



**PD Modification Application: MM 22-0782**

Zoning Hearing Master Date: July 25, 2022

BOCC Land Use Meeting Date: September 13, 2022

**REVISED REPORT**

**1.0 APPLICATION SUMMARY**

Applicant: Turning Point of Tampa

FLU Category: CMU-12

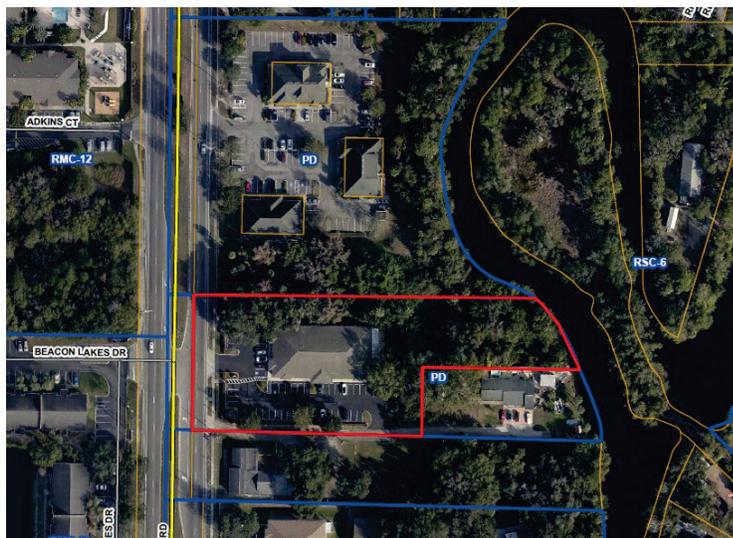
Service Area: Urban

Site Acreage: 1.36

Community Plan Area: Town N' Country

Overlay: None

Request: Major Modification to PD 04-1683



**Request Summary:**

Allow for a ~~34~~ 10 beds Professional Residential Facility, Health Care Practitioner offices, Administrative Offices and Intensive Outpatient care. No increase in square footage is proposed.

**Existing Approvals:**

PD 04-1683 (as most recently modified by MM 11-0247) is approved for a maximum of ~~9,800~~ 14,000 square feet of professional/administrative office and a Professional Residential Facility. The facility is permitted a maximum of 10 residents.

**Proposed Modification(s):**

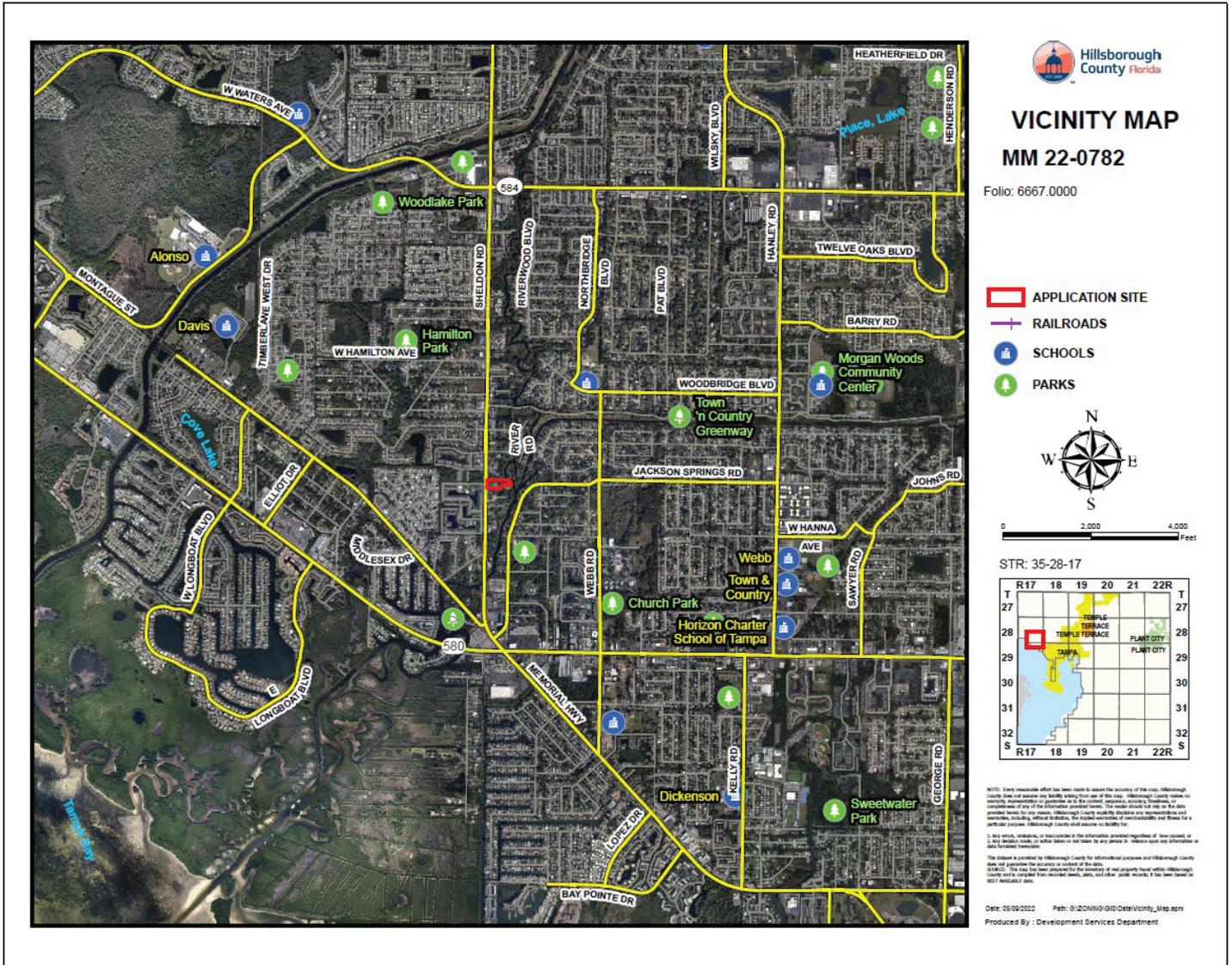
The applicant request includes the following: to allow a maximum of 9,800 GFA for a ~~34~~ 10 beds Professional Residential Facility, Health Care Practitioner offices, Administrative Offices, and Intensive Outpatient care, as defined in 65D-30.0091 Florida Administrative Code. No increase in building square footage is proposed.

**Additional Information:**

PD Variations	None
Waiver(s) to the Land Development Code	None requested
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	<ul style="list-style-type: none"> <li>Approvable, subject to conditions of approval.</li> </ul>

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

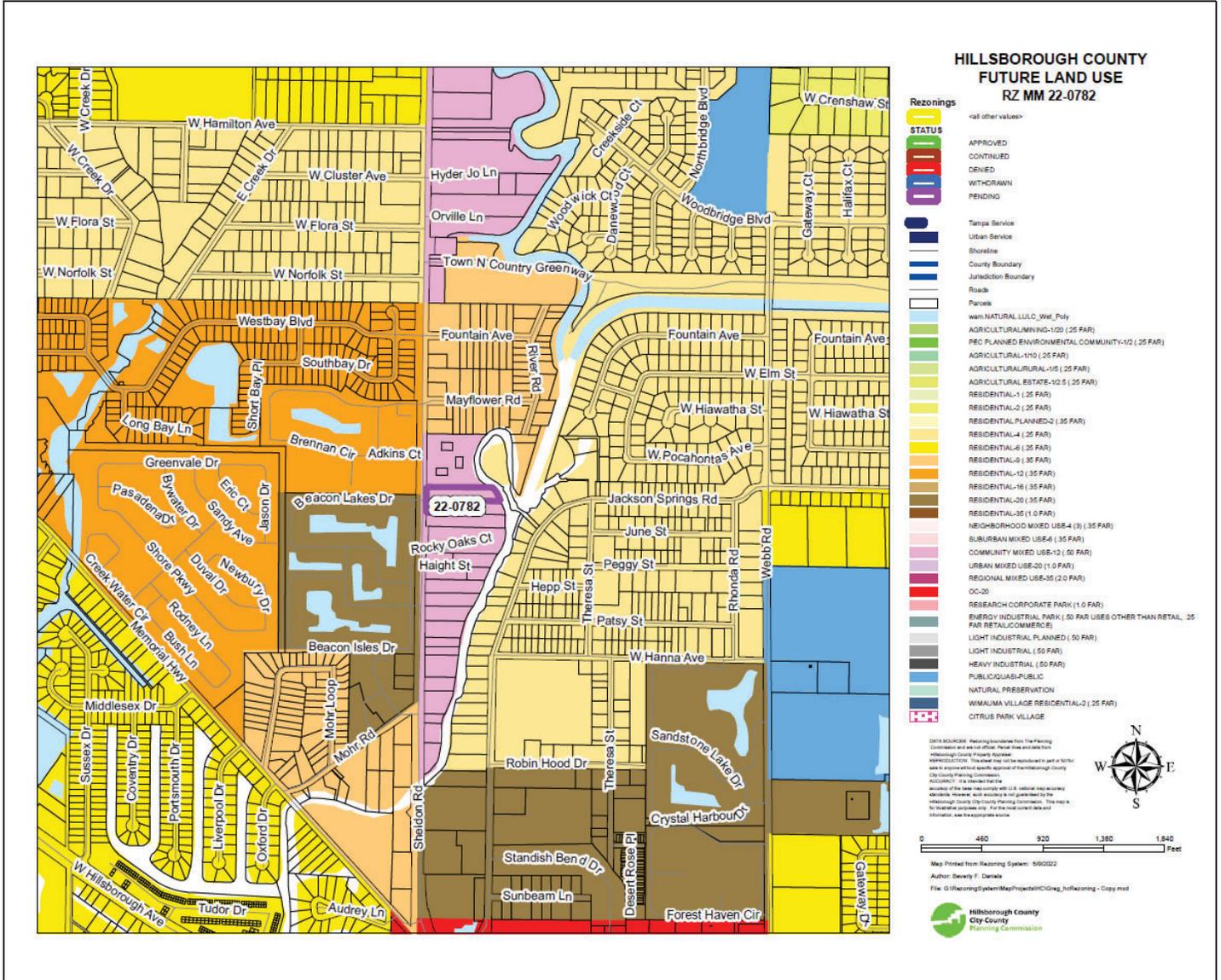


#### Context of Surrounding Area:

The area is primarily residential with BPO uses and multifamily residential developments along Sheldon Road zoned PD, RMC-9, RMC-12, and RMC-16. Adjacent to the north of the site there are medical offices. To the east is a single-family dwelling. The adjacent property to the south is developed with a church.

2.0 LAND USE MAP SET AND SUMMARY DATA

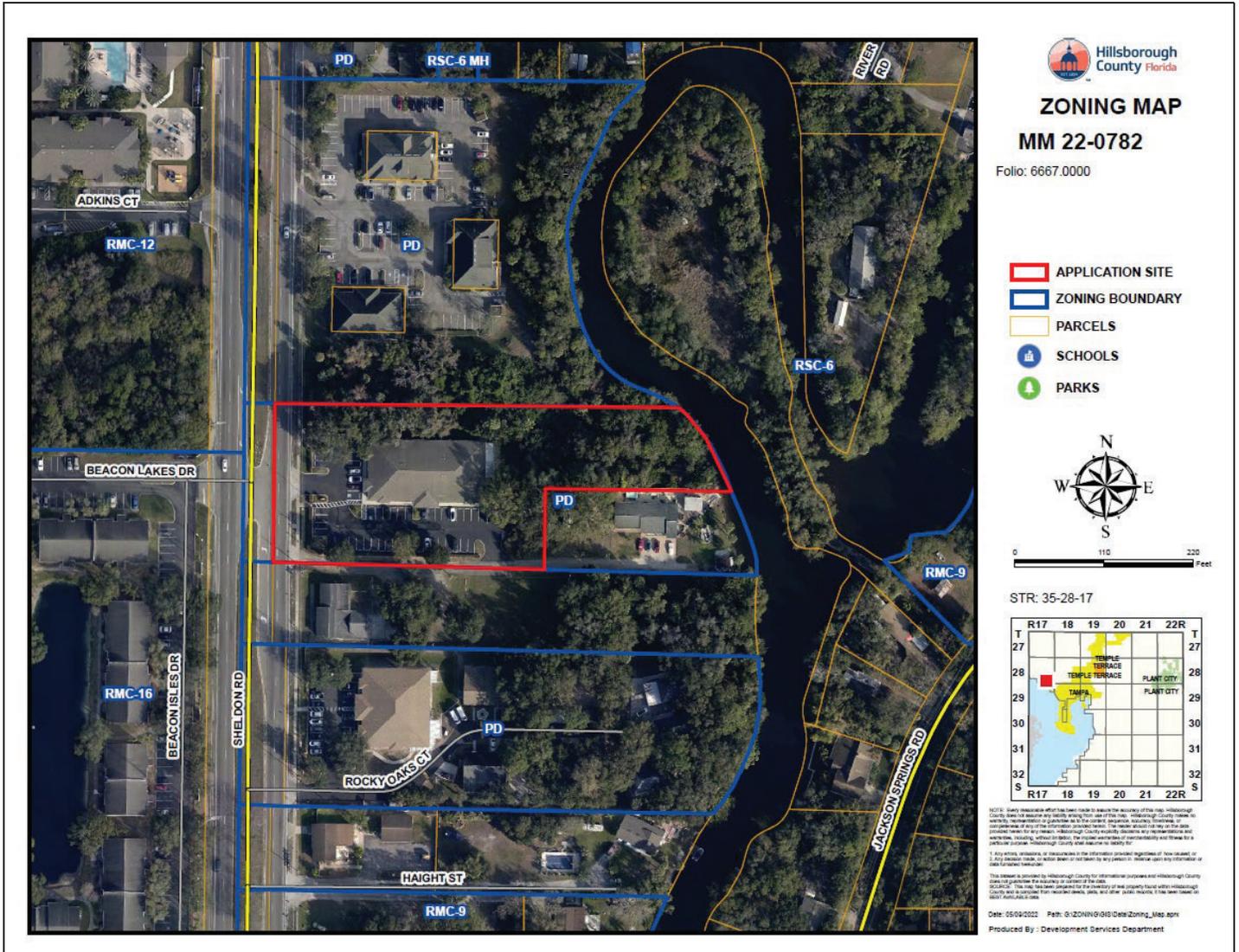
2.2 Future Land Use Map



Subject Site Future Land Use Category:	CMU-12
Maximum Density/F.A.R.:	0.5 FAR
Typical Uses:	Residential, community retail commercial, offices, research park, light industrial, multi-purpose, clustered residential, mixed use.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



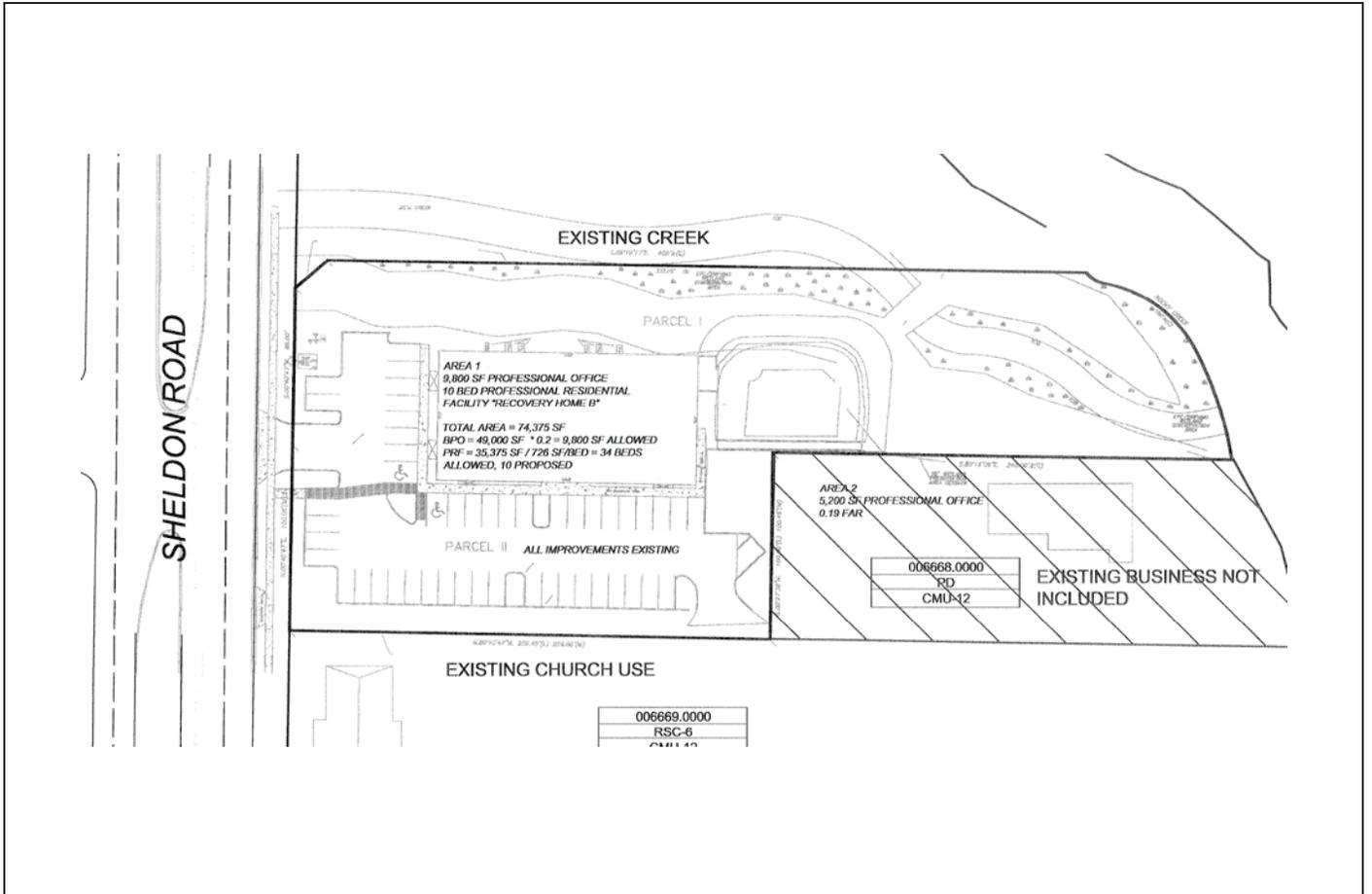
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD	0.14 FAR	Professional and Medical offices	Offices
South	RSC-6	6 unit per acre	Single-Family	Single Family, Church
East	RSC-6	6 unit per acre	Single-Family	Public Lands
West	RMC-12, 16	12, 16 per acre	Multi Family	Multi Family

\*subject to utilities

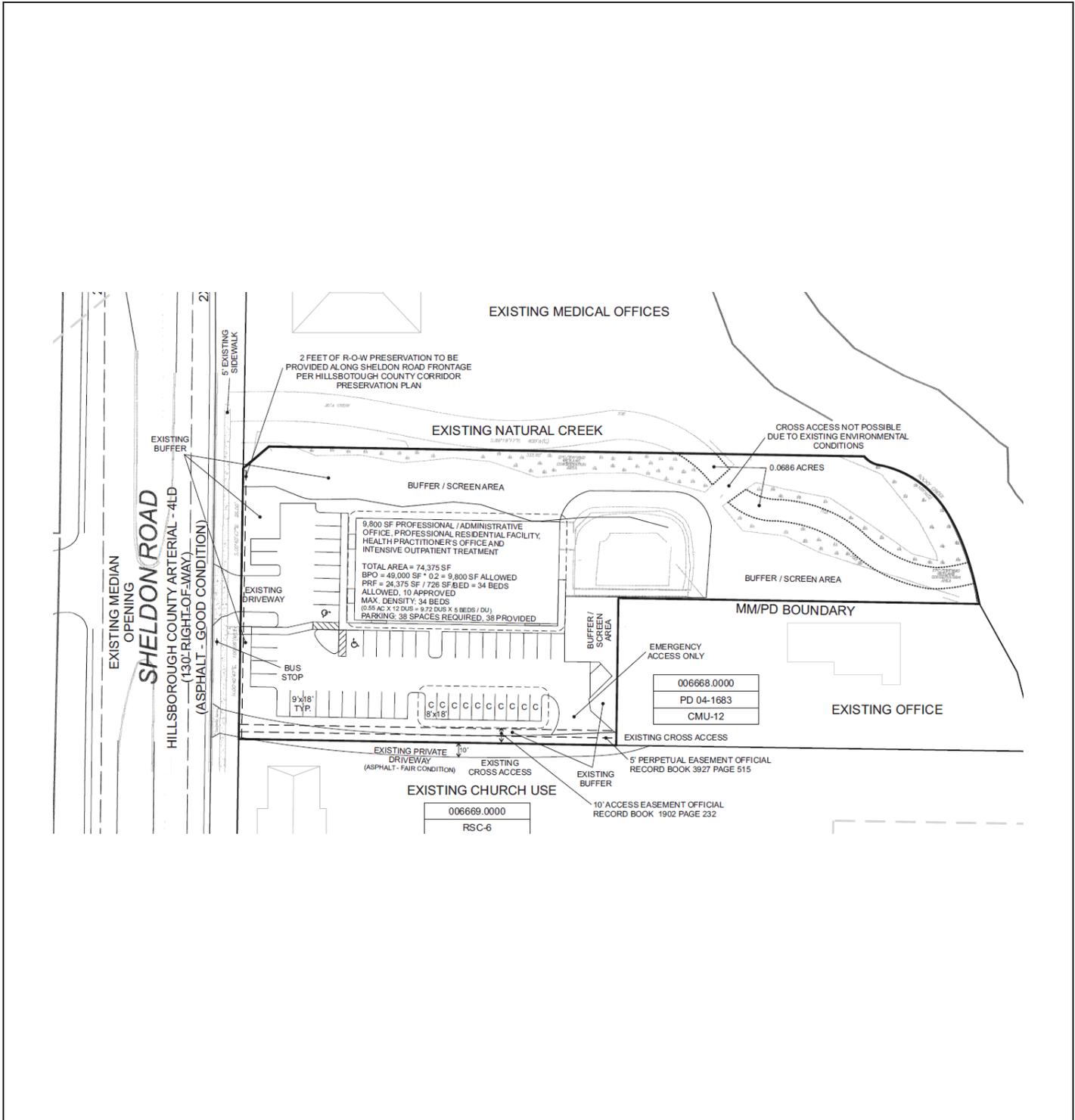
## 2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Sheldon Rd.	County Collector - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

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

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	201	23	30
Proposed	341	27	34
Difference (+/-)	+140	+4	+ 4

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

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

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

Notes:

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

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

Notes:

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input 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
<b>Transportation</b> <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 Staff Report
<b>Service Area/ Water &amp; Wastewater</b> <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	
<b>Hillsborough County School Board</b> 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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Impact/Mobility Fees</b> Medical Office (10,000 s.f. or less)      Medical Office (greater than 10,000 s.f.) (Per 1,000 s.f.)                                      (Per 1,000 s.f.) Mobility: \$19,674                                      Mobility: \$28,313 Fire: \$158    Fire: \$158				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## **5.0 IMPLEMENTATION RECOMMENDATIONS**

### **5.1 Compatibility**

Staff finds the request comparable to the existing uses and it is compatible with the development pattern along this portion of Sheldon Road. No changes have been proposed to the existing building. The density and intensity proposed are under the CMU-12 maximum density of 12 DU/AC and 0.5 FAR.

### **5.2 Recommendation**

Staff recommends approval, subject to conditions.

## 6.0 PROPOSED CONDITIONS

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2022.

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

- Remove Note on site plan that reads “Emergency Access only”
- Designate the area shown in red below by shading or hatching the corresponding area and labeling as “Shared Access Facility with Folios 00668.0000 and 06669.0000 – See Conditions of Approval”.

1. Development of the project shall be limited to ~~14,000~~ 9,800 square feet of professional/administrative office complex, Health Practitioners Office, Intensive Outpatient care and a Professional Residential Facility.
2. The site shall be developed in accordance with the BPO Zoning District design standards, unless specified herein:

Minimum Front Yard:	30 feet
Minimum Side Yard:	20 feet
Minimum Rear Yard:	50 feet
Maximum Height:	35 feet / 2 story building

The development is subject to the LDC Section 6.11.75 Professional Residential Facility regulations, except as referenced herein.

The facility shall be limited to 3,600 square feet within Area 1  
The facility is permitted a maximum of ~~10~~ 34 10 residents  
A waiver of Section 6.11.75.A is granted

3. The subject property would be subject to the buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code, unless specified herein. Enhanced landscaping shall be provided along Sheldon Road, by providing 4" caliper trees to be planted 30 foot on center.
4. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
5. If approved, the Developer shall comply with all rules and regulations as found in the Hillsborough County Land Development Code, and all other ordinances and standards in effect at the time of development.
6. ~~Cross access to the parcel to the south shall be required if said parcel is redeveloped with~~

~~office/commercial uses. A reduction in access connections to Sheldon Road shall be required if determined by the County to be warranted to consolidate access connections as part of the redevelopment of the parcel to the south. Internal project driveways, as shown on the PD site plan, shall be considered Shared Access. Facilities with folios 00668.0000 and 06669.0000. Provided such easements do not already exist within the official public records, the developer shall record in the Official Records of Hillsborough County any easement necessary to permit the owner/developer of the specified adjacent properties (with which access is being shared) to utilize pedestrian and vehicular connection within the Shared Access Facility upon (re)development of the adjacent properties without further consultation. The design and location of all connections shall be subject to the review and approval of Hillsborough County.~~

7. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
8. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- ~~9. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits. As Sheldon Road is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 2 feet of right of way preservation along the project frontage on Sheldon Road. Building setbacks shall be calculated from the future right-of-way line.~~
- ~~10. The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.~~
- ~~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.~~
- ~~12. 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.~~

13. 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.

**Zoning Administrator Sign Off:**

  
J. Brian Grady  
Thu Aug 4 2022 10:10:37

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

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

**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

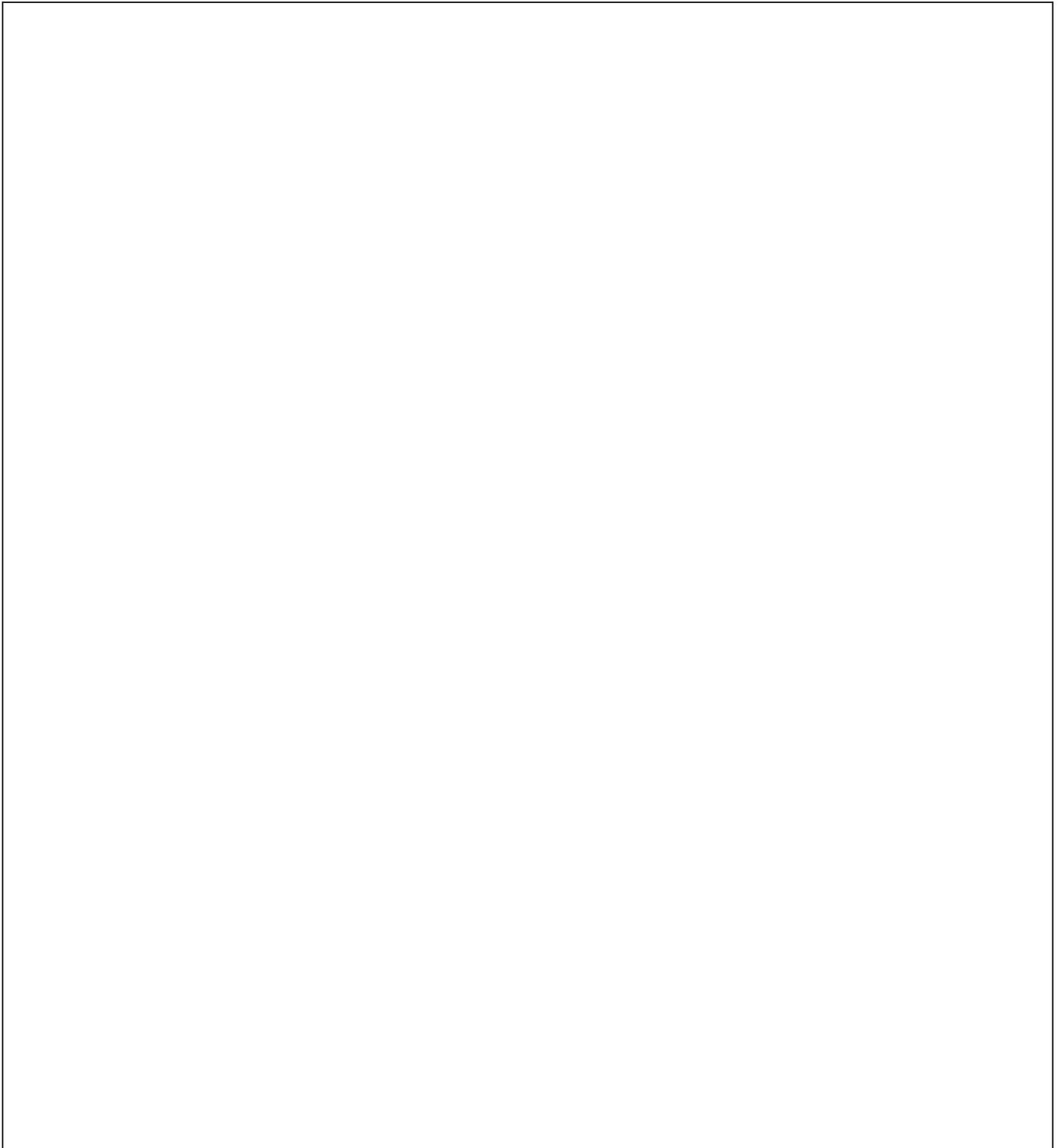
None.





**8.0 SITE PLANS (FULL)**

**8.2 Proposed Site Plan (Full) – Sheet 2 of 2**



**9.0 FULL TRANSPORTATION REPORT (see following pages)**



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> July 25, 2022	<b>Petition: MM 22-0782</b>
<b>Report Prepared:</b> July 13, 2022	<b>6311 Sheldon Road</b> <i>East side of Sheldon Road and north of Hillsborough Avenue</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Community Mixed Use-12 (12 du/ga; 0.50 FAR)</b>
<b>Service Area:</b>	<b>Urban</b>
<b>Community Plan:</b>	Town 'N Country
<b>Rezoning Request:</b>	Major modification to Planned Development (PD 04-1683) to allow health care practitioner and outpatient care uses in existing building
<b>Parcel Size (Approx.):</b>	1.70 +/- acres (74,375 square feet)
<b>Street Functional Classification:</b>	Sheldon Road – <b>Arterial</b> Hillsborough Avenue – <b>Principal Arterial</b>
<b>Locational Criteria:</b>	N/A
<b>Evacuation Area:</b>	Zone A



## **Context**

- The subject site is located on the east side of Sheldon Road and north of Hillsborough Avenue on approximately 1.70 acres. The site is in the Urban Service Area and within the limits of the Town 'N Country Community Plan.
- The site has a Future Land Use designation of Community Mixed Use-12 (CMU-12), with typical uses such as residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose, and clustered residential and/or mixed-use projects at appropriate locations.
- The subject site is surrounded by CMU-12 to the north and south, and Residential-4 (RES-4 to the east across Rocky Creek. To the west across Sheldon Road is designated as Residential-12 (RES-12) and Residential-20 (RES-20). The area surrounding the site mainly contains light commercial uses and multifamily residential developments. Immediately north of the site there are medical offices. There are some single-family dwellings further to the north. Immediately east of the site is a single-family dwelling. Immediately south of the site is a church that shares a cross access easement with professional offices and a community residential home which is owned and operated by the applicant.
- The site is located entirely in the Coastal High Hazard Area (CHHA).
- The subject site is zoned Planned Development (PD). In the general vicinity, the site is surrounded by PD zoning to the north and south. Residential, Single-Family Conventional (RSC-6) zoning is located immediately south and to the east across Rocky Creek. Residential Multi-Family Conventional (RMC-12) and Residential Multi-Family Conventional (RMC-16) zoning is located to the west across Sheldon Road.
- The original Planned Development (PD 04-1683) was most recently approved under Major Modification 11-0247 for 14,000 square feet of professional/administrative office and a Professional Residential Facility "Recovery Home B" limited to 3,600 square feet and 10 residents. A waiver was granted to LDC Section 6.11.75 to the 1,200-foot distance requirement from another Professional Residential Facility.
- The applicant requests a Major Modification to maintain the existing building footprint of 9,800 square feet and convert 3,920 square feet of existing office to medical office for outpatient care.

### **Compliance with Comprehensive Plan:**

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

### **Future Land Use Element**

#### ***Urban Service Area***

***Objective 1:*** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede

agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

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

### **Land Use Categories**

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

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

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

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

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

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

### **Environmental Considerations**

**Objective 13:** New development and redevelopment shall not adversely impact environmentally sensitive areas and other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan.

#### **Policy 13.3: Environmentally Sensitive Land Credit**

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

- *Wetlands are considered to be the following:*
  - *Conservation and preservation areas as defined in the Conservation and Aquifer Recharge Element*
  - *Man-made water bodies as defined (including borrow pits).*
- *If wetlands are less than 25% of the acreage of the site, density and intensity is calculated based on:*
  - *Entire project acreage multiplied by Maximum intensity/density for the Future Land Use Category*
- *If wetlands are 25% or greater of the acreage of the site, density and intensity is calculated based on:*
  - *Upland acreage of the site multiplied by 1.25 = Acreage available to calculate density/intensity based on*
  - *That acreage is then multiplied by the Maximum Intensity/Density of the Future Land Use Category*

### **Neighborhood/Community Development**

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

**Policy 16.2:** *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 17.7:** *New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.*

### **Community Design Component (CDC)**

#### **4.3 COMMERCIAL CHARACTER**

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

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

**Policy 9-1.4:** *Encourage commercial structures to consist of more than one story and be vertically mixed.*

## **5.0 NEIGHBORHOOD LEVEL DESIGN**

### **5.1 COMPATIBILITY**

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

**Policy 12-1.4:** *Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.*

#### **Environmental and Sustainability Section (E&S)**

**Objective 3.5:** *Apply adopted criteria, standards, methodologies and procedures to manage and maintain wetlands and/or other surface waters for optimum fisheries and other environmental values in consultation with EPC.*

**Policies: 3.5.1** *Collaborate with the EPC to conserve and protect wetlands and/or other surface waters from detrimental physical and hydrological alteration. Apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and/or other surface waters authorized for projects in Hillsborough County.*

**3.5.2:** *Collaborate with the EPC through the land planning and development review processes to prohibit unmitigated encroachment into wetlands and/or other surface waters and maintain equivalent functions.*

**3.5.4:** *Regulate and conserve wetlands and/or other surface waters through the application of local rules and regulations including mitigation during the development review process.*

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

The subject site is located on the east side of Sheldon Road and north of Hillsborough Avenue on approximately 1.70 acres. The site is in the Urban Service Area and within the limits of the Town 'N Country Community Plan. The applicant requests a major modification to maintain the existing building footprint of 9,800 square feet and convert 3,920 square feet of existing office to medical office for outpatient care.

The subject site is in 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. 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 medical office and outpatient care services in the Urban Service Area is compatible with the existing character of development in the area as it is located on an arterial roadway with other offices and light commercial uses along the corridor.

The subject site is surrounded by Community Mixed Use-12 (CMU-12) to the north and south, and Residential-4 (RES-4) to the east across Rocky Creek. To the west across Sheldon Road is designated as Residential-12 (RES-12) and Residential-20 (RES-20). The area surrounding the site mainly contains light commercial uses and multifamily residential developments. Immediately north of the site there are medical offices. There are some single-family dwellings further to the north. Immediately east of the site is a single-family dwelling. Immediately south of the site is a church that shares a cross access easement with professional offices and a community residential home which is owned and operated by the applicant.

The proposed rezoning meets the intent of Objective 16 and Policies 16.2, 16.3, 16.5, and 17.7. The proposed medical office and outpatient care is consistent with the neighborhood scale commercial development that is intended in the CMU-12 Future Land Use category. The existing building footprint will not be expanded. The request does not include any waivers to setbacks or buffers. The wetlands on located along the northern and eastern property boundaries serve as a buffer from the single family residential to the east. The proposal meets all Land Development Code Regulations and there no objections from other commenting agencies, therefore it is consistent with Objective 9 and Policy 9.2.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character of area of Sheldon Road contains mainly multifamily residential developments, light commercial uses, and other medical office and outpatient care services similar to proposed uses. Goal 9 and Policy 9-1.4 discusses commercial character and how commercial structures should be encouraged to be more than one story and vertically mixed. The existing structure is two stories and the addition of the new medical office use for outpatient treatment meets the intent of this policy.

There are wetlands present on the property. The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. There is no expansion of the existing building proposed, therefore no wetlands will be impacted. The EPC has determined that a resubmittal is not necessary for the site plan's current configuration. Given that there is a separate approval process for wetland impacts with the Environmental Protection Commission and they currently do not object, Planning Commission staff finds this request consistent with Objective 13 and associated policies in the FLUE and Objective 3.5 and associated policies in the Environmental & Sustainability section.

The subject site is located within the limits of the Town 'N Country Community Plan. There are no policies in the Plan that are applicable to this request.

Overall, staff finds that the proposed Major Modification would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*. The proposed use is compatible with the existing development pattern found within the surrounding area.

### **Recommendation**

Based upon the above considerations, Planning Commission staff finds the proposed major modification **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for*

*Unincorporated Hillsborough County*, subject to the conditions proposed by the Development Services Department.



**COUNTY OF HILLSBOROUGH**

**RECOMMENDATION OF THE  
LAND USE HEARING OFFICER**

**APPLICATION NUMBER:** MM 22-0782

**DATE OF HEARING:** July 25, 2022

**APPLICANT:** Turning Point of Tampa, Inc.

**PETITION REQUEST:** The Major Modification request is to modify PD 04-1683 to permit a 10-bed Professional Residential Facility

**LOCATION:** 6311 Sheldon Road

**SIZE OF PROPERTY:** 1.36 acres, m.o.l.

**EXISTING ZONING DISTRICT:** PD 04-1683

**FUTURE LAND USE CATEGORY:** CMU-12

**SERVICE AREA:** Urban

**COMMUNITY PLAN:** Town N' Country

## DEVELOPMENT REVIEW STAFF REPORT

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

### 1.0 APPLICATION SUMMARY

#### Development Services Department



Applicant: Turning Point of Tampa

FLU Category: CMU-12

Service Area: Urban

Site Acreage: 1.36

Community Plan Area: Town N' Country

Overlay: None

Request: Major Modification to PD 04-1683

**Request Summary:**

Allow for a 34-10 beds Professional Residential Facility, Health Care Practitioner offices, Administrative Offices and Intensive Outpatient care. No increase in square footage is proposed.

**Existing Approvals:**

PD 04-1683 (as most recently modified by MM 11-0247) is approved for a maximum of 9,800 14,000 square feet of professional/administrative office and a Professional Residential Facility. The facility is permitted a maximum of 10 residents.

**Proposed Modification(s):**

The applicant request includes the following: to allow a maximum of 9,800 GFA for a 34 10 beds Professional Residential Facility, Health Care Practitioner offices, Administrative Offices, and Intensive Outpatient care, as defined in 65D-30.0091 Florida Administrative Code. No increase in building square footage is proposed.

**Additional Information:**

PD Variations	None
Waiver(s) to the Land Development Code	None requested
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	<ul style="list-style-type: none"> <li>• Approvable, subject to conditions of approval.</li> </ul>

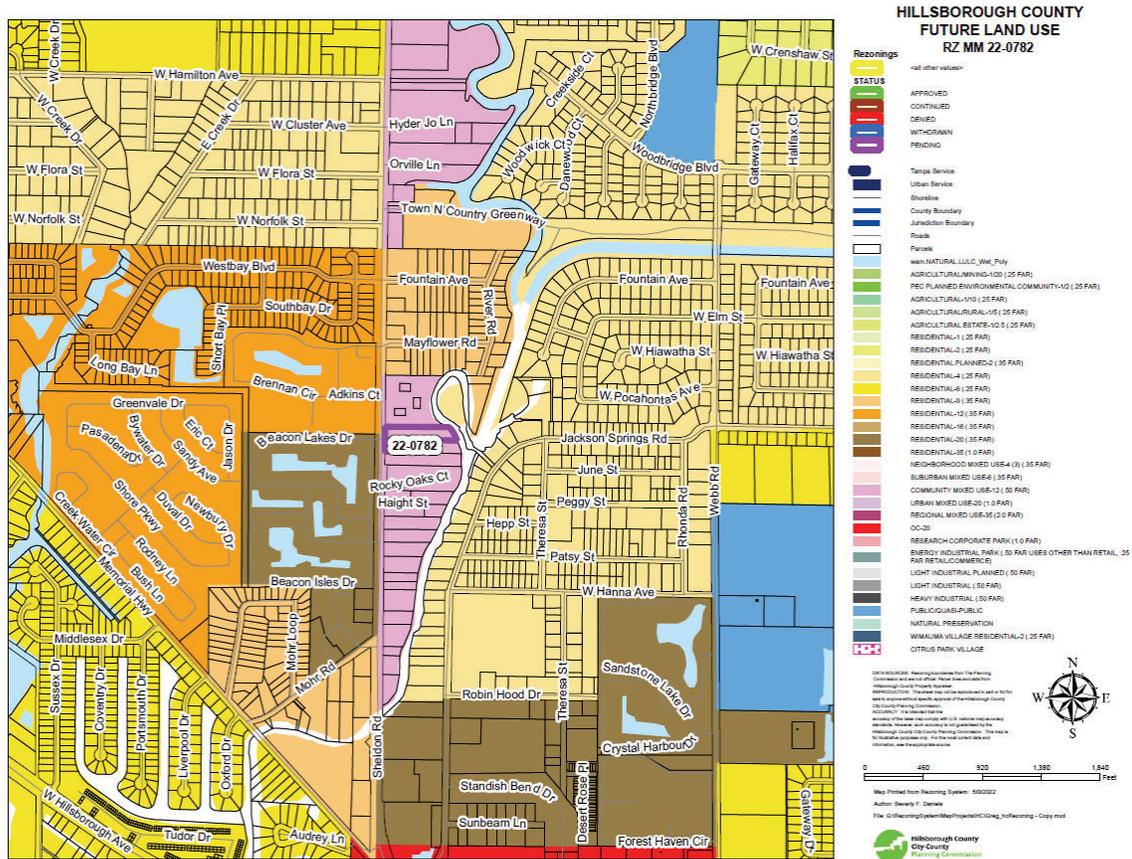
## 2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



### Context of Surrounding Area:

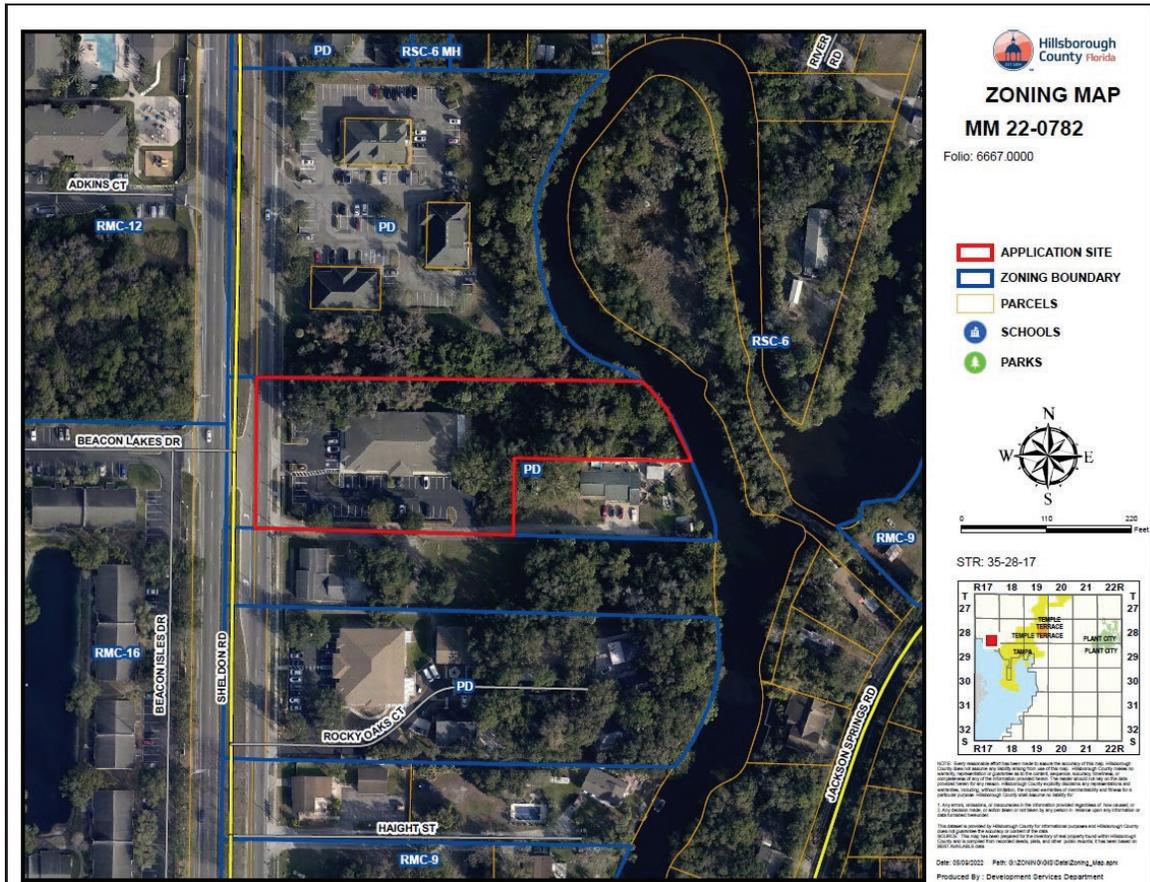
The area is primarily residential with BPO uses and multifamily residential developments along Sheldon Road zoned PD, RMC-9, RMC-12, and RMC-16. Adjacent to the north of the site there are medical offices. To the east is a single-family dwelling. The adjacent property to the south is developed with a church.

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



Subject Site Future Land Use Category:	CMU-12
Maximum Density/F.A.R.:	0.5 FAR
Typical Uses:	Residential, community retail commercial, offices, research park, light industrial, multi-purpose, clustered residential, mixed use.

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



### Adjacent Zonings and Uses

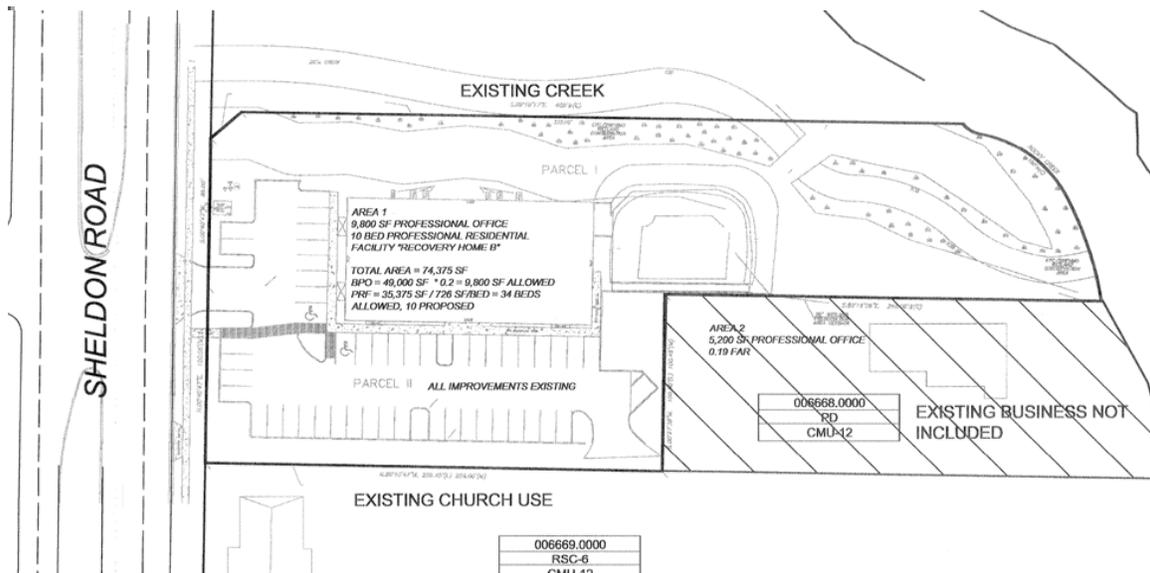
Location :	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD	0.14 FAR	Professional and Medical offices	Offices
South	RSC-6	6 unit per acre	Single-Family	Single Family, Church
East	RSC-6	6 unit per acre	Single-Family	Public Lands

West	RMC-12, 16	12, 16 per acre	Multi Family	Multi Family
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\*subject to utilities

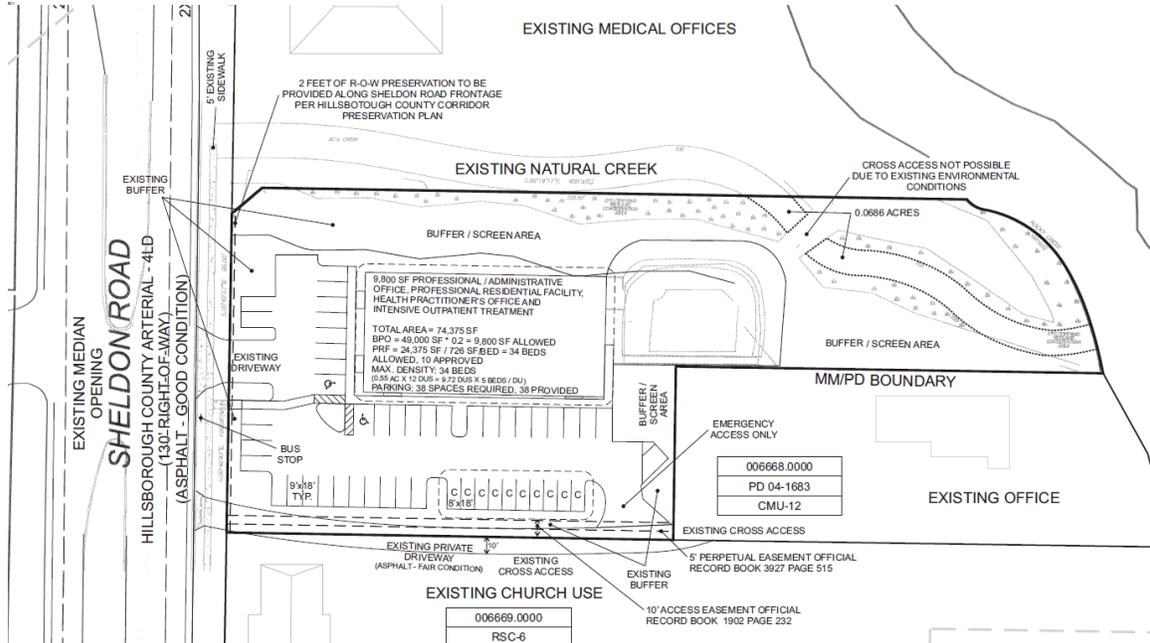
## 2.0 LAND USE MAP SET AND SUMMARY DATA

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



## 2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Sheldon Rd.	County Collector - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
<b>Project Trip Generation</b> <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips

Existing	201	23	30
Proposed	341	27	34
Difference (+/-)	+140	+4	+4

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

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

Notes:

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

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

Notes:

#### 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

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

#### Transportation

- Design Exc./Adm. Variance Requested  Off-site Improvements Provided

#### Service Area/ Water & Wastewater

- Urban  City of Tampa
- Rural  City of Temple Terrace

#### Hillsborough County School Board

- Adequate  K-5  6-8  9-12  N/A Inadequate  K-5  6-8  9-12  N/A

#### Impact/Mobility Fees

Medical Office (10,000 s.f. or less) (Per 1,000 s.f.)  
Mobility: \$19,674  
Fire: \$158

Medical Office (greater than 10,000 s.f.) (Per 1,000 s.f.)  
Mobility: \$28,313  
Fire: \$158

#### Planning Commission

- Meets Locational Criteria  N/A  Locational Criteria Waiver Requested
- Minimum Density Met  N/A

## **5.0 IMPLEMENTATION RECOMMENDATIONS**

### **5.1 Compatibility**

Staff finds the request comparable to the existing uses and it is compatible with the development pattern along this portion of Sheldon Road. No changes have been proposed to the existing building. The density and intensity proposed are under the CMU-12 maximum density of 12 DU/AC and 0.5 FAR.

### **5.2 Recommendation**

Staff recommends approval, subject to conditions.

Zoning conditions presented at the Zoning Hearing Master hearing are referenced and incorporated into the Hearing Master's Recommendation.

## **SUMMARY OF HEARING**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on July 25, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. David Mechanik testified on behalf of the applicant, Turning Point. Mr. Mechanik introduced his development team and stated that the modification was an unusual request as there are no proposed changes to the facility. He added that there are no physical changes. He stated that they are proposing to add an intensive outpatient treatment and health care professional use to the site because an interpretation of County zoning staff stated that was required to continue the counseling that is being conducted on-site. Mr. Mechanik testified that his client provides intensive outpatient treatment which includes group and individual therapy for people seeking help for alcohol, drug and eating disorders. No change to the activities on-site is being proposed. He concluded his presentation by stating that the staff report fully describes the nature of the site and he requested approval of the modification.

Hearing Master Finch asked Mr. Mechanik to clarify the request as the staff report stated that there is an existing approval for 10 residents but that the Major Modification was to ask for 34 beds. Mr. Mechanik replied that was not correct. He stated that he was only asking for 10 beds and that there is no intention to increase that amount. Hearing Master Finch asked Mr. Mechanik if the reference to 34 beds is an error. Mr. Mechanik replied that someone on the staff requested to know what the theoretical maximum was allowed by the Comprehensive Plan and the answer is 34 but there is no intent to develop 34 beds. Hearing Master Finch asked Mr. Mechanik if it was acceptable for the proposed zoning condition to read a maximum of 10 beds. Mr. Mechanik replied yes.

Ms. Tania Chapela of the Development Services Department, testified regarding

the County staff report. Ms. Chapela testified that the request is for a Major Modification to the PD to allow for a maximum 9,800 square foot, 10-bed Professional Residential Facility with health practitioner offices, administrative offices and intensive outpatient care. The existing PD is approved for a maximum of 14,000 square feet of professional administrative office and professional residential facility. The facility is currently permitted a maximum of ten residents. Ms. Chapela described the surrounding land uses and stated that staff finds the request comparable to the existing uses and also compatible with the development pattern along Sheldon Road. No changes are proposed to the existing building.

Hearing Master Finch asked Ms. Chapela to confirm that the zoning condition needs to be changed back from 34 beds to 10 beds and also asked about the waiver mentioned in zoning condition #2 and what it was referring to. Mr. Mechanik replied that distance waiver was previously granted in 2011 when the professional residential use was permitted. No change is proposed.

Ms. Jillian Massey of the Planning Commission testified regarding the Planning Commission staff report. Ms. Massey stated that the property is designated Community Mixed Use-12 by the Future Land Use Map and is located within the Urban Service Area and the Town N Country Community Planning Area. She testified that the proposed medical office and outpatient care facility is compatible with the surrounding area. The request meets Objective 16 as well as Policies 16.2, 16.3, 16.5 and 17.7 regarding neighborhood protection. She concluded her presentation by stating that the modification is consistent with the Comprehensive Plan.

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

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

County staff and Mr. Mechanik did not have additional comments.

Hearing Master Finch then concluded the hearing.

### **EVIDENCE SUBMITTED**

No documents were submitted into the record.

### **PREFACE**

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

## **FINDINGS OF FACT**

1. The subject site is 1.36 acres in size and is zoned Planned Development (04-1683). The property is designated Community Mixed Use-12 (CMU-12) by the Comprehensive Plan and located in the Urban Service Area and the Town N Country Community Planning Area.
2. The Planned Development (PD) is approved for a 14,000 square foot professional/administrative office complex and a Professional Residential Facility with a maximum of 10 beds.
3. The Major Modification request proposes to recognize the existing square footage at 9,800 square feet and add the use of health practitioners office and intensive outpatient care.
4. The applicant's representative testified that the uses are existing. The facility provides intensive outpatient treatment which includes group and individual therapy for people seeking help for alcohol, drug and eating disorders. No change to the activities on-site or to the facility itself is being proposed. The Major Modification request is due to an interpretation of County staff in order to continue the counseling component of the use.
5. No new waivers or Planned Development Variations are requested.
6. The Planning Commission staff stated that the request meets Objective 16 as well as Policies 16.2, 16.3, 16.5 and 17.7 regarding neighborhood protection. Planning Commission staff testified that the facility is compatible with the surrounding area and that the modification is consistent with the Comprehensive Plan.
7. The existing facility for the treatment of drug, alcohol and eating disorders is compatible with the land uses in the area. No increase in the number of approved beds or the facility is requested. The Major Modification is consistent with the Land Development Code and the Comprehensive Plan.

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

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

## CONCLUSIONS OF LAW

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

## SUMMARY

Planned Development 04-1683 is approved for a 14,000 square foot professional/administrative office complex and a Professional Residential Facility with a maximum of 10 beds.

The Major Modification request proposes to recognize the existing square footage at 9,800 square feet and add the use of health practitioners office and intensive outpatient care. The applicant's representative testified that the uses are existing. The facility provides intensive outpatient treatment which includes group and individual therapy for people seeking help for alcohol, drug and eating disorders. No change to the activities on-site or to the facility itself is being proposed. The Major Modification request is due to an interpretation of County staff in order to continue the counseling component of the use.

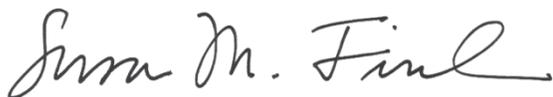
No new waivers or Planned Development Variations are requested.

The Planning Commission supports the modification and found it consistent with the Comprehensive Plan.

The existing facility is compatible with the surrounding area and is consistent with the Comprehensive Plan and Land Development Code.

## RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Major Modification to Planned Development 04-1683 as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



August 15, 2022

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**Susan M. Finch, AICP**  
**Land Use Hearing Officer**

**Date**



**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



**DEVELOPMENT SERVICES**

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

**HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

**GENERAL SITE PLAN REVIEW/CERTIFICATION**

**BOARD OF COUNTY  
COMMISSIONERS**

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Ken Hagan  
Pat Kemp

Gwendolyn "Gwen" Myers  
Kimberly Overman  
Mariella Smith  
Stacy R. White

**COUNTY ADMINISTRATOR**

Bonnie M. Wise

**COUNTY ATTORNEY**

Christine M. Beck

**INTERNAL AUDITOR**

Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR**

Gregory S. Horwedel

Project Name: Turning Point Tampa

Zoning File: RZ-PD (04-1683) Modification: MM (22-0782)

Atlas Page: None Submitted: 08/31/22

To Planner for Review: 08/31/22 Date Due: ASAP

Contact Person: David Mechanik Phone: 813-276-1920/dmm@floridalaw.com

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

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

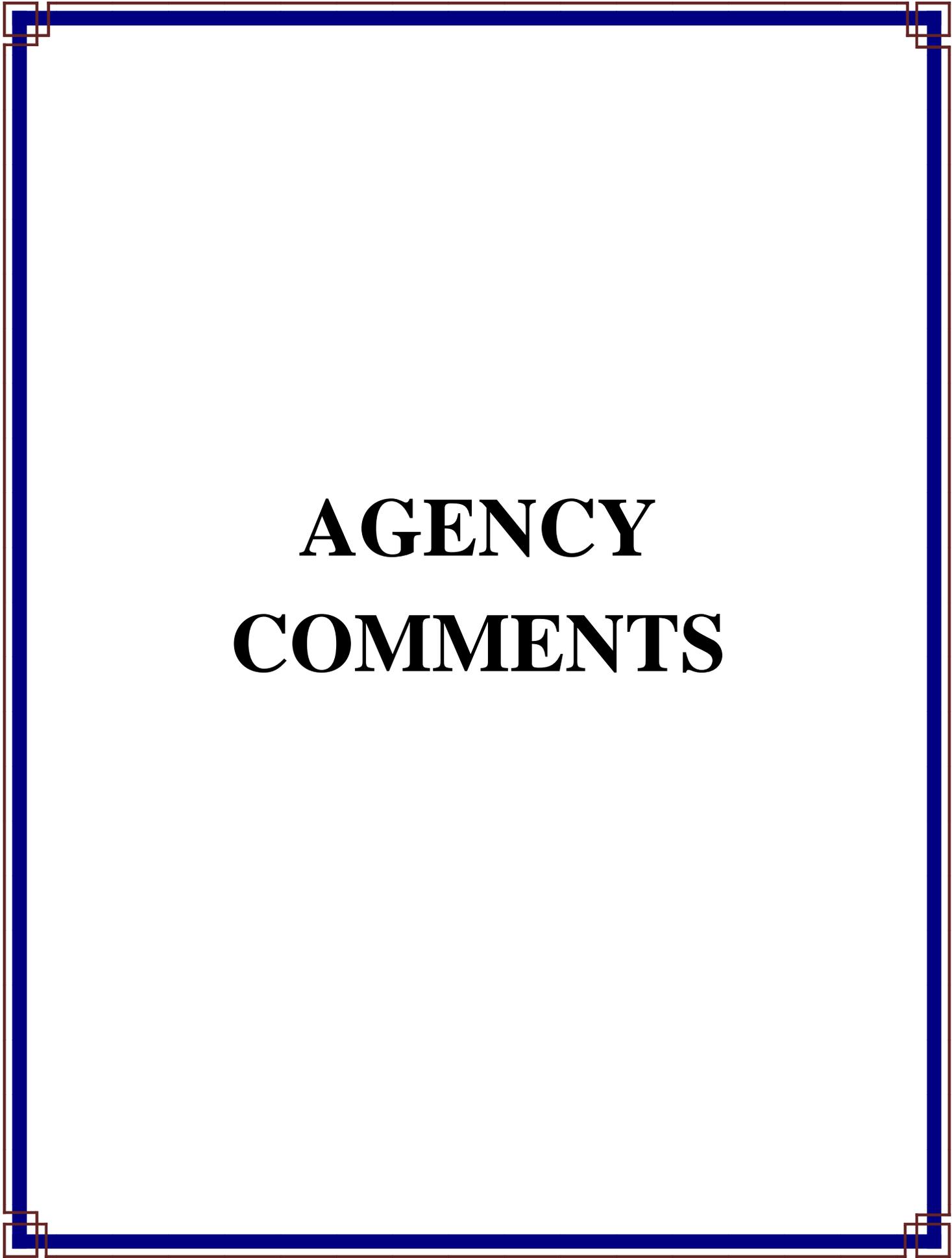
The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: Tania C Chapela Date: 09/06/22

Date Agent/Owner notified of Disapproval: \_\_\_\_\_







# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Alex Steady, Senior Planner  
**PLANNING AREA/SECTOR:** Town and Country/ Northwest

**DATE:** 07/17/2022  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** PD 22-0782

- |          |   |
|----------|---|
|          | This agency has no comments.  |
|          | This agency has no objection.   |
| <b>X</b> | This agency has no objection, subject to the listed or attached conditions. |
|          | This agency objects for the reasons set forth below.                        |

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 140 average daily trips, 4 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.
- As Sheldon Road is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 2 feet of right of way preservation along the project frontage on Sheldon Road. Building setbacks shall be calculated from the future right-of-way line.
- Internal project driveways, as shown on the PD site plan, shall be considered Shared Access Facilities with folios 00668.0000 and 06669.0000. Provided such easements do not already exist within the official public records, the developer shall record in the Official Records of Hillsborough County any easement necessary to permit the owner/developer of the specified adjacent properties (with which access is being shared) to utilize pedestrian and vehicular connection within the Shared Access Facility upon (re)development of the adjacent properties without further consultation. The design and location of all connections shall be subject to the review and approval of Hillsborough County.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

**CONDITIONS OF APPROVAL**

In addition to the previously approved zoning conditions, which shall carry forward, staff is requesting the following new and other conditions:

*Revised Conditions*

~~6. Cross access to the parcel to the south shall be required if said parcel is redeveloped with office/commercial uses. A reduction in access connections to Sheldon Road shall be required if determined by the County to be warranted to consolidate access connections as part of the redevelopment of the parcel to the south.~~

*[Staff is proposing removal of this condition to replace it with a condition that is updated to current standard and practices concerning access.]*

~~9. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for~~



of the intersection of W Hillsborough Ave and Sheldon Road. The Future Land Use designation of the site is Commercial Mixed Use 12 (CMU-12).

***Trip Generation Analysis***

Staff has prepared a comparison of the trips potentially generated under the previously approved planned development zoning and the proposed planned development including the additional residential units, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10<sup>th</sup> Edition.

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD 14,000 General Office Building (ITE code 712)	<b>201</b>	<b>23</b>	<b>30</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 9,800 sf of Medical-Dental Office Building (ITE 720)	<b>341</b>	<b>27</b>	<b>34</b>

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+140</b>	<b>+4</b>	<b>+4</b>

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 140 average daily trips, 4 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The subject property has frontage on Sheldon Road. Sheldon Road is 4-lane, Hillsborough County maintained, arterial roadway, characterized by +/-12 ft. travel lanes. The existing right-of-way on Sheldon Rd. is +/-130 ft. There are sidewalks, bikes lanes, and curb and gutter on both sides of Sheldon Rd. in the vicinity of the proposed project.

**HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN**

Sheldon Road is shown on the Hillsborough County Corridor Preservation Plan as a future 6 lane roadway. According to the Hillsborough County Transportation Technical Manual, a TS-6 4 lane divided roadway with two 12-foot additional travel lanes would total 134 feet of right of way. Using the best available data, only 4 additional feet is required to be preserved in total for that future improvement, which is split between both sides of the road. The subject property shall preserve 2 feet of additional Right of way along the subject properties’ frontage on Sheldon Road.

**SITE ACCESS**

The project has one existing full access (1) connection on Sheldon Road. If PD 22-0782 is approved, vehicular and pedestrian access will be through the existing access on to Sheldon Road. Cross access is

provided to the south as per section 6.04.03.Q of the Hillsborough County Land Development Code. Cross access is not required to the north due to environmental restrictions.

**ROADWAY LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

<b>FDOT Generalized Level of Service</b>				
<b>Roadway</b>	<b>From</b>	<b>To</b>	<b>LOS Standard</b>	<b>Peak Hr Directional LOS</b>
SHELDON	HILLSBOROUGH AVE	WATERS AVE	E	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Sheldon Road	County Collector - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" 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	201	23	30
Proposed	341	27	34
Difference (+/-)	+140	+4	+4

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

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

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

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

**COMMISSION**

Mariella Smith CHAIR  
 Pat Kemp VICE-CHAIR  
 Harry Cohen  
 Ken Hagan  
 Gwendolyn "Gwen" W. Myers  
 Kimberly Overman  
 Stacy White



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 Steffanie L. Wickham WASTE DIVISION  
 Sterlin Woodard, P.E. WETLANDS DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> July 25, 2022</p> <p><b>PETITION NO.:</b> 22-0782</p> <p><b>EPC REVIEWER:</b> Jackie Perry Cahanin</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X 1241</p> <p><b>EMAIL:</b> <a href="mailto:cahaninj@epchc.org">cahaninj@epchc.org</a></p>	<p><b>COMMENT DATE:</b> May 13, 2022</p> <p><b>PROPERTY ADDRESS:</b> 6311 Sheldon Rd, Tampa, FL 33615</p> <p><b>FOLIO #:</b> 006667-0000</p> <p><b>STR:</b> 35-28S-17E</p>
<p><b>REQUESTED ZONING:</b> Major Mod. to PD</p>	
FINDINGS	
<p><b>WETLANDS PRESENT</b></p>	<p>YES</p>
<p><b>SITE INSPECTION DATE</b></p>	<p>02/01/2011</p>
<p><b>WETLAND LINE VALIDITY</b></p>	<p>NO, SWFWMD Surveys expired 11/17/2010</p>
<p><b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b></p>	<p>Rocky Creek/WCA located along the northern and eastern property boundaries.</p>
<p><b>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:</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be</li> </ul>	

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

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

**INFORMATIONAL COMMENTS:**

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

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

Jpc/mst

ec: [dmm@floridalandlaw.com](mailto:dmm@floridalandlaw.com)

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

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PETITION NO.: MM22-0782      REVIEWED BY: Randy Rochelle      DATE: 5/17/2022

FOLIO NO.: 6667.0000

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**WATER**

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

**WASTEWATER**

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 4 inch wastewater force main exists  (adjacent to the site),  (approximately \_\_\_ feet from the site) and is located within the east Right-of-Way of Sheldon Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include \_\_\_\_\_ and will need to be completed by the \_\_\_\_\_ prior to issuance of any building permits that will create additional demand on the system.

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

**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 31 May 2022**

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

**APPLICANT: David Mechanik**

**PETITION NO: MM 22-0782**

**LOCATION: Not listed**

**FOLIO NO: 6667.0000**

**SEC: \_\_\_\_\_ TWN: \_\_\_\_\_ RNG: \_\_\_\_\_**

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

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**TO:** Zoning Review, Development Services

**DATE:** 07/12/2022

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

**APPLICANT:** Turning Point of Tampa, Inc

**PETITION NO:** 22-0782

**LOCATION:** 6311 Sheldon Rd

**FOLIO NO:** 6667.0000

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**Estimated Fees:**

Medical Office (10,000 s.f. or less)

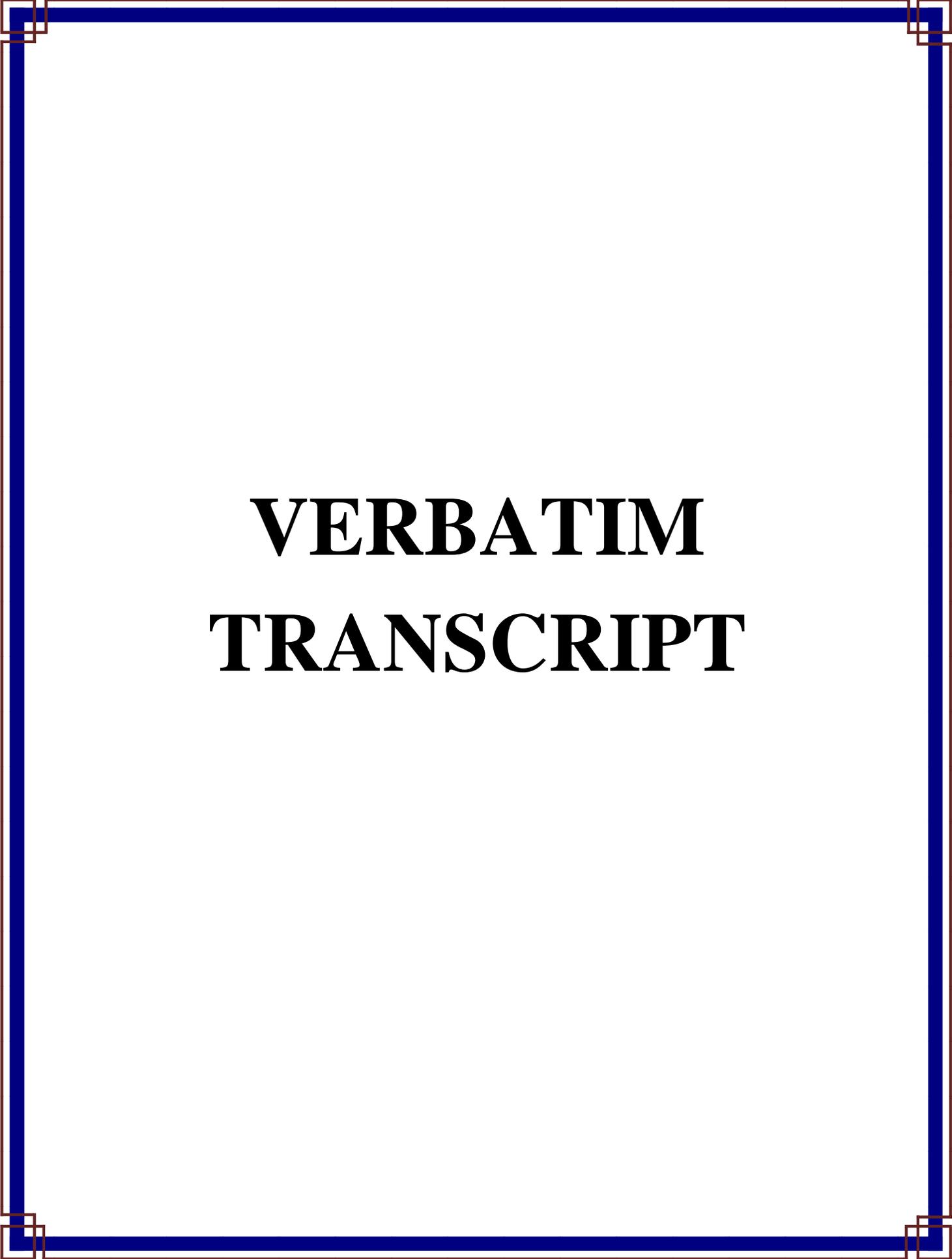
(Per 1,000 s.f.)

Mobility: \$19,674 less \$7,502 = \$12,172 \* 3.92 = \$47,714.24

Fire: No additional fire fees

**Project Summary/Description:**

Urban Mobility, Northwest Fire - Medical Office - convert 3,920 sq ft general office to medical office



# **VERBATIM TRANSCRIPT**



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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
July 25, 2022  
ZONING HEARING MASTER: SUSAN FINCH

D10:  
Application Number: MM 22-0782  
Applicant: Turning Point of Tampa, Inc.  
Location: 6311 Sheldon Rd.  
Folio Number: 006667.0000  
Acreage: 1.36 acres, more or less  
Comprehensive Plan: CMU-12  
Service Area: Urban  
Existing Zoning: PD 04-1683  
Request: Major Modification to a Planned  
Development

1 MR. GRADY: The next item is agenda item  
2 D-10. It's Major Mod Application 22-0782. The  
3 applicant's turning point of Tampa, Incorporated.

4 The request is for a Major Modification to  
5 existing Planned Development. Tania Chapela will  
6 provide staff recommendation after presentation by  
7 the applicant.

8 MR. MECHANIK: Good evening. My name is  
9 David Mechanik here on behalf of the applicant,  
10 Turning Point. Can you hear me okay?

11 HEARING MASTER FINCH: I can.

12 MR. MECHANIK: Okay. Thank you. I have  
13 with me Ms. Robin Piper with Turning Point and our  
14 planner and transportation analysis person, Randy  
15 Cohen. He'll be here simply to answer questions if  
16 you have any regarding the traffic.

17 We are -- this is sort of an unusual  
18 request. We're not proposing any changes to the  
19 facility. No physical changes whatsoever and, in  
20 fact, we are simply proposing to add intensive  
21 outpatient treatment and health care professional  
22 uses to the site because an interpretation of  
23 county zoning staff was that in order to continue  
24 the counseling that is being conducted on-site, we  
25 needed to add these two as permitted uses.

1           My client's services -- and I should explain  
2           that -- they provide intensive treatment,  
3           outpatient treatment which includes group and  
4           individual therapy for people seeking help for  
5           alcohol, drug, or eating disorders.

6           And, again, no change in the activities on  
7           the site are being proposed, and no physical  
8           changes to the property are being proposed. And  
9           with that, the staff report fully describes the  
10          nature of the site, and we have nothing further to  
11          add other than to request your approval at this  
12          time. Thank you.

13          HEARING MASTER FINCH: Mr. Mechanik, just a  
14          quick question just to clarify the request, it  
15          reads that the existing approval is permitted for  
16          ten residents for the residential facility, but  
17          that the Major Modification was to ask for 34 beds.  
18          Is that --

19          MR. MECHANIK: That's not correct. We only  
20          requested ten. There's a notation on the site plan  
21          that we only requested ten beds. And we have no  
22          intention or desire to increase that amount.

23          HEARING MASTER FINCH: So the 34 is an  
24          error. It's only ten beds?

25          MR. MECHANIK: Well, if someone on the staff

1 requested what is the theoretical maximum density  
2 allowed in the Comp Plan category, and the answer  
3 was 34. But we do not intend to have 34 beds. The  
4 most would be ten.

5 HEARING MASTER FINCH: All right. So it  
6 would be acceptable to you to have that condition  
7 read at a maximum of ten beds?

8 MR. MECHANIK: Yes, ma'am.

9 HEARING MASTER FINCH: All right. Thank you  
10 for that clarification. I appreciate it. Does  
11 that conclude your presentation?

12 MR. MECHANIK: Yes, ma'am.

13 HEARING MASTER FINCH: All right. Thank you  
14 so much.

15 We'll go to Development Services.

16 MS. CHAPELA: Good evening. Tania Chapela,  
17 Development Services.

18 The applicant is requesting to allow for a  
19 maximum of 9,800-gross floor area for a ten-bed  
20 professional residential facility, health  
21 practitioner offices, administrative offices, and  
22 intensive outpatient care.

23 The existing plan is approved for a maximum  
24 of 14,000 square feet of professional  
25 administrative office and professional residential

1 facility. The facility is currently permitted a  
2 maximum of ten residents.

3 The area is primarily residential with BPO  
4 uses and multifamily residential developments along  
5 Sheldon Road zoned PD, RSC-9, RMC-12, and RMC-16.  
6 Adjacent to the north of the site, there are  
7 medical offices; to the east is a single-family  
8 dwelling. The adjacent property to the south is  
9 developed with a church.

10 Staff finds the request comparable to the  
11 existing uses and is compatible with the  
12 development pattern along this portion of Sheldon  
13 Road. No changes have been proposed to the  
14 existing building.

15 The density and intensity proposed are under  
16 the CMU-12 maximum density of 1200 units per acre  
17 and 0.5 FAR. This concludes my presentation. I'll  
18 be glad to answer your questions.

19 HEARING MASTER FINCH: All right. So,  
20 Ms. Chapela, just to clarify, so the proposed  
21 conditions, Mr. Mechanik just stated they need --  
22 currently, they read 34 residents. So it needs to  
23 be changed back to ten is what he's saying.

24 And then I have a question about zoning  
25 Condition 2 where it mentions a waiver of Section

1 6.11.75.A is granted, what does that refer to?

2 It's in Zoning Condition 2.

3 MR. MECHANIK: That was a distance waiver  
4 that was granted in 2011 when the professional  
5 residential use was permitted, and that waiver we  
6 are not proposing any change. It was granted --

7 HEARING MASTER FINCH: So it's previously  
8 approved?

9 MR. MECHANIK: Yes, that's correct.

10 HEARING MASTER FINCH: All right. Perfect.  
11 Thank you. That answers my question. Thank you.

12 All right. Then we'll go to the Planning  
13 Commission, please.

14 MS. MASSEY: This is Jillian Massey with  
15 Planning Commission staff.

16 The subject site is located in the Community  
17 Mixed-Use-12 Future Land Use designation. It's in  
18 the Urban Service Area and within the limits of the  
19 Town N Country Community Plan.

20 The proposed medical office and outpatient  
21 care services is in the Urban Service Area, and  
22 it's compatible with the existing character of the  
23 development as it's located on an arterial roadway  
24 and with other offices and like commercial uses  
25 along this corridor.

1           The subject site is surrounded by Community  
2 Mixed-Use-12 to the north and south and  
3 Residential-4 to the east across Rocky Creek. To  
4 the west across Sheldon Road is designated as  
5 Residential-12 and Residential-20.

6           The area surrounding the site mainly  
7 contains light commercial uses and multifamily  
8 residential developments. Immediately north of the  
9 site, there are medical offices. There are some  
10 single-family dwellings further to the north.

11           Immediately east of the site is a  
12 single-family dwelling. Immediately south of the  
13 site is a church that shares cross-access easement  
14 with the professional offices and a Community  
15 Residential Home, which is owned and operated by  
16 the applicant.

17           The proposed rezoning meets the intent of  
18 Objective 16 and Policy 16.2, 16.3, and 16.5 and  
19 17.7. The proposed medical office and outpatient  
20 care is consistent with the neighborhood scale  
21 commercial development that is intended in this  
22 land use designation.

23           The existing building footprint will not be  
24 expanded. The request does not include any waivers  
25 to setbacks or buffers. The wetlands located on

1 the northern and eastern property boundary serves  
2 as a buffer for the single-family residential to  
3 the east.

4 The proposal meets all Land Development Code  
5 regulations, and there are no objections from other  
6 commenting agencies. Therefore, it's consistent  
7 with Objective 9 and Policy 9.2.

8 And based upon these considerations,  
9 Planning Commission staff finds the proposed Major  
10 Modification consistent with the Future of  
11 Hillsborough Comprehensive Plan for unincorporated  
12 Hillsborough County subject to the conditions  
13 proposed by the Development Services Department.  
14 And that concludes my testimony. Thank you.

15 HEARING MASTER FINCH: Thank you so much. I  
16 appreciate it.

17 Is there anyone in the room that would like  
18 to speak in support? No one online? All right.

19 Anyone in opposition that would like to  
20 testify?

21 Seeing no one, Mr. Grady, anything else?

22 MR. GRADY: Nothing further.

23 HEARING MASTER FINCH: All right. Then is  
24 the applicant -- would the applicant like the last  
25 word?

1                   MR. MECHANIK: Just that we would request  
2                   your recommendation for approval. Thank you.

3                   HEARING MASTER FINCH: All right. Thank  
4                   you, Mr. Mechanik. I appreciate it.

5                   We'll close Major Modification 22-0782 and  
6                   go to the next case.

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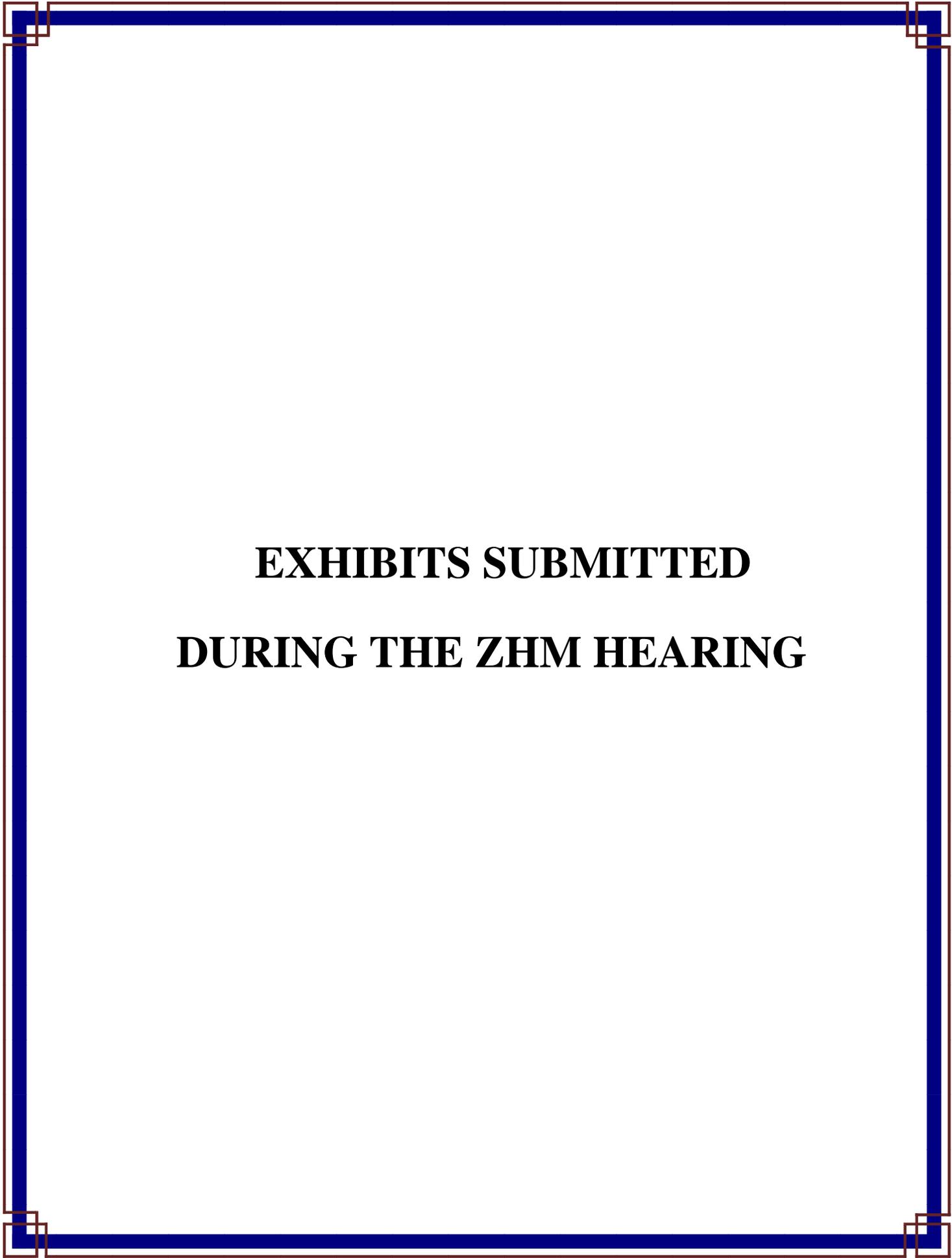
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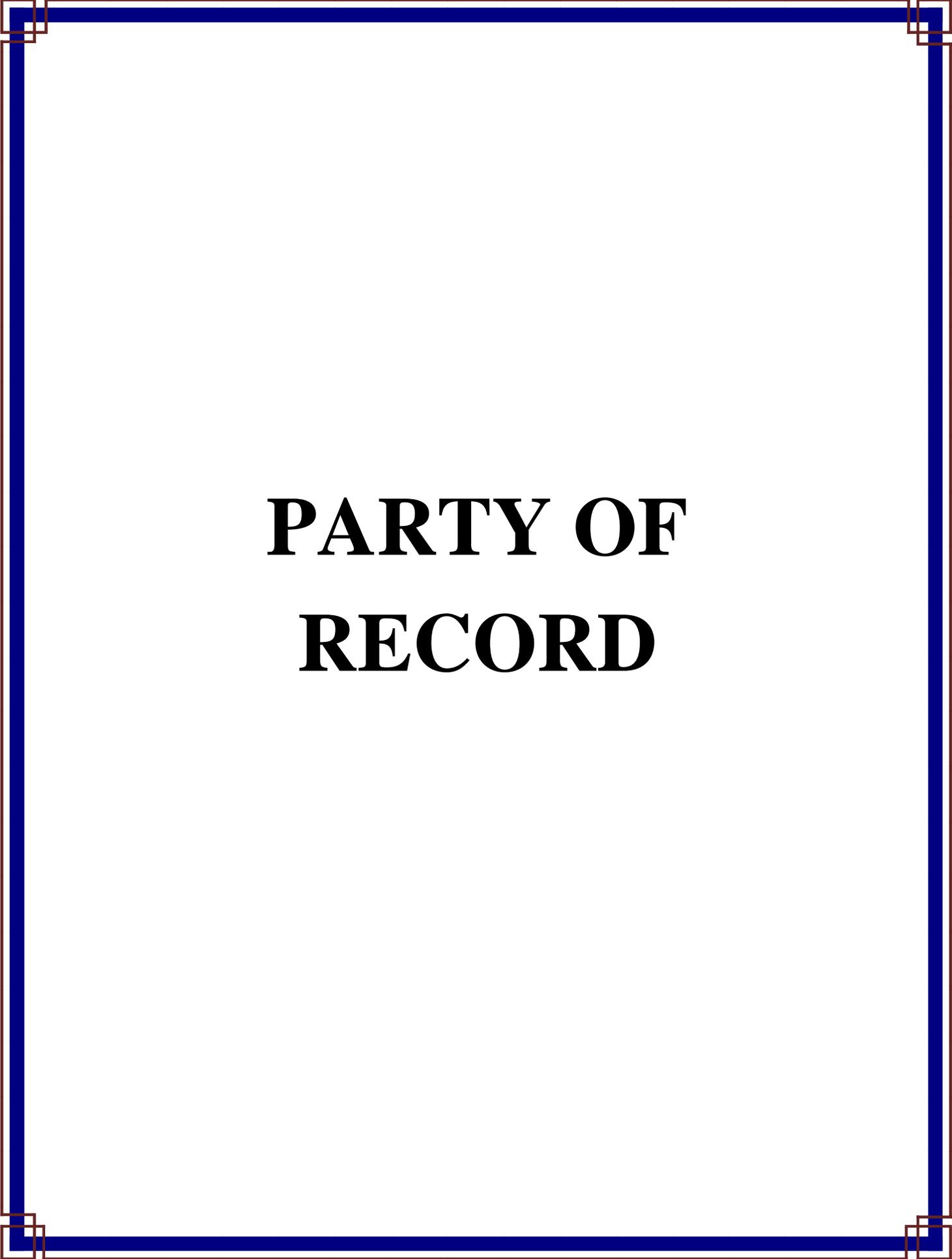
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**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

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