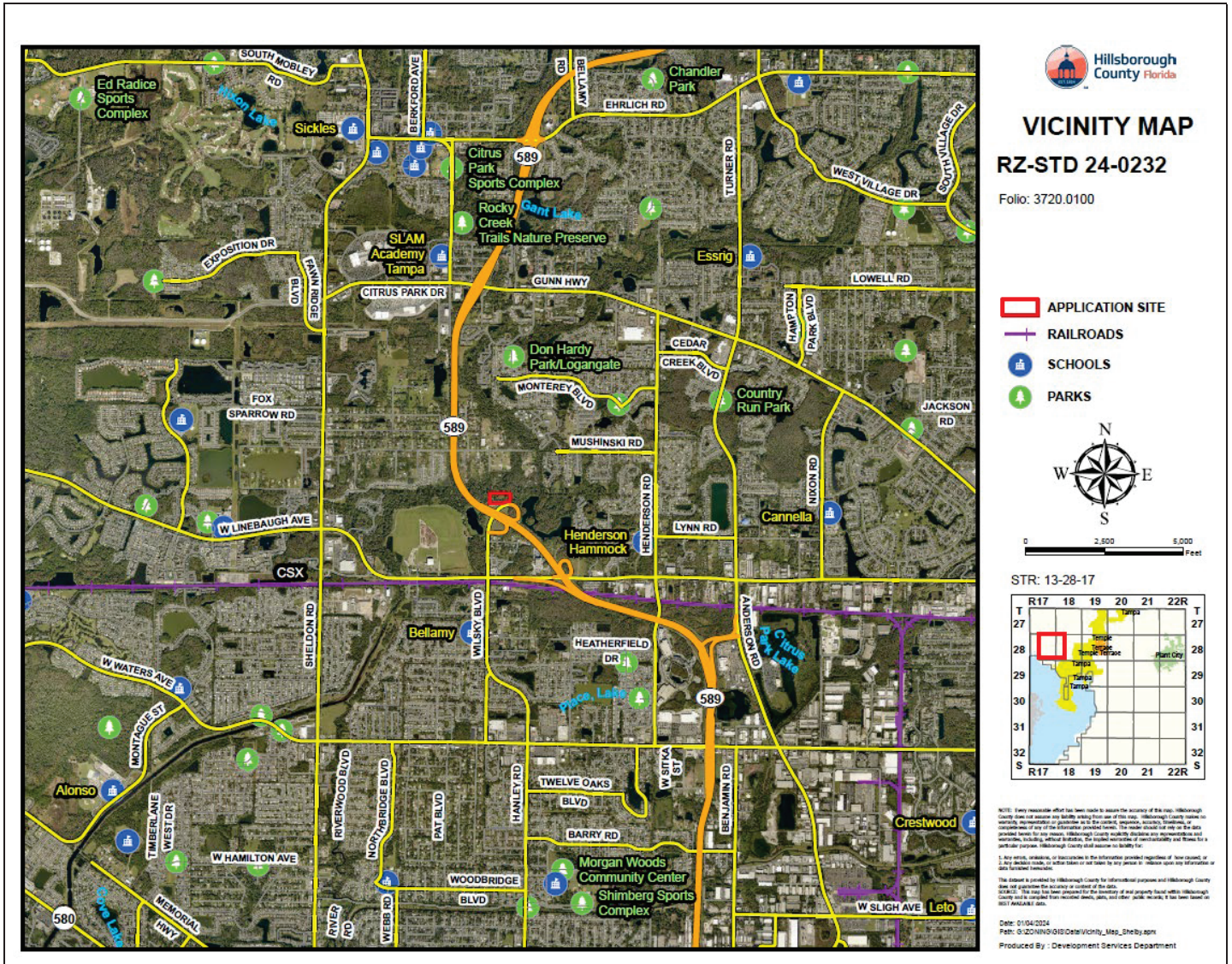
Additional Information:

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: Inconsistent	Development Services Recommendation: Approvable
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2.1 Vicinity Map

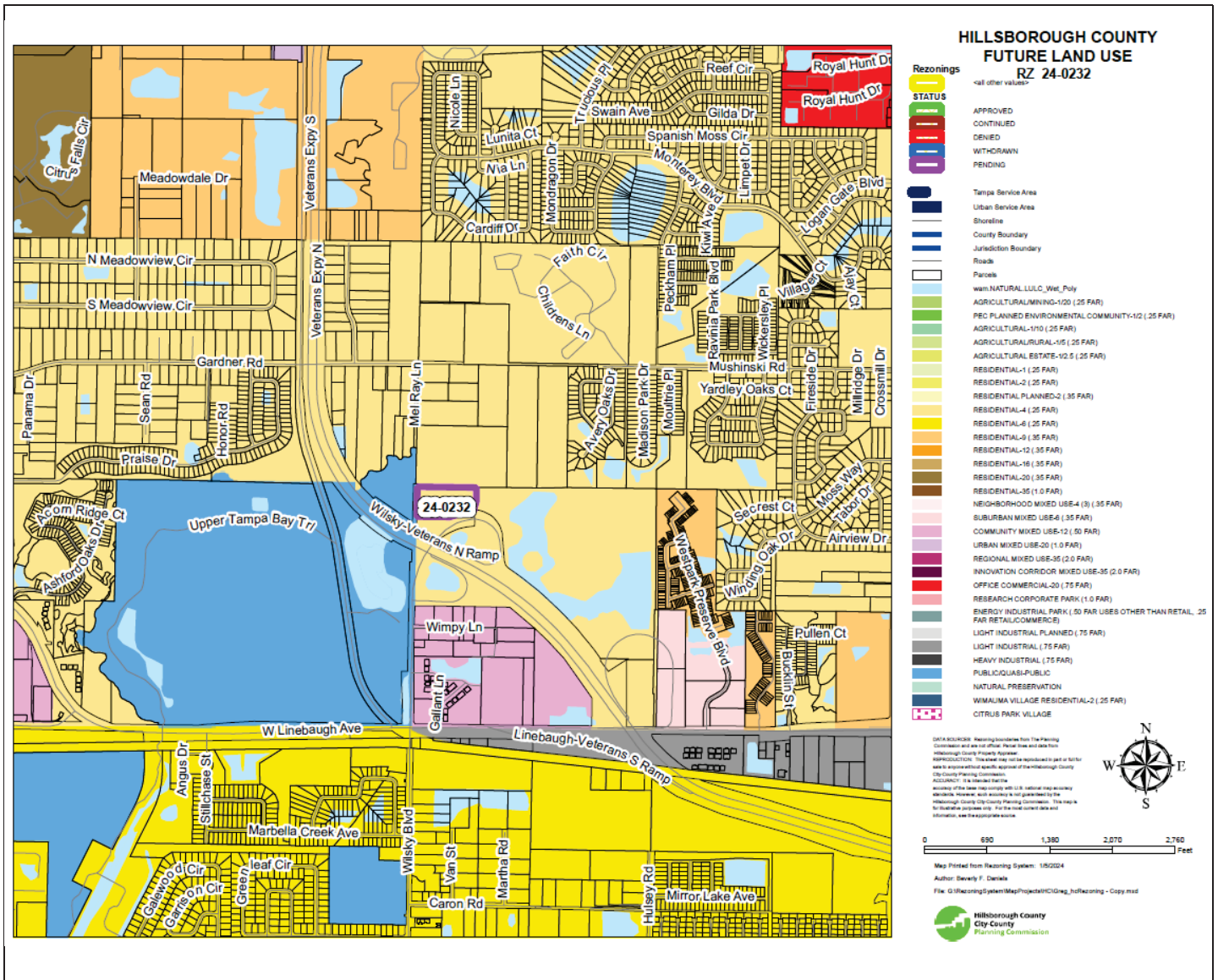


Context of Surrounding Area:

The subject property is located 10619 Summer Seasons Place, Tampa, in a largely agricultural and residential area. Large agricultural sites surround the property, with several residential developments nearby. To the south of the subject site off Wilsky Boulevard and West Linebaugh Avenue are commercial, office, and manufacturing uses. The site is accessed by Wilsky Boulevard, just before the beginning of a northern on-ramp on to Veterans Expressway.

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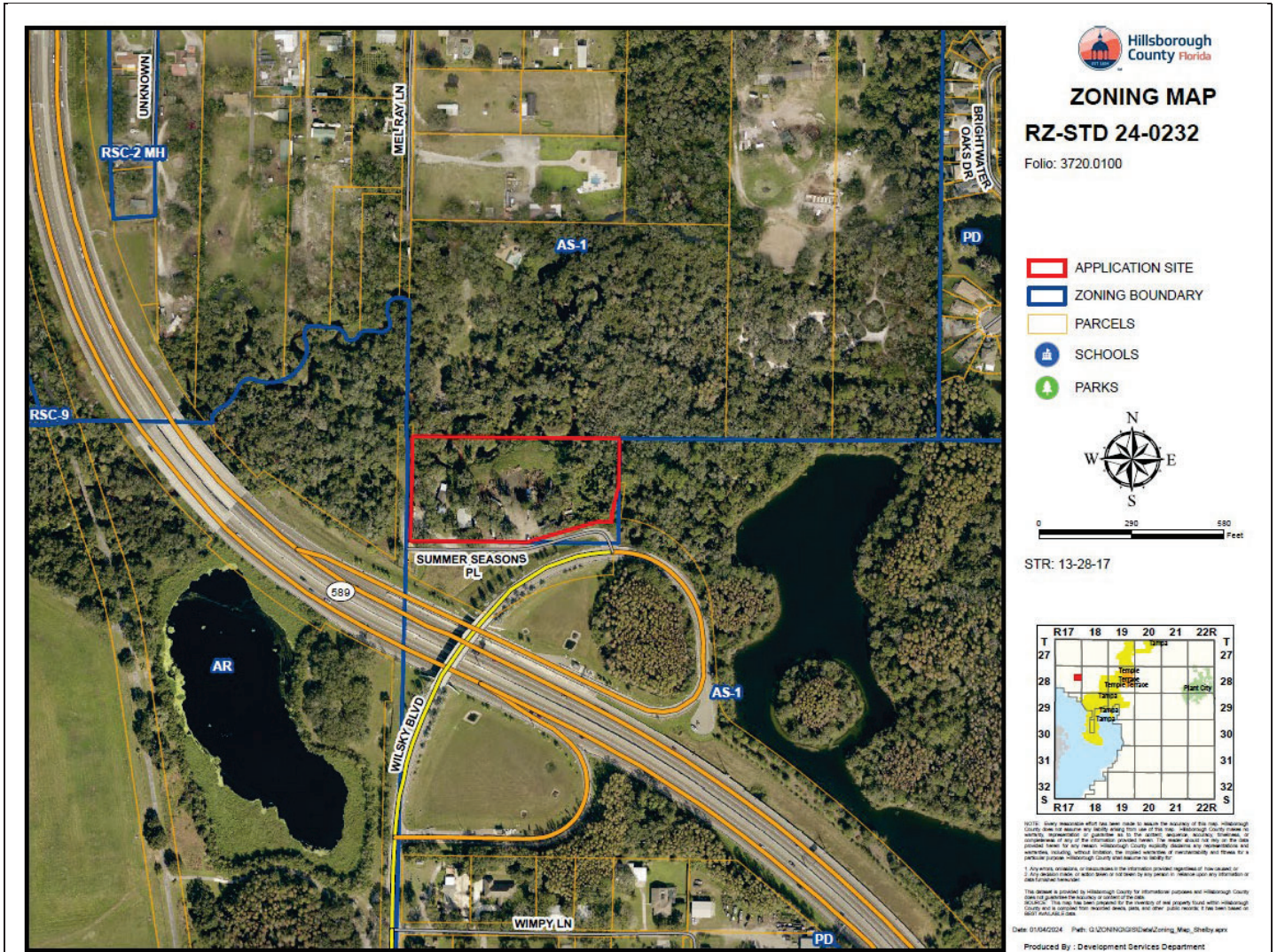
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-4
Maximum Density/F.A.R.:	4 DU/GA or 0.25 FAR
Typical Uses:	Residential, suburban commercial, offices, multi-purpose

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	AS-1	1 DU / GA	Single-Family Residential/Agricultural	Single-Family Residential
South	AS-1	1 DU / GA	Single-Family Residential/Agricultural	FDOT Right-of-Way
East	AS-1	1 DU / GA	Single-Family Residential/Agricultural	FDOT Owned
West	AR	1 DU / 5 GA	Agricultural	County Owned / Landfill west of Veteran's expressway

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

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
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Project Trip Generation Not applicable for this request

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Existing	38	3	3
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*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
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South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
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	Choose an item.	Choose an item.

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

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Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wetlands present.
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
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Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See full report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is requesting to rezone an approximate 4.5-acre property located at 10619 Summer Seasons Place, Tampa, from AS-1 to CG-R to develop for commercial use. The property sits at the end of Wilsky Boulevard, just preceding a northern on-ramp to Veterans Expressway.

The site is directly abutted by AS-1 zoned properties along all property boundaries. To the south and east of the property are FDOT owned lands for the Veterans Expressway right-of-way, and to the west is county owned land which is part of a landfill site. Directly abutting the property to the north is a single-family residence on a 15-acre lot. The proposed CG zoning would require a 20-foot Type B buffer along each abutting property boundary. The property boundary abutting the single-family residence is also buffered by approximately an acre of wetland area. Commercial activities begin along Wilsky Boulevard with BPO zoned properties approximately 1,600 feet to the south.

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5.2 Recommendation

Based on the above considerations, staff finds the request **approvable**, subject to the following restrictions:

1. The following uses are to be restricted: car wash, convenience store, contractor with open storage, blood plasma donation, recycle metal recovery facility, and motor vehicle repair.
2. The developer shall limit development to that which does not exceed (less or equal to) 19 inbound trips, either in the AM or PM peak hour.

Zoning Administrator Sign Off:



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

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

B. HEARING SUMMARY

This case was heard by the Hillsborough County Zoning Hearing Master on May 14, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Todd Pressman spoke on behalf of the applicant. Mr. Pressman presented the rezoning request, responded to the Zoning Hearing Master's questions, and provided testimony as reflected in the hearing transcript.

Development Services Department

Ms. Michelle Montalbano, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted to the record and responded to the Zoning Hearing Master's questions.

Planning Commission

Ms. Melissa Lienhard, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record and responded to the Zoning Hearing Master's questions.

Proponents

The Zoning Hearing Master asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

Opponents

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

Development Services Department

Ms. Heinrich stated the Development Services Department had nothing further.

Applicant Rebuttal

Mr. Pressman stated the applicant had nothing further.

The hearing officer closed the hearing on RZ-STD 24-0232.

C. EVIDENCE SUBMITTED

Mr. Pressman submitted to the record at the hearing a copy of the applicant's presentation packet.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 4.53 acres at 10619 Summer Season Place, Tampa.
2. The Subject Property is designated Res-4 on the Future Land Use Map and is zoned AS-1.
3. The Subject Property is in the Urban Services Area and is located within the boundaries of the Greater Carrollwood-Northdale Community Plan.
4. The Hillsborough County Property Appraiser's website shows the Subject Property is improved with a single-family home that was built in 1991. Aerial photographs available on the Property Appraiser's website show numerous structures, vehicles, and equipment on the Subject Property.
5. The general area surrounding the Subject Property consists of agricultural and residential uses. Adjacent properties include a parcel zoned AR to the west that is owned by Hillsborough County; a 15-acre parcel zoned AS-1 to the north that is in single-family residential use; a parcel zoned AS-1 to the east that is owned by the FDOT Florida Turnpike Enterprise; and a parcel zoned AS-1 to the south that is owned by the Department of Transportation, and the Veterans Expressway further to the south.
6. The applicant is requesting to rezone the Subject Property to CG with restrictions to allow commercial use.
7. The Subject Property does not meet Commercial Locational Criteria. The applicant has requested a waiver. Planning Commission staff do not support the waiver request.
8. Development Services Department staff found the proposed zoning approvable with the following specific restrictions:
 1. The following uses are to be restricted: car wash, convenience store, contractor with open storage, blood plasma donation, recycle metal recovery facility, and motor vehicle repair.
 2. The developer shall limit development to that which does not exceed (less or equal to) 19 inbound trips, either in the AM or PM peak hour.
9. Hillsborough County Transportation staff stated no objection subject to the restrictions specified in the Transportation Agency Review Comment Sheet and the Development Services Department staff report.
10. Planning Commission staff found the rezoning request is not compatible with the existing and planned development pattern in the surrounding area. Staff further

found the rezoning does not align with the vision of the Greater-Carrollwood Northdale Community Plan. Staff found the rezoning request inconsistent with the *Unincorporated Hillsborough County Comprehensive Plan*.

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

The record evidence demonstrates the proposed rezoning request is not in compliance with and does not further the intent of the Goals, Objectives, and Policies of *Unincorporated Hillsborough County Comprehensive Plan*.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2022). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is not consistent with the *Unincorporated Hillsborough County Comprehensive Plan* and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

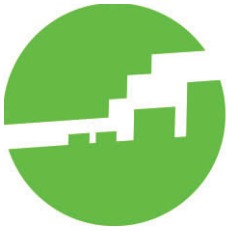
The applicant is requesting to rezone the Subject Property to CG with restrictions to allow commercial use. The Subject Property does not meet Commercial Locational Criteria. The applicant has requested a waiver.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **DENIAL** of request to rezone the Subject Property to CG-R.

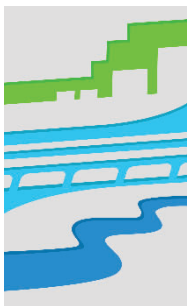
Pamela Jo Hatley
Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

June 6, 2024
Date:



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 14, 2024 Report Prepared: May 02, 2024	Petition: RZ 24-0232 Folio 3720.0100 <i>North of West Linebaugh Avenue and east of State Road 589</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan	Greater Carrollwood-Northdale
Request	Rezoning from Agricultural Single Family-1 (AS-1) to Commercial General-Restricted (CG-R)
Parcel Size	4.57± acres (199,069 square feet)
Street Functional Classification	Wilsky Boulevard – Collector State Road 589 – Arterial West Linebaugh Avenue— Arterial
Locational Criteria	Not met; waiver requested
Evacuation Zone	C



Context

- The approximately 4.57 ± acre subject site is located north of West Linebaugh Avenue and east of State Road 589.
- The site is located in the Urban Service Area and within the limits of the Greater Carrollwood-Northdale Community Plan.
- The subject property is located within the Residential-4 (RES-4) Future Land Use category, which can be considered for a maximum density of 4 dwelling units per gross acre and a maximum intensity of a 0.25 Floor Area Ratio (FAR). The RES-4 Future Land Use category is intended to designate areas that are suitable for low density residential development. Typical uses of RES-4 include residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses are required to meet established locational criteria for specific land uses.
- The RES-4 Future Land Use category surrounds the subject site to the north, south and east. To the west is Public/Quasi-Public (P/QP) Future Land Use category. Further south consists of the Community Mixed Use-12 (CMU-12) and Light Industrial (LI) Future Land Use categories. Residential-9 (RES-9) and Suburban Mixed Use (SMU-6) Future Land Use categories are further southeast.
- The subject site currently contains single-family residential. To the south is a Right-of-Way. Existing single family residential uses are located directly to the north and further northeast, east, and south of the subject site. Public/quasi-public institutions exist to the east and west. To the northeast and northwest of the subject site is agricultural existing land use.
- The subject site is currently zoned as Agricultural Single Family-1 (AS-1). Agricultural Single Family-1 (AS-1) zoning surrounds the site to the north, south and east. Agricultural Rural (AR) zoning is located east of the subject site, and Planned Development (PD) zoning is located further northeast and south of the site. Pockets of Residential Single-Family Conventional-2 (RSC-2) exist further northwest and further south of the subject site.
- The applicant is requesting to rezone the subject site from Agricultural Single Family-1 (AS-1) to Commercial General-Restricted (CG-R).

Compliance with Comprehensive Plan:

The following Goals, Objectives and Policies apply to this rezoning request and are used as a basis for an inconsistency finding.

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

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

Relationship To Land Development Regulations

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

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

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

Neighborhood/Community Development

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

Policy 16.1: *Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as: locational criteria for the placement of non-residential uses as identified in this Plan, limiting commercial development in residential land use categories to neighborhood scale; requiring buffer areas and screening devices between unlike land uses.*

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

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

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

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

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

Policy 16.10: *Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

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 22.1: *The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:*

- *provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map.*
- *establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and*
- *establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.*

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.*

Policy 22.5: *When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e. antiques, boutiques) toward the edges of the activity center.*

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by*

the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.

LIVABLE COMMUNITIES ELEMENT: Greater Carrollwood-Northdale Community Plan

Goal 1: Establish sustainable community activity centers that allow the citizens to live, work and play all within walking distance.

Strategies:

- *Discourage new development of strip commercial in our community, mixed use development and redevelopment shall be focused at identified community activity center or intersections complying with the locational criteria.*

Staff Analysis of Goals, Objectives, and Policies:

The approximately 4.57 ± acre subject site is located north of West Linebaugh Avenue and east of State Road 589. The site is within the limits of the Greater Carrollwood-Northdale Community Plan. The applicant is requesting to rezone the subject site from Agricultural Single Family-1 (AS-1) to Commercial General-Restricted (CG-R).

The subject site sits within the Urban Service Area, where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The proposed request to CG-R is not within the character of the surrounding area and is not consistent with the Comprehensive Plan policy direction.

The property is currently single-family residential. The proposed restrictions include prohibiting a car wash, convenience store, a contractor's office, a blood plasma donation center, a recycle metal recovery facility and a motor vehicle repair facility. Though the applicant is restricting certain uses, other potential uses allowed in the CG zoning category, such as hospital and ambulatory services, wholesale distribution centers, and shopping centers are not compatible with the existing residential development pattern of the surrounding area due to single-family homes to the north, northeast, northwest, and further south of the subject site.

The proposed rezoning does not meet FLUE Objective 16 and Policies 16.1, 16.2, 16.3, 16.5, 16.8, and 16.10 that relate to neighborhood protection. The subject site is currently residential single-family, and existing single family residential uses are located directly to the north and further northeast, east, and south of the subject site. Public/Quasi-Public Institutions exist to the east and west of the subject site. To the south of the subject site is Right-of-Way. To the northeast and northwest of the subject site are agricultural uses. A rezoning to CG-R would introduce a development pattern that does not match the character of the surrounding area.

The subject site does not meet Commercial Locational Criteria (CLC). According to FLUE policy 22.2, a site in the RES-4 FLUE category must be within 900 feet of a qualifying

intersection. The closest qualifying intersection to the subject site is Wilsky Boulevard, a two-lane roadway, and West Linebaugh Avenue, a four-lane roadway. The distance from the subject site and the qualifying intersection is roughly 2,440 feet, therefore, the site does not meet Commercial Locational Criteria. FLUE Objective 22 seeks to scale new commercial development consistent with the character of the area. A request to waive the CLC criteria, per FLUE policy 22.8, has been requested. The waiver request states that abutting uses appear to be vacant, as well as the subject site's proximity to State Road 589 generating a high volume of vehicle trips. Planning Commission staff cannot support the CLC waiver request because there do not appear to be any unique circumstances that would warrant the support of a waiver to CLC. In addition, the proposed rezoning to CG-R is not consistent with the character of the area and is not located at a major intersection where more intense uses are expected per FLUE Policy 22.5.

The subject site is within the limits of the Greater Carrollwood-Northdale Community Plan. A strategy of Goal 1 of the Greater Carrollwood-Northdale Community Plan states to discourage any new development of strip commercial in our community, and that mixed use development and redevelopment shall be focused at identified community activity center or intersections complying with the locational criteria. Due to the subject site not meeting locational criteria, the zoning request to CG-R does not align with the vision of the Greater-Carrollwood-Northdale Community Plan.

Overall, the proposed rezoning is inconsistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* and is not compatible with the existing and planned development pattern found in the surrounding area.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 24-0232

Rezonings

STATUS

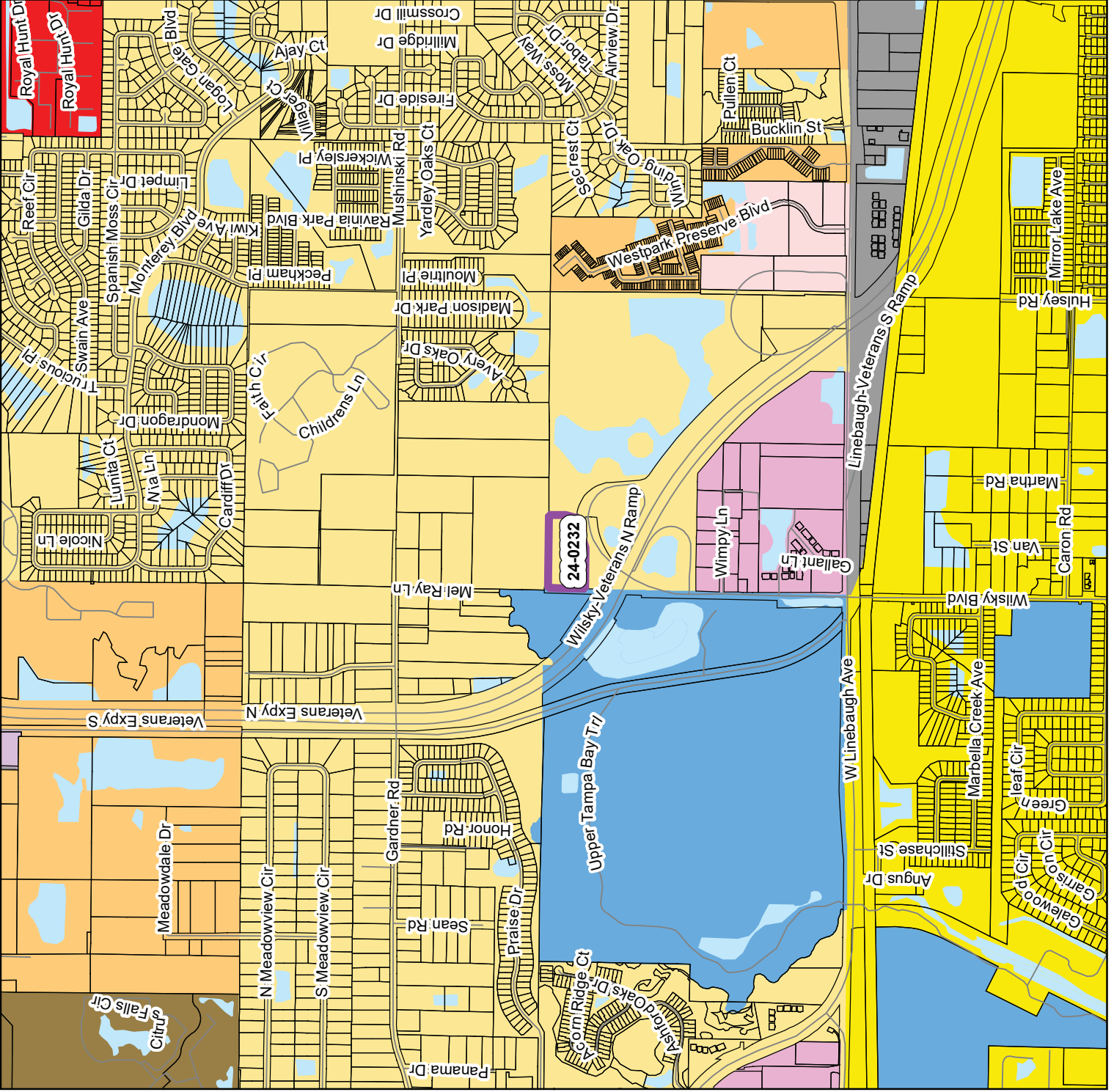
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels
- Water
- NATURAL LULC
- Wet Poly

- AGRICULTURAL MINING-120 (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 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- 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

Map Printed from Rezoning System: 1/5/2024
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\024_HilReZoning_Copy.mxd

Hillsborough County
 City-County
 Planning Commission





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 5/7/2024

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: CGN

PETITION NO: RZ 24-0232

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

PROPOSED RESTRICTIONS

The parcel shall be permitted to develop under the Commercial General (CG) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Commercial General (CG) district uses, except for the following:
 - a. Car Wash
 - b. Convenience Store;
 - c. Contractor's Office with Open Storage
 - d. Blood Plasma Donation Facilities; and,
 - e. Motor Vehicle Repair Facilities.

- 2) Permitted uses shall be limited to development that generates 19 or fewer inbound trips in either the a.m. peak hour or p.m. peak hour.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.53 ac. parcel from Agricultural Single-Family – 1 (AS-1) to Commercial General with Restrictions (CG/R). The applicant is proposing the below restrictions:

- 1) The following uses are proposed to be restricted:

Car wash
C-Store
contractor with open storage
Blood plasma donation
Recycle metal recovery facility
Motor vehicle repair

- 2) Adding an additional restriction:

The developer shall limit development to that which does not exceed (less than or equal to) 19 INBOUND trips in either the AM or PM peak hour.

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 4 Single-Family Detached Dwelling Units (ITE LUC 210)	38	3	3

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips*	
		AM	PM
CG/R, 850 s.f. Fast-Food with Drive-Through (ITE LUC 934)	398	38	28

**The a.m. peak hour period, the highest peak generating period, generates 19 inbound and 19 outbound trips in this scenario.*

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 360	(+) 35	(+) 25

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The section of Wilsky Blvd. which the subject parcels fronts is a 2-lane, collector roadway owned and maintained by the Florida Turnpike Enterprise (FTE). The roadway is characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a right-of-way of indeterminate width. There are no sidewalks present along this section of Wilsky Blvd. in the vicinity of the proposed project. There are +/- 5-foot-wide bicycle facilities (on paved shoulders) along the roadway in the vicinity of the proposed project.

Wilsky Blvd. east of the project driveway becomes the Veterans Expressway onramp. West of the project driveway, the roadway is shown as being owned and maintained by Hillsborough County; however, the FTE indicated via email that they own and maintain all portions of the roadway north of Wimpy Ln. Although such records were not obtained and verified by Real Estate prior to the writing of this report, the County Engineer verified these limits. Determination of access limits is important, since if the road were not owned and maintained by FTE County substandard road and other site access requirements would be applied.

SITE ACCESS AND CONNECTIVITY

It is anticipated that access to the site will be from Wilsky Blvd. The applicant proposed a restriction on development such that the no more than a cumulative total of 19 inbound trips in either the a.m. or p.m. peak hour would be permitted. This will minimize the likelihood that construction of a turn lane would be needed, given that it would likely be impossible to do so without reconstructing the bridge over the Veterans Expressway. Additionally, it helps minimize the potential for site distance issues and conflict with traffic coming from the south, over the bridge, and through the roadway curve (as shown in the access below, the access driveway is just to the left).



Although FTE staff was afforded an opportunity to comment, it was unclear whether they were familiar with County zoning processes, and such comments did not come in through the usual method (i.e. they were not uploaded to the Agency Comments folder in Optix). County staff attempted to engage with FDOT staff to have them assist in providing comments through the usual process/forms; however, such efforts were not successful by the time this report was written. Comments via email were received from the FTE Permits Engineer, who stated, "...since this is an existing Driveway they don't need to get an access permit but if they will be doing any work on Wilsky like Striping or Signing we would need to review the plans before any Construction. You would also need a General Use permit for this work." It was unclear from the communication who will be determining whether such work will be needed.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Wilsky Blvd.	Hanley Rd.	Veterans Expressway	D	E

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Wilsky Blvd.	FL Turnpike Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	38	3	3
Proposed	398	38	28
Difference (+/-)	(+) 360	(+) 35	(+) 25

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

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

Transportation Comment Sheet

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

COMMISSION

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



DIRECTORS

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

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: February 20, 2024</p> <p>PETITION NO.: STD 24-0232</p> <p>EPC REVIEWER: Kelly M. Holland</p> <p>CONTACT INFORMATION: (813) 627-2600 X</p> <p>EMAIL: hollandk@epchc.org</p>	<p>COMMENT DATE: January 31, 2024</p> <p>PROPERTY ADDRESS: 10619 Summer Season Place, Tampa</p> <p>FOLIO #: 0037200100</p> <p>STR: 13-27S-18E</p>
<p>REQUESTED ZONING: Standard Rezoning</p>	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	VALID TO AUGUST 16, 2028
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	In the northern portion of the property
<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/ 	

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

OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

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

INFORMATIONAL COMMENTS:

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

- The subject property may contain wetland/OSW areas, which have 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.
- 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: Jose & Julia Martinez, Property Owners - manny@wetbay.cc
Todd Pressman, Applicant - todd@pressmaninc.com

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

PETITION NO.: RZ-STD 24-0232 REVIEWED BY: Clay Walker, E.I. DATE: 1/16/2024

FOLIO NO.: 3720.0100

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 1000 feet from the site) and is located south of the subject property within the east Right-of-Way of Wilsky Boulevard. 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 gravity main exists (adjacent to the site), (approximately 1000 feet from the site) and is located south of the subject property within the east Right-of-Way of Summerfield Crossing Boulevard. 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. Connection to the County's potable water and wastewater will require the future water main and force main to cross the Veterans Expressway.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 4 January 2024

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

APPLICANT: Todd Pressman

PETITION NO: RZ-STD 24-0232

LOCATION: 10619 Summer Seasons PL., Tampa, FL 33625

FOLIO NO: 3720.0100

SEC: 13 TWN: 28 RNG: 17

- 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: _____.



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:** 1/2/2024
REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 1/4/2024
PROPERTY OWNER: Martinez, Jose A. & Julia Yovania **PID:** 24-0232
APPLICANT: Todd Pressman
LOCATION: 10619 Summer Season Pl. Tampa, FL
FOLIO NO.: 3720.0100

AGENCY REVIEW COMMENTS:

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Potable Water Wellfield Protection Area (PWWPA), and/or Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

Hillsborough County Environmental Services Division (EVSD) has no objection.



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
Board of County Commissioners

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IN RE:)
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ZONE HEARING MASTER)
HEARINGS)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Tuesday, May 14, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 8:28 p.m.

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

Reported by:
Diane DeMarsh, AAERT No. 1654
Digital Reporter

1 MS. HEINRICH: Our first item is Item C.1, Standard
2 Rezoning 24-0232. The applicant is Todd Pressman requesting a
3 rezoning from AS-1 one to CGR. Michelle Montalbano with
4 Development Services will provide staff findings after the
5 applicant's presentation.

6 MR. PRESSMAN: Good evening, Hearing Officer.
7 Todd Pressman, 200 2nd Avenue South, Number 451 in Saint
8 Petersburg. I do have a PowerPoint for you which is up.

9 This is 24-0232. We're located in the Greater
10 Carrollwood North Dale area. This is as the property appraiser
11 has it. It's a little bit unusual site because it's located
12 right in the Veterans, but it's access is actually on Wil --
13 Wilsky Boulevard just before the beginning or on the north
14 onramp onto Veterans Expressway. So it's a little bit of a --
15 of a different type of location or access point. And just a
16 little bit of a closer view for you to get the lay of the land a
17 little bit.

18 So today's request is AS-1 to CGR. The restrictions
19 are restrictions on uses which will restrict car wash store,
20 contractor with open storage, blood plasma, recycle metal
21 recovery facility and motor vehicle repair. We've also agreed
22 to restrict development which does not exceed less than or equal
23 to 19 inbound trips in either the A.M. or P.M. peak hour. And
24 that was through some discussions with staff.

25 Now, importantly, one important finding I want to make

1 you aware of is that when you look at the Planning Commission
2 report they make a comment that potential uses in CG, such as,
3 for example, they state hospital, ambulatory services, wholesale
4 distribution center, shopping centers are not compatible. I
5 think it's important to note that the trip restriction certainly
6 would impact that in a significant way and significant degree.
7 So I -- I -- I would suggest that the Planning Commission report
8 does not look or consider closely that second restriction.

9 HEARING MASTER: Just to stop you for a second,
10 Mr. Pressman. How is that trip limit going to be enforced? And
11 why wouldn't there be additional restrictions to eliminate those
12 other items, such as hospitals, ambulatory services and so
13 forth? I mean --

14 MR. PRESSMAN: Well, that -- that restriction was
15 determined or presented to us by -- from Staff. And we used
16 that in other zonings. I would suggest or I would think
17 strictly myself speaking, that when permits come in or different
18 documents that indicate use, that they will be flagged in terms
19 of the square footage as to how many trips they're going to be
20 generating. But it is a condition that was determined by staff
21 and presented by staff. So I assume that they feel that they --
22 I'm not speaking for them, I assume they consider that a
23 condition that can be enforced.

24 HEARING MASTER: And what's the nature of those
25 restricted uses that would, you know, what difference does that

1 make? What's the nature of those restricted uses do you -- that
2 caused those to be selected?

3 MR. PRESSMAN: You mean item number one or item number
4 two?

5 HEARING MASTER: Item number one. The -- the items
6 you chose to restrict or that were chosen to be restricted. Why
7 were those chosen? What's the nature of those that makes them
8 difference?

9 MR. PRESSMAN: I reviewed those with the applicant.
10 And we made a determination of the uses that we did not think
11 would be either appropriate or mostly not appropriate and as
12 well, not some that would find a high demand at that location.
13 So it was on the applicant's side in making a determination as
14 to what uses we would need to restrict in order to gain staff
15 recommendation. And of course, we're always working very hard
16 to get the staff recommendation. And then as well on a couple
17 of them in terms of items or uses that would not be appropriate
18 at -- at a location like that.

19 HEARING MASTER: Is -- is the rezoning intended to
20 address use that's already there in operation?

21 MR. PRESSMAN: Not to my understanding, no. The
22 answer is no.

23 HEARING MASTER: Okay. Thank you.

24 MR. PRESSMAN: Thank you. Development Services does
25 note that the proposed trip cap, 19 inbound trips in the A.M.

1 peak hour would exclude the high intensity use of permitted in
2 the CG district. Therefore, staff does find the CG zoning
3 district restrictions compatible with the existing use of the
4 zoning district and development patterns. So looking at the
5 zoning map, it -- it looks pretty quiet. But when you look at
6 the Future Land Use map, you begin to recognize or it begins to
7 recognize the Veteran's expressway, which is, of course, a
8 critical element in the immediate area, the PQP and the CMU-12.
9 And as Planning Commission notes, public-quasi-public
10 institutional uses exist to the east and west of the subject
11 site, which includes the Hillsborough County solid waste
12 facility, which is obviously a large facility. And Hillsborough
13 County and FDOT own on both sides of the particular site.

14 DSD notes to the southwest Linebaugh are commercial
15 office and manufacturing uses. Of course, the outstanding
16 characteristic besides the County's facility, there is the
17 Veterans, which is almost 81,000 vehicles per day, which has a
18 profound impact on the immediate area in this -- and this
19 property. Interestingly enough, again, with respect to the
20 Planning Commission, their -- their analysis excludes any
21 consideration of the expressway in their review of the property
22 except in the locational criteria, which I would suggest on the
23 other hand again, with great respect to the Planning Commission,
24 the expressway is a tremendously unique circumstance in that
25 evaluation. But the Planning Commission notes in their report

1 they cannot support the location waiver because there do not
2 appear to be any unique circumstances, which we, of course, we
3 would disagree with in regard to the items I just suggested to
4 you.

5 I would also suggest that the locational criteria does
6 not fit well on the site. The criteria is taken from way down
7 on Linebaugh when we're looking at a site that virtually well is
8 abutting the Veterans expressway. So we just suggest that the
9 way that the locational criteria is applied and viewed at the
10 site just does not work well at this particular site. And
11 Development Services note the property boundary abutting the
12 single-family residence is also buffered by approximately an
13 acre wetland area, which you get which and a third point, is not
14 well recognized by the Planning Commission.

15 In the sense of that this is the site in the red.
16 They're referring to the single-family home far to the north,
17 which is quite a distance. And additionally, there's
18 significant wetlands between the two creating a tremendous
19 buffer and tremendous screening between the two sites. This is
20 a little bit of a closer view on that circumstance with
21 Hillsborough County and FDOT on the other side. Planning
22 Commission notes that it's not compatible with the existing
23 residential development pattern of the surrounding area due to
24 the single-family homes to the north, northeast, northwest and
25 further south of the subject site.

1 So looking at that, they're referring to residential
2 home over 1,000 feet on either side, again, through forestation
3 and/or significant wetlands. And to the south, that opinion of
4 compatibility is more than 1,000 feet and across the veterans
5 expressway. So as -- we -- we certainly don't agree with great
6 respect to the Planning Commission, don't agree with that
7 analysis on the south.

8 They -- they refine that a little bit in the Planning
9 Commission. They refer to all the policies in the 16 -- in the
10 1,600 hundreds that relate to a protection. They note that the
11 subject site is currently residential, single-family and uses
12 are located directly to north and furthest, northeast, east and
13 south of the subject site. So as I showed you before, there's
14 actually quite a long distance and screening and buffering
15 between all those elements. So we don't disagree that these are
16 uses located directly in regard to the site.

17 And additionally, the waste facility was -- was not
18 mentioned at all in the Planning Commission report. It was
19 acted into Development Services -- Development Services' report.

20 So with that, we believe the Planning Commission, for
21 the reasons I stated, are -- are correct in their review. And
22 with great respect to the Planning Commission, we believe that
23 their review was off target a bit. And your review, we hope,
24 will consider those points in support of the application.

25 HEARING MASTER: Just in looking at the property

1 before tonight's meeting, I looked at some aerial views that are
2 on the property appraiser's website. It does look like some
3 kind of commercial activity has been going on there. So what is
4 the use of the property now? And I recognize this as a
5 Euclidian zoning. But what is -- what's the use?

6 MR. PRESSMAN: Well, I have to say, my site visit, I
7 would agree with you that there are uses apparently on the site
8 that are with the current zoning. And that -- that's the status
9 of the property that, as far as I can see, does not conform with
10 the existing zoning if that's what you're asking me. But the
11 intended use is for commercial general restricted.

12 HEARING MASTER: Okay. All right. That's all I have
13 for you. Thank you very much.

14 MR. PRESSMAN: Thank you.

15 HEARING MASTER: And be sure and sign in.

16 Al right. Development Services.

17 MS. MONTALBANO: Good evening. This is
18 Michelle Montalbano, Development Services.

19 The applicant is requesting to rezone an approximate
20 4.53 acre property from AS-1 to CG with restrictions. The
21 proposed conditions include a trip generation limit and
22 restrictions to certain com -- commercial uses. The property is
23 located in the Greater Carrollwood Northdale area right before
24 the northbound entrance to the Veterans Expressway at the end of
25 Wilsky Boulevard.

1 Each abutting property is zoned AS-1. To the south
2 and east are FDOT owned land for the Veterans Expressway
3 right-of-way. And to the west is county owned land, which is
4 part of a solid waste facility. Directly abutting the property
5 to the north is a single-family residence on a 15-acre lot,
6 which would be buffered by a 20-foot Type B buffer and a large
7 wetland area occupying the rear of the subject property.

8 The proposed restrictions and the proposed trip cap of
9 less than or equal to 19 inbound trips in the A.M. or P.M. hour
10 peak will exclude the high intensity uses permitted in the CG
11 district that would otherwise make the rezoning request
12 incompatible. Transportation review staff has recommended
13 approval based on these conditions and their correspondence with
14 the FDOT and Turnpike review staff.

15 Based on these considerations, Staff finds the
16 rezoning request to GG approvable, subject to the proposed
17 restrictions. Thank you.

18 HEARING MASTER: All right. Ms. Peddle, I guess I
19 would ask you the same. How will that development restriction
20 be enforced? And also, what is the nature of those restricted
21 uses? Why were they chosen as restrictions?

22 MS. MONTALBANO: I believe during site development,
23 the trip cap will be enforced by staff. And I know -- I know
24 certain uses like hospitals and such were excluded from that
25 trip cap and that's why.

1 HEARING MASTER: So they're not restricted uses
2 because they would generate more trips. So the -- the trip cap
3 effectively eliminates those uses. Is that what you're --

4 MS. MONTALBANO: Correct.

5 HEARING MASTER: Okay. I understand. Thank you.

6 All right. Planning Commission.

7 MS. LIENHARD: Thank you. For the record,
8 Melissa Lienhard, Planning Commission staff. The subject
9 property is located within the Residential-4 Future Land Use
10 Category. The site is in the urban service area. And it is
11 also located within the limits of the Greater Carrollwood
12 Northdale Community Plan. The Residential-4 for Future Land Use
13 Category surrounds the subject site to the north, south and
14 east. To the west is public/quasi-public. And further south,
15 there is the community mixed use-12 Future Land Use Category, as
16 well as light industrial.

17 The Residential-9 and suburban mixed use-6 Future Land
18 Use Categories are further southeast. Though the applicant is
19 restricting certain uses, other potential uses allowed in the
20 commercial general zoning cat -- only district category such as
21 hospital and ambulatory services, wholesale distribution centers
22 and shopping centers are not compatible with the existing
23 residential development pattern of the surrounding area due to
24 the single-family homes to the north and further south of the
25 subject property.

1 In addition, regarding the inbound trip limits
2 restriction, Planning Commission staff questions the
3 enforceability of that restriction when -- and when addressing
4 compatibility concerns, use restrictions are a more
5 straightforward and clearer way to address those concerns.

6 Furthermore, Planning Commission staff is not party to
7 the site development process and therefore must submit a
8 consistency review finding based on the information submitted
9 with this rezoning at this point in time. The proposal
10 resending does not meet Future Land Use Element Objective 16 and
11 its accompanying policies that relate to neighborhood
12 protection, based on the surrounding residential development
13 pattern. A rezoning to commercial general restricted would
14 introduce a development pattern that does not match the
15 character of the surrounding area.

16 In addition, with a standard rezoning, a site plan is
17 not required and therefore it is difficult to evaluate site and
18 building design and placement and potential mitigation measures
19 with the proposed use in this location. The subject site does
20 not meet commercial locational criteria. A site in the
21 residential-4 Future Land Use Category must be within 900 feet
22 of a qualifying intersection. The closest qualifying
23 intersection to the subject site is Wilsky Boulevard a two-lane
24 roadway and West Linebaugh Avenue of four-lane roadway. The
25 distance from the subject site and the qualifying intersection

1 is roughly 2,440 feet away. Therefore the site does not meet
2 this criteria.

3 A request to waive the criteria has been submitted per
4 Policy 22.8. Planning Commission Staff cannot support the
5 waiver request because there are not any unique circumstances
6 that would warrant the support of that waiver. In addition, the
7 proposed rezoning is not consistent with the character of the
8 area and is not located at a major intersection where more
9 intense uses are expected per Future Land Use Element Policy
10 22.5.

11 A strategy of Goal 1 of the Greater Northdale, I'm
12 sorry, Greater Carrollwood Northdale Community Plan seeks to
13 discourage any new development of strict commercial in our
14 community and that mixed use development and redevelopment
15 shall be focused at identified community activity centers or
16 intersections that comply with locational criteria.

17 Due to the subject site not meeting locational
18 criteria, the zoning request does not align with the vision of
19 the community plan. And based upon those considerations,
20 Planning Commission staff finds the proposed rezoning
21 inconsistent with the Unincorporated Hillsborough County
22 Comprehensive Plan. Thank you.

23 HEARING MASTER: All right. Just a question also.
24 About the locational criteria. Is it significant that the
25 Veterans Expressway is just almost abutting the property?

1 MS. LIENHARD: That's a great question. Thank you for
2 asking. The Veterans Expressway is a limited access highway.
3 And therefore this site has no interaction with that highway
4 directly. So we would measure from the nearest qualifying
5 intersection, which is the one that I mentioned in my testimony.

6 HEARING MASTER: All right. Thank you. All right.
7 Is there anyone here or online who wishes to speak in support of
8 this application? I do not hear anyone.

9 Is there anyone here or online who wishes to speak in
10 opposition to this application? All right. I do not hear
11 anyone.

12 All right. Development Services, anything further?

13 MS. HEINRICH: No, ma'am.

14 HEARING MASTER: All right. Thank you. Applicant,
15 anything further?

16 MR. PRESSMAN: No. Thank you. Appreciate your
17 consideration.

18 HEARING MASTER: All right. Thank you. This closes
19 the hearing on Rezoning Standard 24-0232.

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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: PAMELA JO HARTLEY
Land Use Hearing Master

DATE: Monday, April 15, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 8:38 p.m.

LOCATION: Frederick B. Karl County Center
601 East Kennedy Boulevard
Tampa, Florida 33602

Reported by:
Diane DeMarsh, AAERT No. 1654
Digital Reporter

1 Item A.2, MM 23-0904. This application is being
2 continued by the applicant to the May 14, 2024, ZHM Hearing.

3 Item A.3, PD 23-0997. This application is being
4 continued by the applicant to the May 14, 2024, ZHM Hearing.

5 Item A.4, MM 24-0034. This application is being
6 continued by the applicant to the May 14, 2024, ZHM Hearing.

7 Item A.5, PD 24-0044. This application is being
8 continued by the applicant to the May 14th ZHM Hearing.

9 PD 24-0124. This application is out of order to be
10 heard and is continued to the May 14, 2024, ZHM Hearing.

11 Item A.7. This application is out of order to be
12 heard, which is PD 24-0141. This application is out order to be
13 heard and is being continued to the May 14, 2024, ZHM Hearing.

14 Item A.8, RZ-STD 24-0232. This application is out of
15 order to be heard and is being continued to the May 14, 2024,
16 ZHM Hearing.

17 Item A.9, PD 24-0239. This application out of order
18 to be heard and is being continued to the May 14, 2024, ZHM
19 Hearing.

20 Item A.10, SU-GEN 24-0257. This application is being
21 continued by the applicant to the May 14, 2024 ZHM Hearing.

22 Item A.11, PD 24-0293. This application is out of
23 order to be hearing is being continued to the May 14, 2024, ZHM
24 Hearing.

25 Item A.12, MM 24-0300. This application is being

ZHM Hearing
February 20, 2024

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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: Tuesday, February 20, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 11:46 p.m.

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

Reported by:
Diane DeMarsh, AAERT No. 1654
DIGITAL REPORTER

1 Item A.23, Standard Rezoning 24-0171. This
2 application is out of order to be heard and is being continued
3 the March 25, 2024 ZHM Hearing.

4 Item A.24, Standard Rezoning 24-0232. This
5 application is being continued by the applicant to the
6 April 15, 2024 ZHM Hearing.

7 Item A.25, Standard Rezoning 24-0265. This
8 application is out of order to be heard and is being continued
9 on March 25, 2024 ZHM Hearing.

10 Item A.26, Standard Rezoning 24-0273. This
11 application is out of order to be heard and is being continued
12 to the March 25, 2024 ZHM Hearing.

13 And that concludes all withdrawals and continuances.

14 HEARING MASTER: Thank you so much. I appreciate it.
15 Let me start by going over tonight's hearing procedures.

16 Our hearing today consists of agenda items that
17 require a public hearing by a zoning hearing master. I will
18 conduct a hearing on each agenda item and will file a
19 recommendation within 15 business days following tonight's
20 hearing. That recommendation is then sent to the Board of
21 County Commissioners, who will make the final decision on each
22 application. Our hearing tonight is informal. I'll ask
23 questions related to the scope of direct testimony. I may call
24 and question witnesses as I deem name appropriate. And I will
25 decide all questions of procedure. I'll take evidence, but will



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 5/14/2024 6pm HEARING MASTER: Pamela Jo Hatley

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

<p>APPLICATION # <u>RZ 24-0232</u></p>	<p>PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave S. #451</u> CITY <u>St. Petersburg (St.)</u> STATE <u>FL</u> ZIP <u>33719</u> PHONE <u>727-564-1760</u></p>
<p>APPLICATION # <u>RZ 24-0338</u></p>	<p>PLEASE PRINT NAME <u>Rohit Mehta</u> MAILING ADDRESS <u>6331 Gandula Dr</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>813-643-5511</u></p>
<p>APPLICATION # <u>RZ 24-0338</u> <u>VS</u></p>	<p>PLEASE PRINT NAME <u>Denah Butts</u> MAILING ADDRESS <u>11306 J and B Dr.</u> CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE <u>813-853-1280</u></p>
<p>APPLICATION # <u>RZ 24-0469</u></p>	<p>PLEASE PRINT NAME <u>CHRISTOPHER S. MCNEEL</u> MAILING ADDRESS <u>15957 N. FLORIDA AVE</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-205-2504</u></p>
<p>APPLICATION # <u>RZ 23-0997</u></p>	<p>PLEASE PRINT NAME <u>Trent Stephenson</u> MAILING ADDRESS <u>505 E Jackson #200</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 375 0616</u></p>
<p>APPLICATION # <u>RZ 23-0997</u></p>	<p>PLEASE PRINT NAME <u>Stephen Sposato</u> MAILING ADDRESS <u>505 E Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-375-0616</u></p>

DATE/TIME: 5/14/2024 6pm HEARING MASTER: Pamela Jo Hatley

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

<p>APPLICATION # RZ 23-0997</p>	<p>PLEASE PRINT NAME <u>STEVE HENRY</u></p> <p>MAILING ADDRESS <u>5023 W. LANIER ST</u></p> <p>CITY <u>TVA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-289-0039</u></p>
<p>APPLICATION # RZ 23-0997</p>	<p>PLEASE PRINT NAME <u>Rebecca Kert</u></p> <p>MAILING ADDRESS <u>400 N Tampa St Suite 1908</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-368-3064</u></p>
<p>APPLICATION # RZ 23-0997</p>	<p>PLEASE PRINT NAME <u>Michael Brooks</u></p> <p>MAILING ADDRESS <u>400 N Tampa St / St 1910</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-594-5900</u></p>
<p>APPLICATION # MM 24-0029</p>	<p>PLEASE PRINT NAME <u>Todd Pressing</u></p> <p>MAILING ADDRESS <u>200 Julie Ave S #151</u></p> <p>CITY <u>J. Pk</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>813-277-1760</u></p>
<p>APPLICATION # MM 24-0029</p>	<p>PLEASE PRINT NAME <u>Rajiv Mathur</u></p> <p>MAILING ADDRESS <u>1612 Carlin Oaks Dr</u></p> <p>CITY <u>Vero</u> STATE <u>FL</u> ZIP <u>32909</u> PHONE <u>887-7164211</u></p>
<p>APPLICATION # RZ 24-0293</p>	<p>PLEASE PRINT NAME <u>William J. Molly</u></p> <p>MAILING ADDRESS <u>326 S Blvd</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>813-629-2752</u></p>

DATE/TIME: 5/14/2024 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>RZ 24-0454</u>	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>14 E Kennedy Blvd, Ste 3700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227-8421</u>
APPLICATION # <u>RZ 24-0454</u>	PLEASE PRINT NAME <u>Stephen Sposato</u> MAILING ADDRESS <u>505 E Jackson St</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-375-0611</u>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
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HEARING TYPE: **ZHM** , PHM, VRH, LUHO

DATE: 5/14/2024


HEARING MASTER: Pamela Jo Hatley

PAGE: 1 of 1


APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 24-0232	Todd Pressman	1. Applicant Presentation Packet – thumb drive	No
RZ 23-0997	Stephen Sposato	1. Applicant Presentation Packet	No
RZ 24-0029	Todd Pressman	1. Applicant Presentation Packet – thumb drive	No
RZ 24-0454	Stephen Sposato	1. Applicant Presentation Packet	No

MAY 14, 2024 - ZONING HEARING MASTER


The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Tuesday, May 14, 2024, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.


 Pamela Jo Hatley, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduction.

A. WITHDRAWALS AND CONTINUANCES

 Michelle Heinrich, Development Services (DS), reviewed the changes to the agenda.

 Pamela Jo Hatley, ZHM, overview of ZHM process.

 Assistant County Attorney Mary Dorman, overview of evidence/ZHM/BOCC Land Use process.

 Pamela Jo Hatley, ZHM, Oath.

B. REMANDS - None.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 24-0232

 Michelle Heinrich, DS, called RZ 24-0232.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 24-0232.

C.2. RZ 24-0338

 Michelle Heinrich, DS, called RZ 24-0338.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 24-0338.

C.3. RZ 24-0469

 Michelle Heinrich, DS, called RZ 24-0469.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 24-0469.

TUESDAY, MAY 15, 2024

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

D.1. RZ 23-0997

 Michelle Heinrich, DS, called RZ 23-0997.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 23-0997.

D.2. MM 24-0029

 Michelle Heinrich, DS, called MM 24-0029.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed MM 24-0029.

D.3. RZ 24-0293


 Michelle Heinrich, DS, called RZ 24-0293.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 24-0293.

D.4. RZ 24-0454

 Michelle Heinrich, DS, called RZ 24-0454.

 Testimony provided.

 Pamela Jo Hatley, ZHM, closed RZ 24-0454.

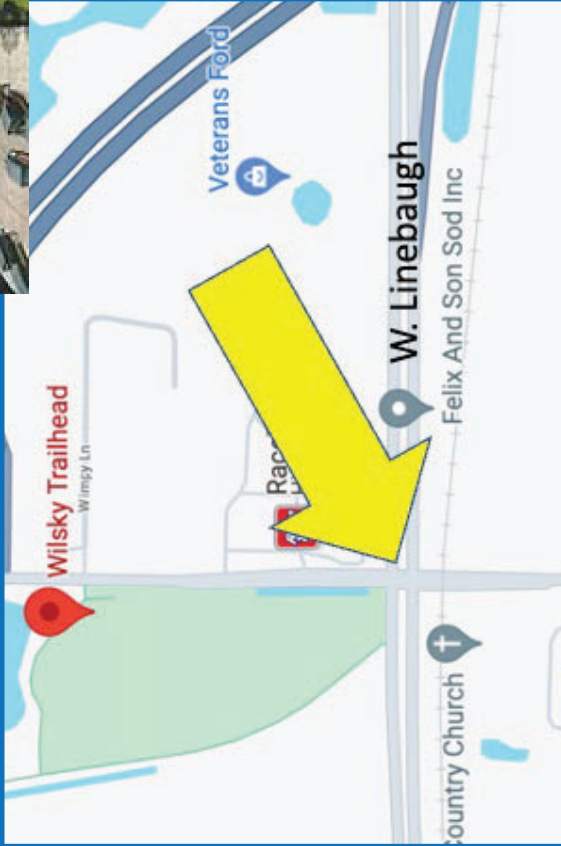
E. ZHM SPECIAL USE - None.

ADJOURNMENT

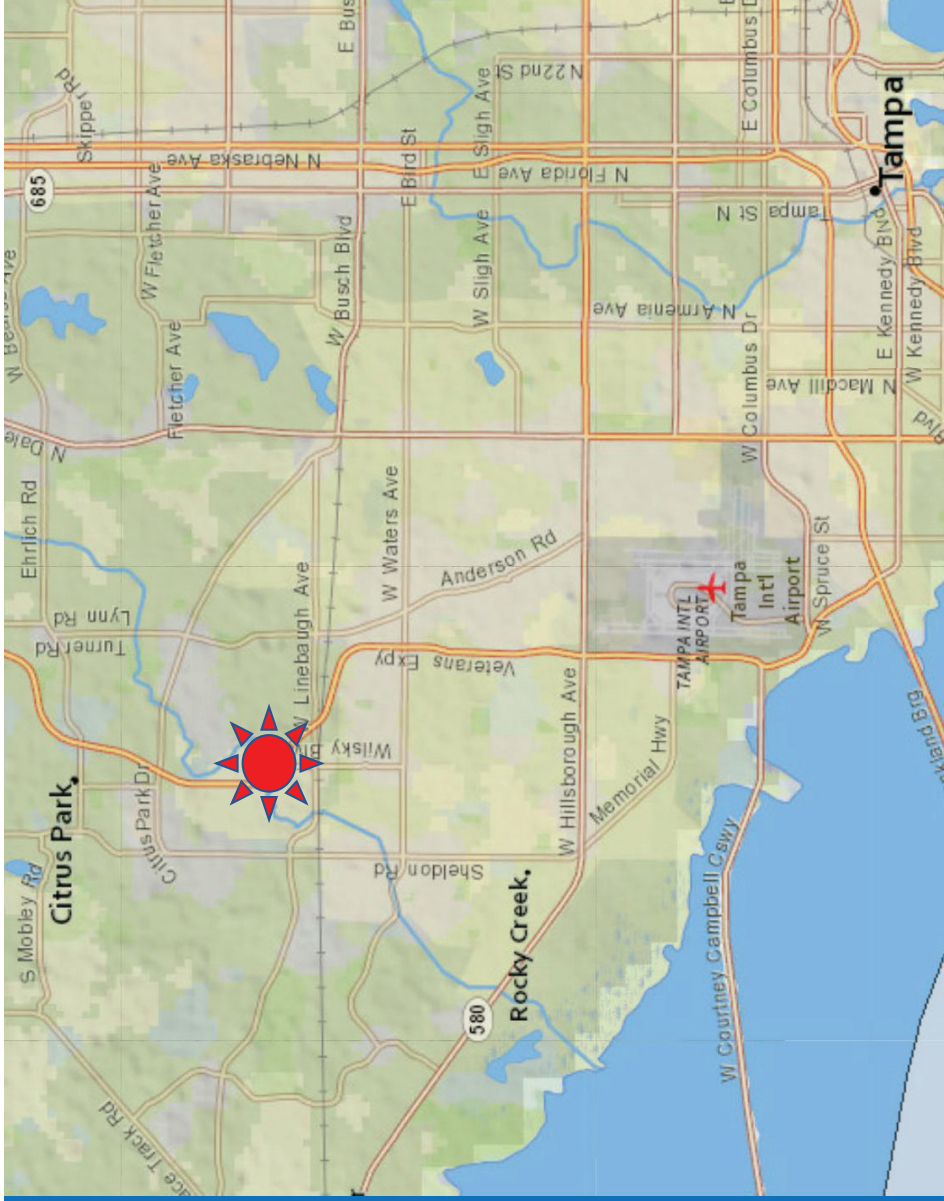
 Pamela Jo Hatley, ZHM, adjourned the meeting at 8:27 p.m.

Application No.	RZ 24-0232
Name:	Todd Pressman
Entered at Public Hearing:	ZHM
Exhibit #	1
Date	5/14/2024

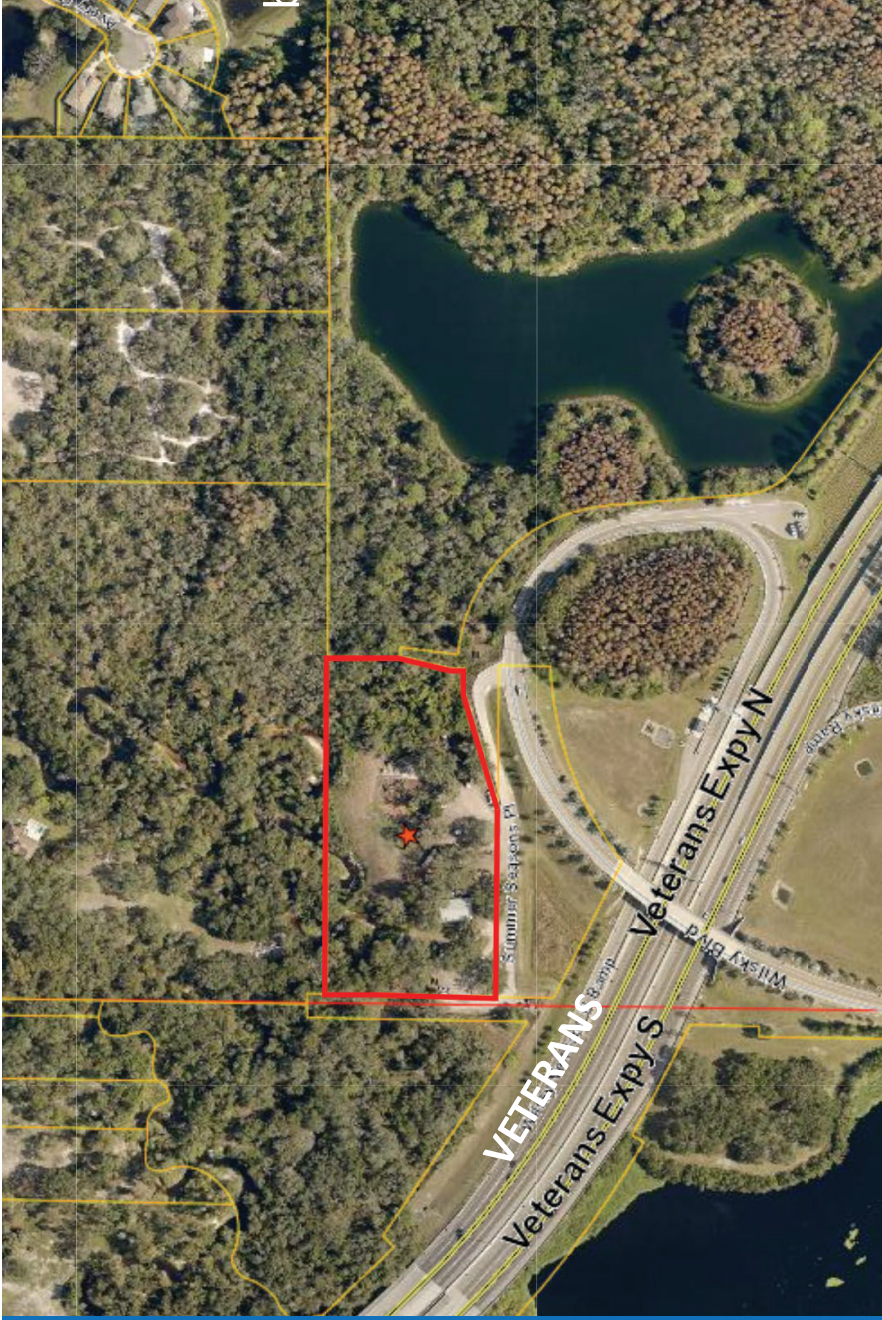
24-0232



Greater Carrollwood/Northdale



The site is accessed by Wilsky Boulevard, just before the beginning of a northern on-ramp on to Veterans Expressway.



entify



4.5 acres

TODAY: AS-1 to CG-R

Restrictions:

1) The following uses are proposed to be restricted:

Car wash, C-Store, contractor with open storage, Blood plasma donation
Recycle metal recovery facility, Motor vehicle repair

2) The developer shall limit development to that which does not exceed (less than or equal to) 19 INBOUND trips in either the AM or PM peak hour.

Restrictions:

1) The following uses are proposed to be restricted:

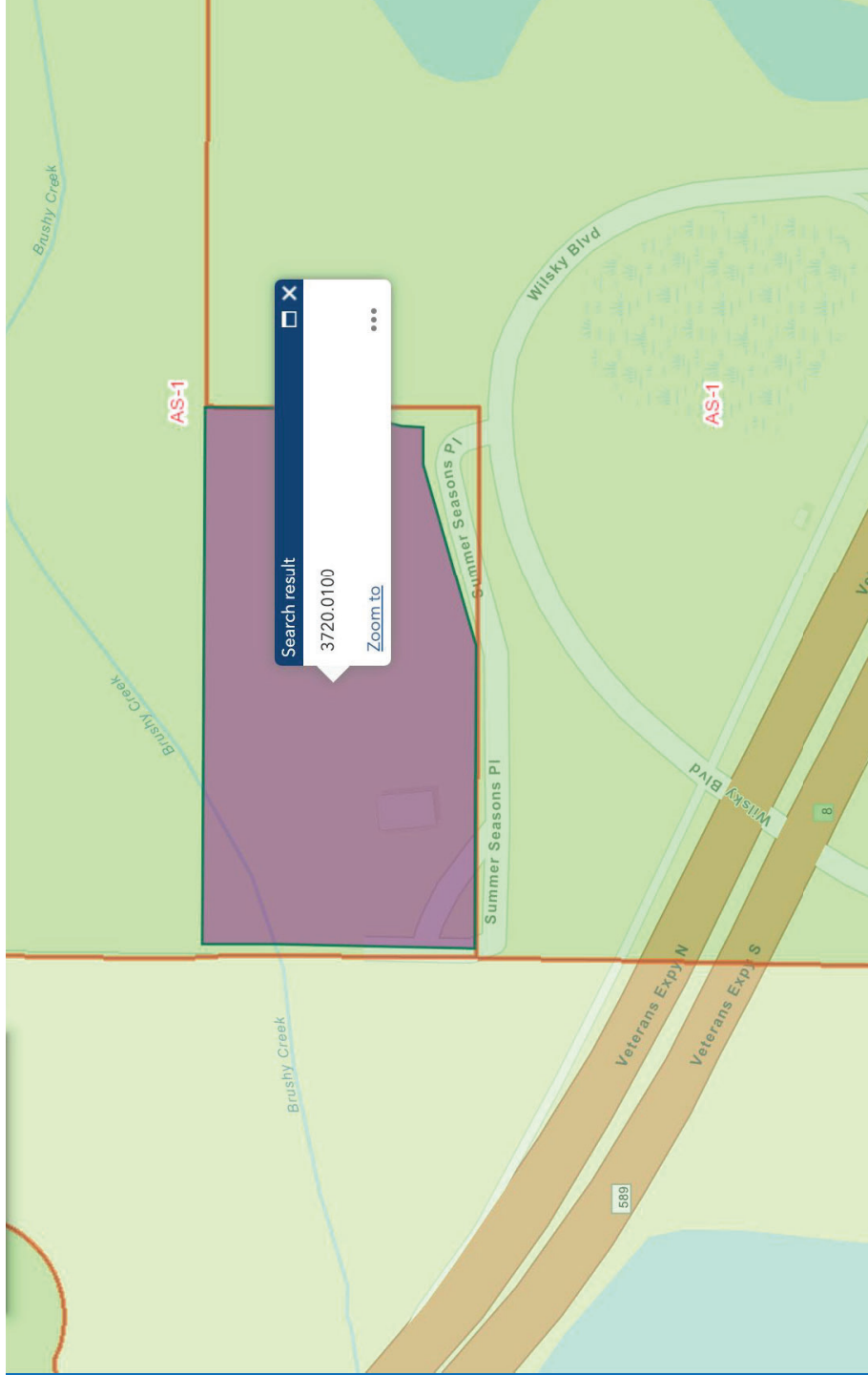
Car wash, C-Store, contractor with open storage, Blood plasma donation
Recycle metal recovery facility, Motor vehicle repair

2) The developer shall limit development to that which does not exceed (less than or equal to) 19 INBOUND trips in either the AM or PM peak hour. NOT considered or factored in by P.C.

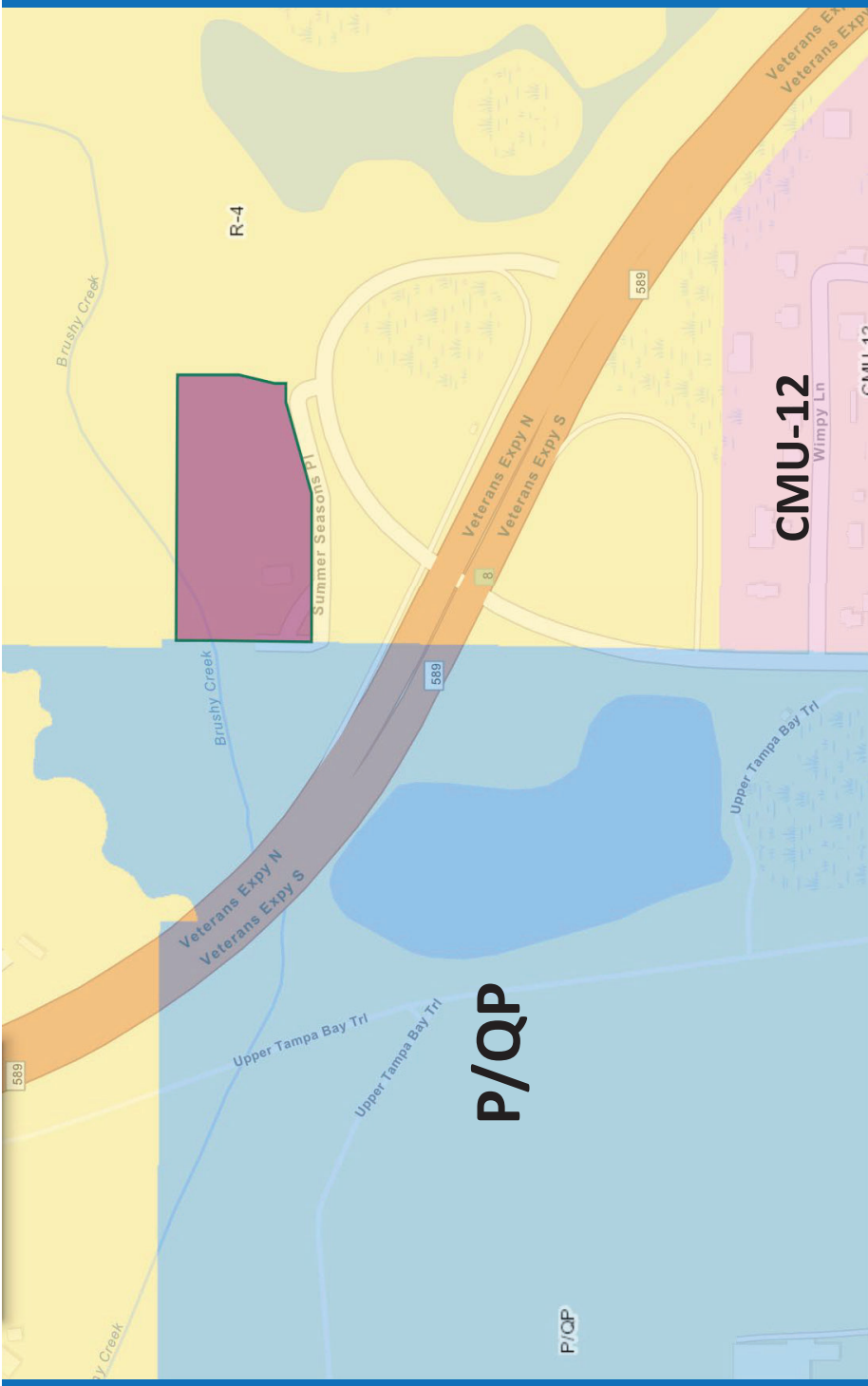
Plan Comm.: “...other potential uses allowed in the CG zoning category, such as hospital and ambulatory services, wholesale distribution centers, and shopping centers are not compatible”

D.S.D.: “The proposed trip cap of less or equal to 19 inbound trips in the AM or PM peak hour will exclude the high intensity uses permitted in the CG district. Therefore, staff finds proposed CG zoning district with restrictions compatible with the existing uses, zoning districts, and development patterns in the area”.

Zoning Map



FLU Map

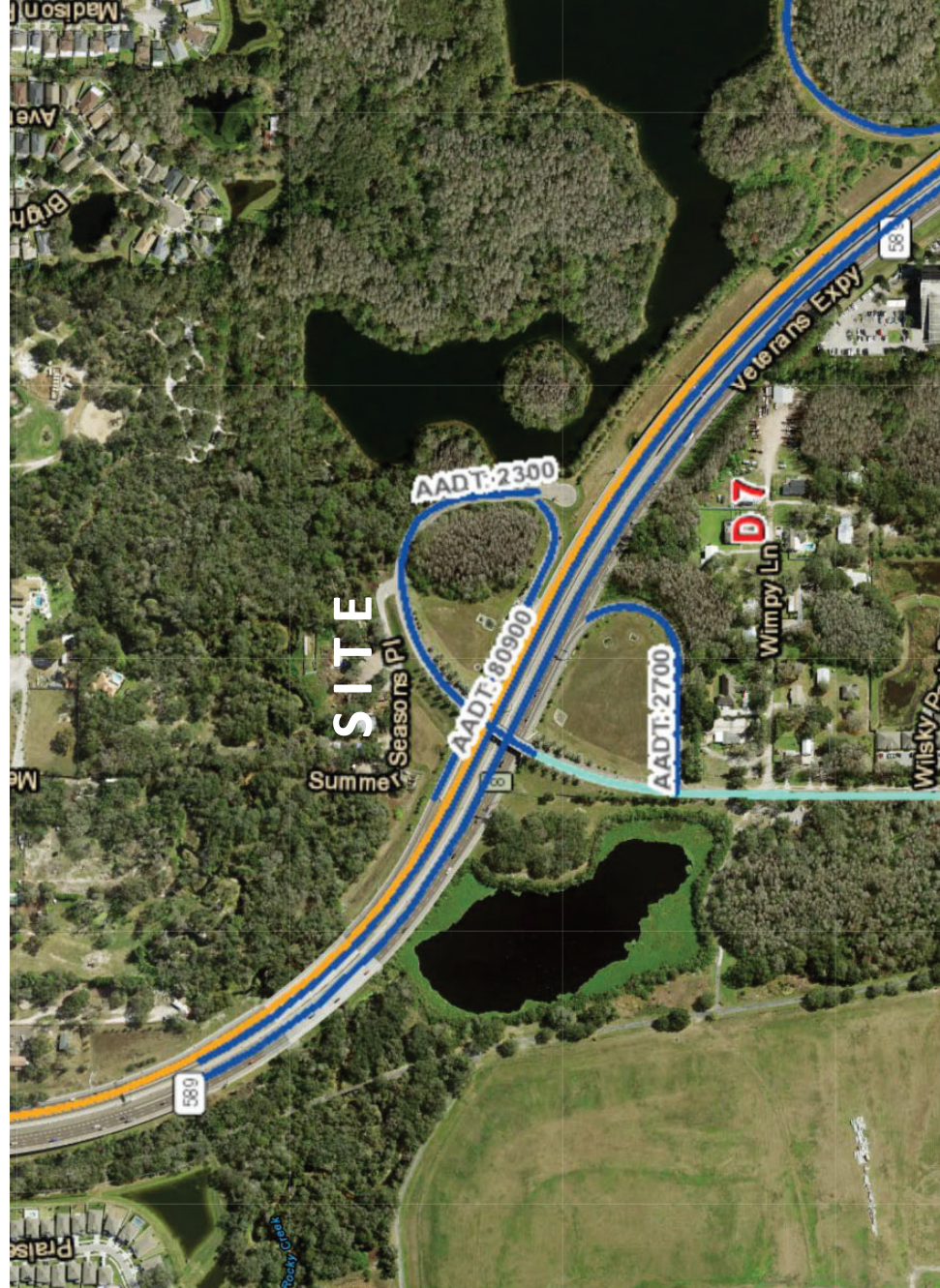




D.S.D., “To the south of the subject site off Wilsky Blvd. and West Linebaugh Ave. are commercial, office, and manufacturing uses.

Plan Comm.,: “Public/Quasi-Public Institutions exist to the east & west of the subject site.

Veterans: 80,900 vehicles/day



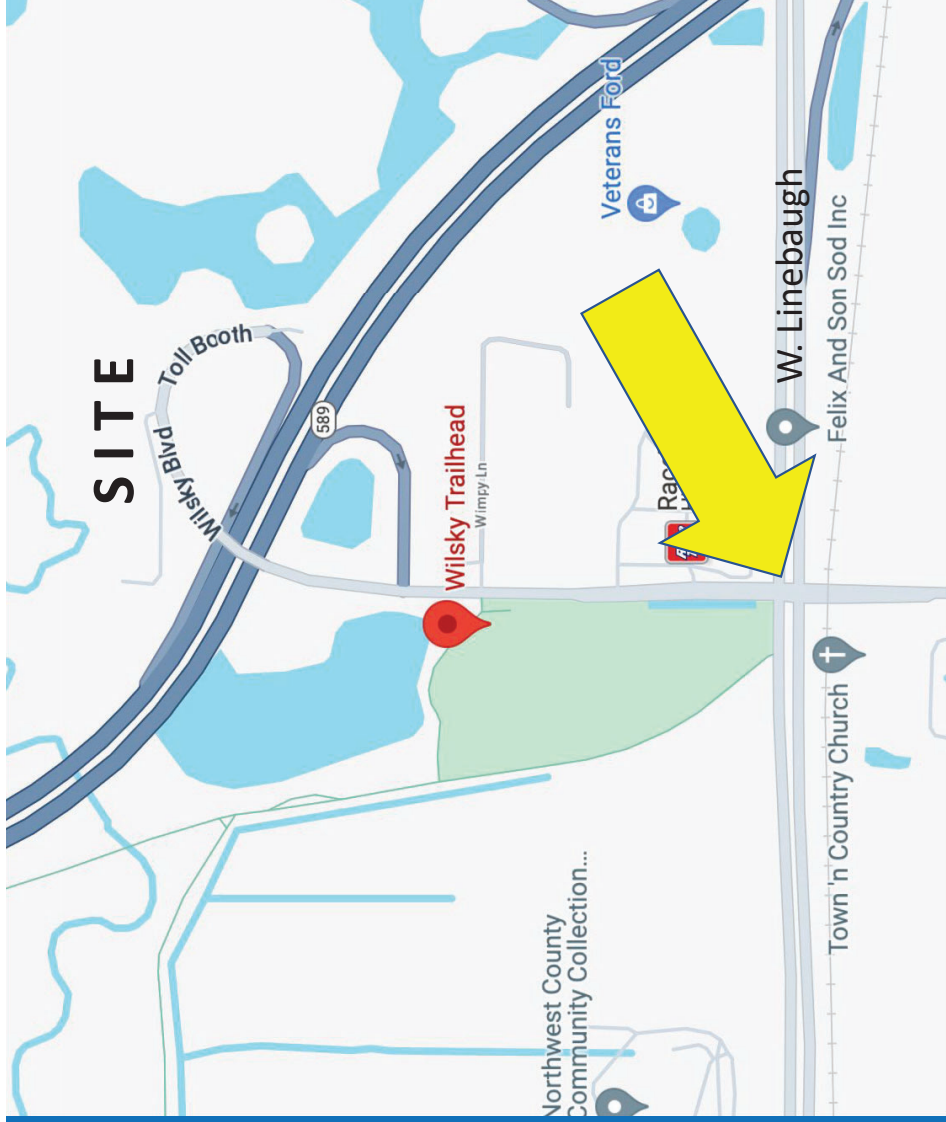
Planning Commission analysis excludes the Expressway completely, except only in the locational waiver, of which on the other hand, the

Expressway is a tremendously unique circumstance...

Plan Comm.: “ ...staff cannot support the CLC waiver request because there do not appear to be any unique circumstances that would warrant the support of a waiver to CLC” .

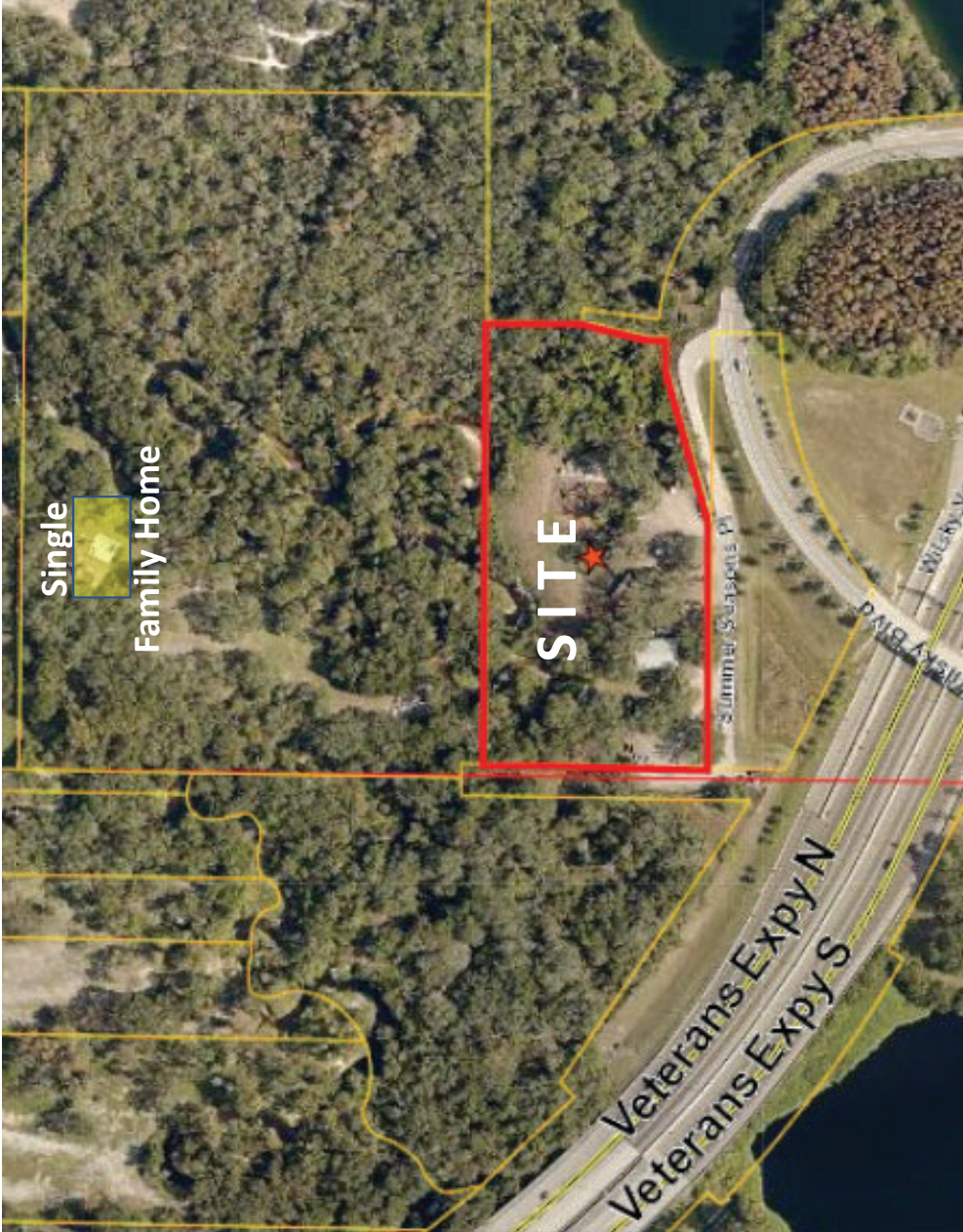
Locational Criteria

Measured from far South intersection— does not apply to this site well



D.S.D.: “The property boundary abutting the single-family residence is also buffered by approximately an acre of wetland area”.

Not recognized by the Plan. Comm.





U.S. Fish & Wildlife Service

National Wetlands Inventory

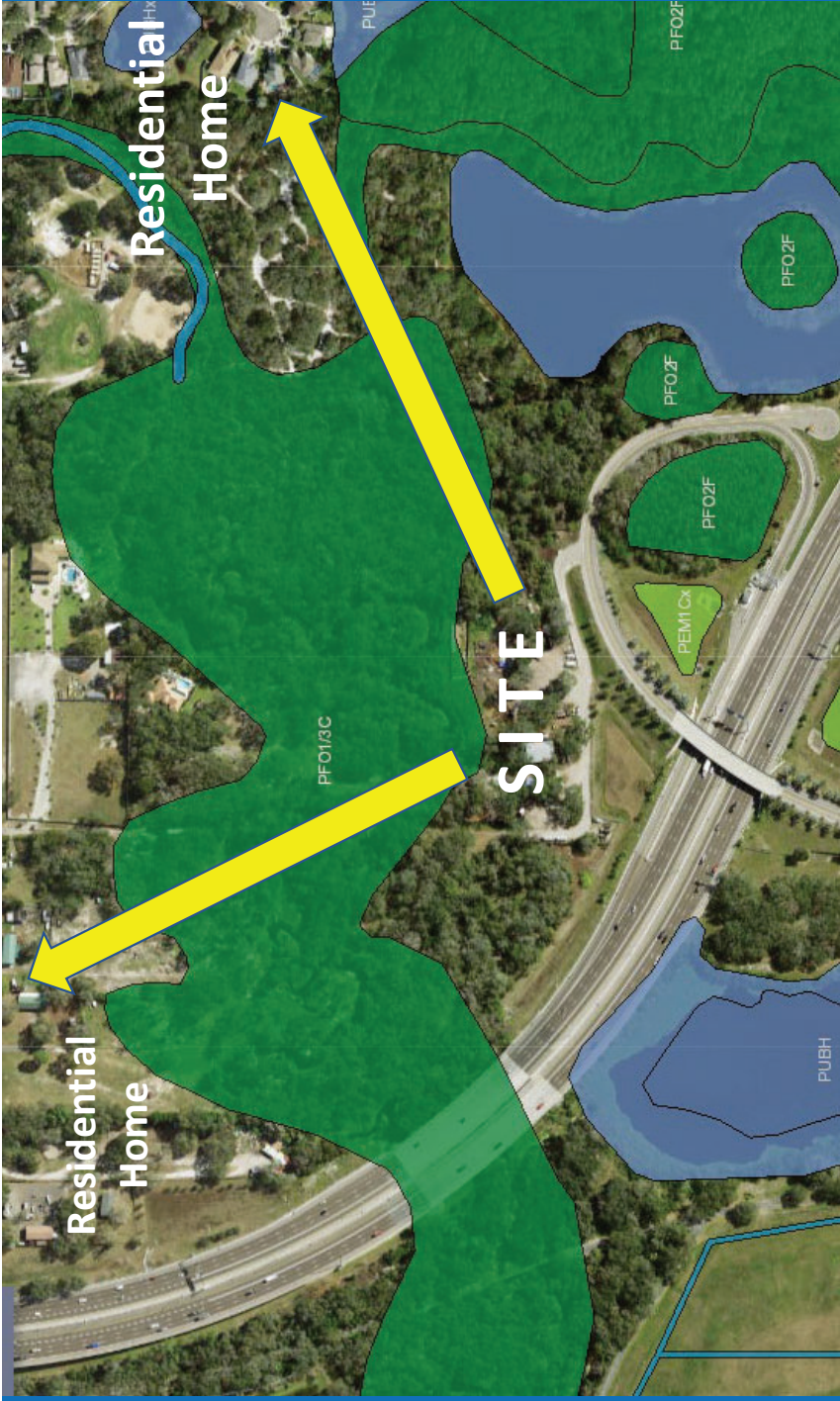




Plan Comm:...”not compatible with the existing residential development pattern of the surrounding area due to single-family homes to the north, northeast, northwest, and further south of the subject site” .

NORTH

1,118'



1,014'

SOUTH

1,059'



Plan Comm: “The proposed rezoning does not meet FLUE Objective 16 and Policies 16.1, 16.2, 16.3, 16.5, 16.8, and 16.10 that relate to neighborhood protection.

The subject site is currently residential single-family, and existing single family residential uses are located directly to the north and further northeast, east, and south of the subject site”.

Solid Waste
facility ignored by
P.C., factored in
by D.S.D.



Plan Comm.,: “The subject site is within the limits of the Greater Carrollwood-Northdale Community Plan.

A strategy of Goal 1 of the Greater Carrollwood-Northdale

Community Plan states to

**discourage any new development
of strip commercial in our community...**



**PARTY OF
RECORD**

NONE