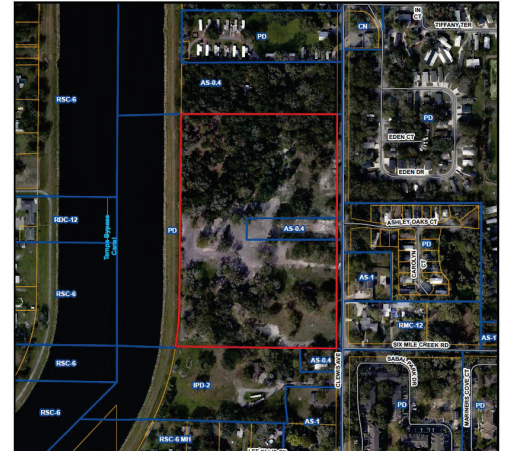


**Rezoning Application:** PD 22-0682  
**Zoning Hearing Master Date:** June 13, 2022  
**BOCC Land Use Meeting Date:** August 25, 2022

**1.0 APPLICATION SUMMARY**

**Applicant:** Falcone & Associates, LLC  
**FLU Category:** CMU-12  
**Service Area:** Urban  
**Site Acreage:** Approximately 17 acres  
**Community Plan Area:** East Lake/Orient Park  
**Overlay:** None



**Introduction Summary:**

The applicant seeks to develop an approximately 17-acre unified development consisting of a 264-unit apartment complex, an additional four “carriage apartment” units, and a 3.73-acre publicly accessible privately owned park with amenities.

The property consists of a 15.67-acre portion zoned PD 06-0468, which is currently limited to 180 townhome units with conditions pursuant to PD 06-0468. This development wrapped around an approximate 1.33-acre, AS-0.4 (Agricultural, Single-Family Estate) zoning. The AS-0.4 property is developed with a single-family dwelling.

Zoning:	Existing		Proposed
District(s)	PD 06-0468	AS-0.4	PD 22-0682
Typical General Use(s)	Townhomes	Single-Family Residential/Agricultural	Multifamily with Park
Acreage	15.67 acres	1.33 acres	17 acres
Density/Intensity	±11.49 du/ac.	1 du/2.5 ac.	20 du/ac. 8.1 ac. (flex area) 12 du/ac. 8.9 ac.
Mathematical Maximum*	180 Townhomes (PD)	1 dwelling	268 MF dwellings

\*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	PD 06-0468	AS-0.4	PD 22-0682
Setbacks/Buffering and Screening	20’ setback. Structures over 20’ not subject to increased setbacks.	50’ front 25’ side 50’ rear	Side/Rear/Front: 20’ Buffer / Type “B” Buffer  Building Setbacks: 50’
Height	45’ (35’ adjacent to folio 40485.0000)	50’	Up to 45’

**Additional Information:**

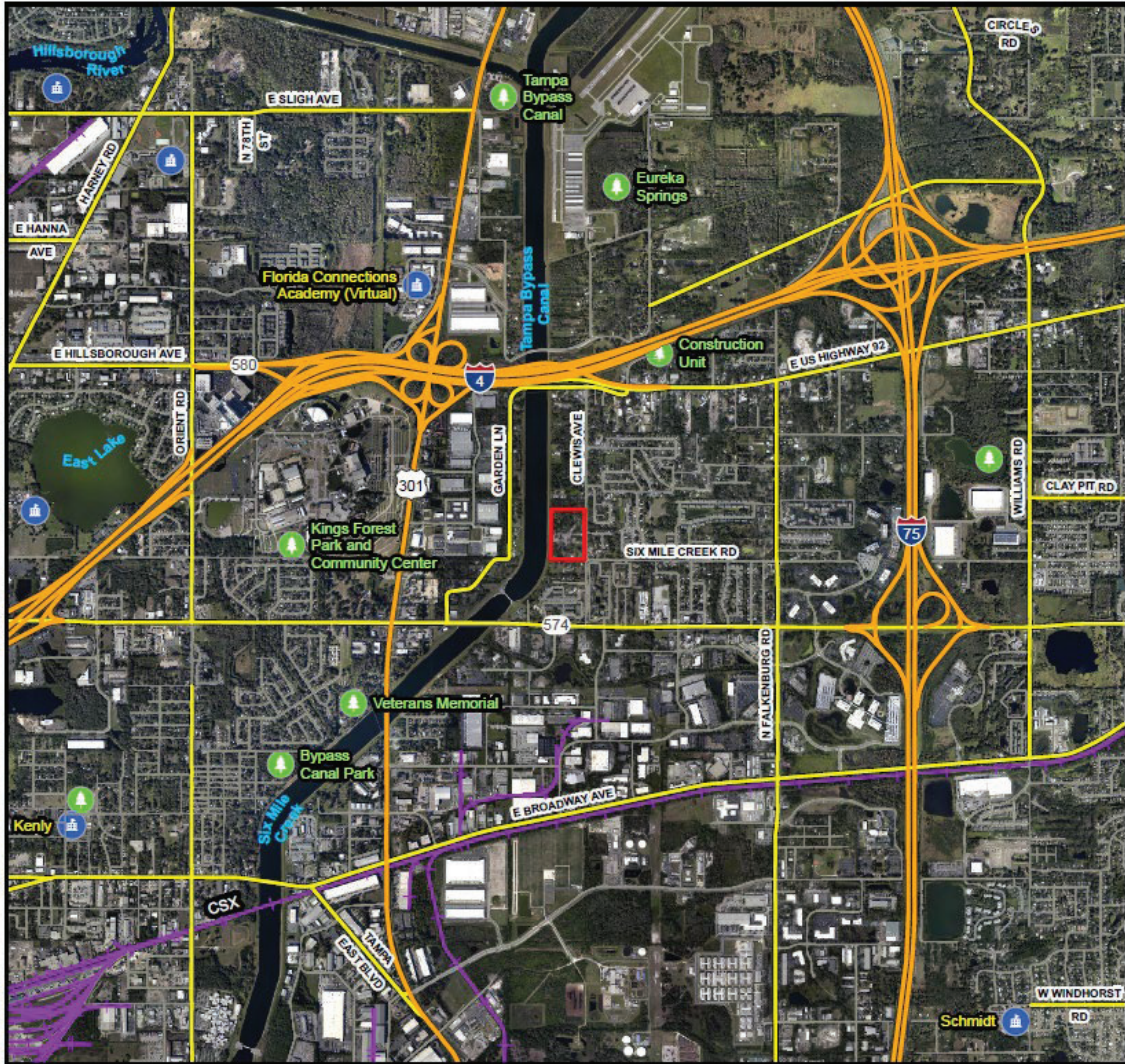
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None Requested

**Planning Commission Recommendation:**  
Consistent with conditions

**Development Services Recommendation:**  
Supportable

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



#### **Context of Surrounding Area:**

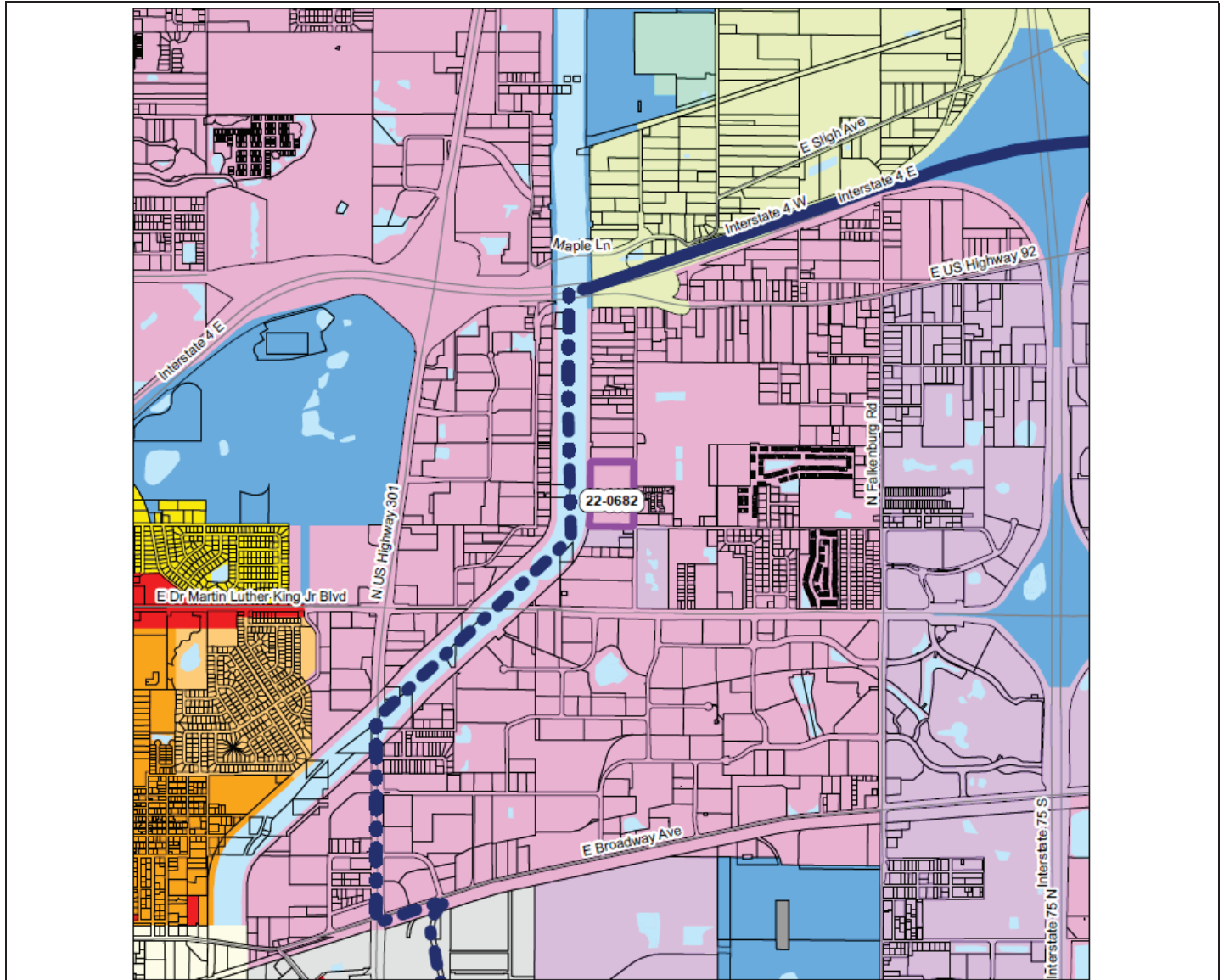
The site is located in the East Lake/Orient Park community on the west side of Clewis Avenue. The surrounding area is predominantly a mixture of single and multi-family residential, with a mobile home park to the northeast. The Hillsborough River bypass canal is located immediately to the west of the subject site.

The site is within close proximity to Sabal Park, an employment center and is within the Interstate 75 corridor, which encourages urban level intensities. Transit service is provided along Dr. Martin Luther King, Jr. Blvd. connecting this site with the Brandon Mall.

## 2.0 LAND USE MAP SET AND SUMMARY DATA



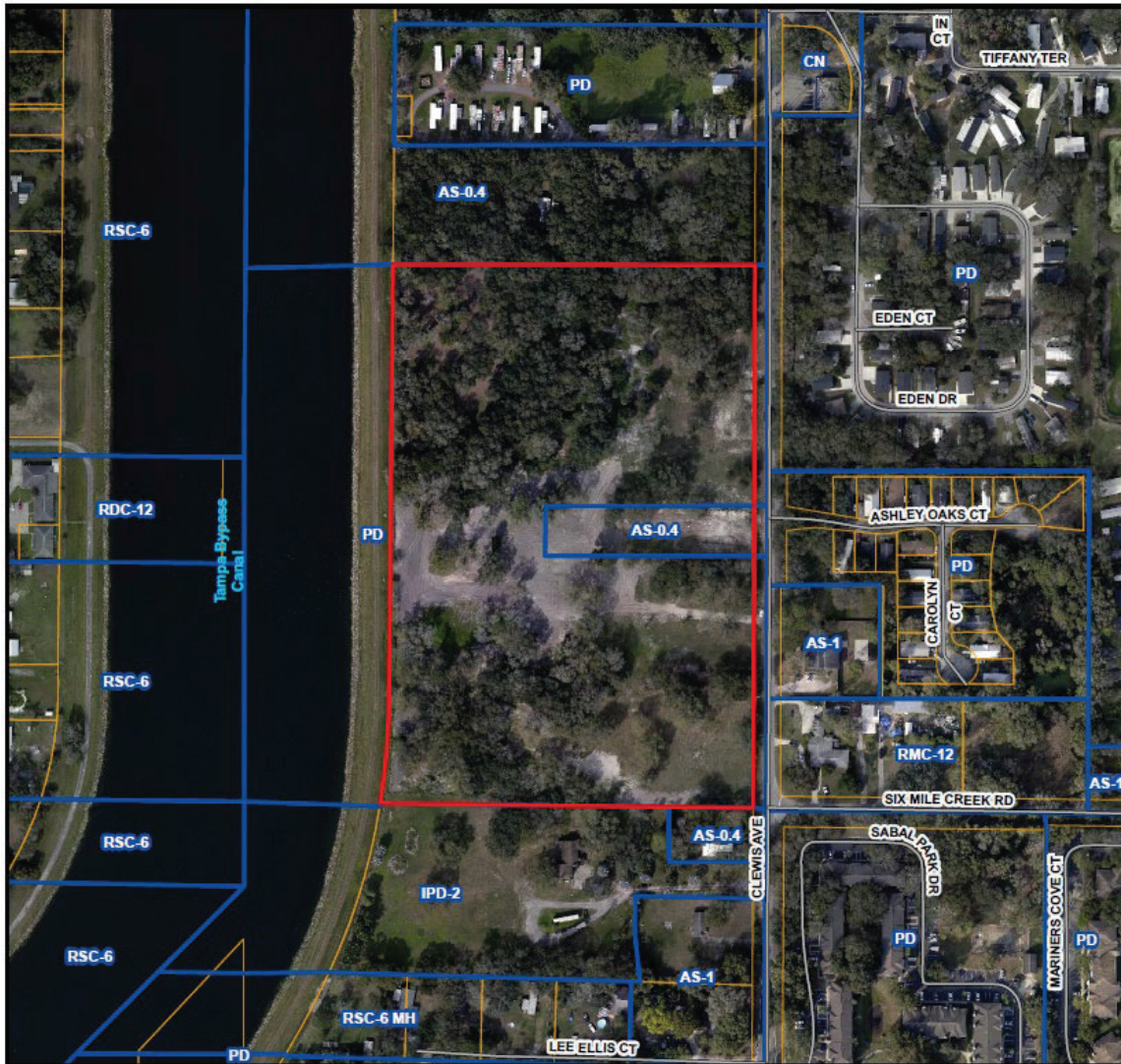
## 2.2 Future Land Use Map



Subject Site Future Land Use Category:	CMU-12 (Community Mixed Use -12)
Maximum Density/F.A.R.:	20 dwelling per acre (CMU-12)
Typical Uses:	Typical uses in the CMU-12 include residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and mixed-use projects at appropriate locations.

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.3 Immediate Area Map



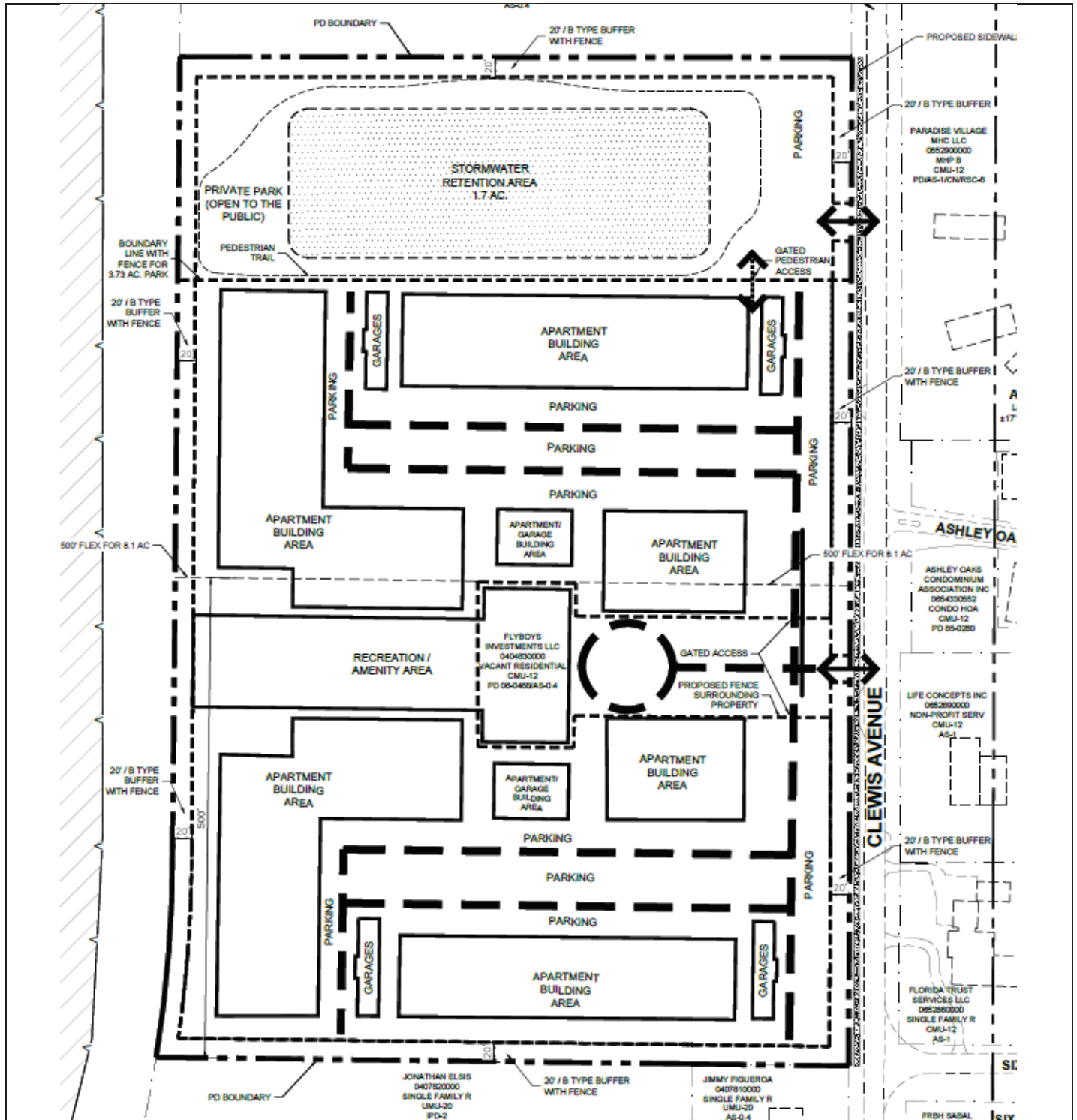
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North/Northeast	AS-0.4	Min. lot size: 2.5 ac.	Agricultural / Single-family dwellings	SF/Vacant/MH park (NE)
South	AS-0.4 & IPD-2 (Interstate PD)	2.5 ac.	Agricultural / Single-family dwellings (AS-0.4) / Comm., Res., Office, Ind. (IPD-2)	Single-family homes
East	AS-1, RMC-12, PD	43,560 sf	Single-Family dwellings	SF / Mobile Homes
West	Tampa Bypass Canal	NA	NA	NA

### 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)



APPLICATION NUMBER: PD 22-0682

ZHM HEARING DATE: June 13, 2022

BOCC LUM MEETING DATE: August 25, 2022

Case Reviewer: Tim Lampkin, AICP

### 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
Clewis Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" 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	1,327	84	102
Proposed	1,461	96	118
Difference (+/-)	+134	+12	+16

\*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	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC

Notes:

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

Road Name/Nature of Request	Type	Finding
Clewis Ave/Substandard Roadway	Design Exception Requested	Approvable
	Choose an item.	Choose an item.

Notes:

### 4.0 Additional Site Information & Agency Comments Summary

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



**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	EPC staff may identify other legitimate concerns at any time prior to final project approval.		
Natural Resources	<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			
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: <table border="0" style="width:100%"> <tr> <td style="width:50%"> <input type="checkbox"/> Wetlands/Other Surface Waters  <input type="checkbox"/> Use of Environmentally Sensitive Land Credit  <input checked="" type="checkbox"/> Wellhead Protection Area  <input type="checkbox"/> Surface Water Resource Protection Area                             </td> <td style="width:50%"> <input checked="" type="checkbox"/> Potable Water Wellfield Protection Area  <input type="checkbox"/> Significant Wildlife Habitat  <input 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 _____                             </td> </tr> </table>					<input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____
<input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input 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			
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Hillsborough County School Board</b> Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.		
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$5,995 * 268 units = \$1,606,660 Parks: \$1,555 * 268 units = \$ 416,740 School: \$3,891 * 268 units = \$1,042,788 Fire: \$249 * 268 units = \$ 66,732 Total Multi-Family (1-2 story) = \$3,132,920						

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

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The site is located in the East Lake/Orient Park community on the west side of Clewis Avenue. The surrounding area is predominantly a mixture of single and multi-family residential, with a mobile home park to the northeast. The Hillsborough River bypass canal is located immediately to the west of the subject site.

The request is to develop an approximately 17-acre unified development consisting of a 264-unit apartment complex, an additional four “carriage apartment” units, and a 3.73-acre publicly accessible privately owned park with amenities. The park will be owned and maintained by the multi-family apartment complex. The applicant requests to rezone the site to PD to develop a maximum of 268 multi-family dwelling units and a publicly accessible park.

The subject site is surrounded by CMU-12 to the north, east and west, and Urban Mixed Use-20 (UMU-20) to the south. The request includes a flex of the Urban Mixed Use-20 (UMU-20) Future Land Use designation to the south (8.1 acres). The proposal is consistent with the Flex Provision Policies 7.2 and 7.3. The applicant is proposing a density of 268 units, which is approximately 15.7 dwelling units per acre. The request includes a 500’ flex of the UMU-20 to the south which is 8.1 acres. The proposed density utilizing the flex provision is consistent with the intended density for the CMU-12.

The density calculations are as follows:

- 12 du/acre x 8.9 acres of CMU-12 = 106 units
- 20 du/acre x 8.1 acres of UMU-20 = 162 units
- Total of 268 residential units

Pursuant to Section 6.06.06, addressing compatibility with the adjacent residential the applicant has proposed a 20-foot buffer with Type B screening surrounding the perimeter of the property consistent with the Land Development Code. The application does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

The property lies within the City of Tampa Water Service Area. A 4-inch wastewater force main exists adjacent to the site, and is located within the west right-of-way of Clewis Avenue. The subject property is within the Urban Service Area and would require connect to the County’s potable water and wastewater systems.

The proposed development falls within Zone “A” on the Airport Height Zoning Map. The Aviation Authority recommends that potential buyers should be informed that this location is in close proximity to Tampa Executive Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour and is a compatible use, but occupants may be subject to noise from aircraft operating to and from the airport. The airport suggests a noise reduction level of at least 25 db be incorporated into the design.

The subject site meets the intent of the East Lake Orient Park Community Plan. The Plan proposes a publicly accessible new park with amenities in conjunction with the approval of new residential development.



## 5.2 Recommendation

Based on the above consideration, staff finds the request **APPROVABLE**.


## 6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted May 24, 2022.

1. Development shall be limited to 268 multi-family residential units, with a 3.73-acre publicly accessible private park located on the northern portion of the unified site plan.
  - Minimum Building Setback  
from all Property lines: 50 feet
  - Maximum Building Height: 45 feet
  - Maximum Impervious Area: 75 percent
2. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code. The following standards shall comply.
  - 2.1 A minimum of 20-foot buffer with Type "B" screening shall be provided along the perimeter of the property.
3. The proposed area designated as a private park shall consist of a total of +/- 3.73 acres. The uses within the private park (open to the public) shall include the following elements:
  - walking paths, bicycle rack, benches, shade trees, observation deck, dog park, wayfinding signage, pond, and open space.
4. Since the developer is proposing a publicly accessible park which will be privately owned and maintained by the property owner, public access to the property must be ensured. As such, prior to or concurrent with the initial increment of development, the developer shall record in the Official Records of Hillsborough County a public access easement over the sidewalks and driveways which connect the proposed publicly accessible park with the vehicular and pedestrian access on Clewis Avenue and the pedestrian access connection between the apartment complex and the park. Said vehicular and pedestrian on Clewis Avenue shall be ungated.
5. The project shall be permitted one full access connection on Clewis Avenue serving the residential development and one full access connection on Clewis Avenue to serve the publicly accessible park.
6. If PD 22-0682 is approved, the County Engineer will approve a Design Exception (dated May 18, 2022) which was found approvable by the County Engineer (on May 31, 2022) for Clewis Avenue substandard road improvements. As Clewis Avenue is a substandard local roadway, the developer will be required to construct +/-1,530 feet of new 5-foot sidewalk on the west side of the roadway along the project frontage and south to the existing sidewalk.
7. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
8. 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. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.



9. 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.
10. 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.
11. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
12. 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.
13. Prior to Preliminary Plat or Site Development Plan approval, all trees qualifying as Grand Oaks as defined by the Land Development Code and as confirmed by the Natural Resource staff of Planning and Growth Management Department shall be shown on the Preliminary Plat or Site Development Plan. The location of vehicular use areas, buildings and stormwater treatment ponds may be modified to meet Grand Oak and other tree preservation and/or natural resource requirements of the Land Development Code provided the required building setback, buffer areas and building massing requirements are maintained. Notwithstanding the modifications allowed pursuant to this condition, the developer acknowledges that the Grand Oak, tree preservation and/or natural resource requirements may prevent development of the maximum number of units permitted by the rezoning.
14. The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 70 feet Above Mean Sea Level or requested by FAA may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.
15. If the notes and/or graphics 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.
16. 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.
17. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

<b>Zoning Administrator Sign Off:</b>	 J/ Brian Grady Fri Jun 3 2022 08:34:45
---------------------------------------	---

**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.



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

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

## **7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**





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

## AGENCY REVIEW COMMENT SHEET

---

---

TO: Zoning Technician, Development Services Department

DATE: 5/31/2022

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: ELOP/ Central

PETITION NO: PD 22-0682

---

---

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

### **CONDITIONS OF APPROVAL**

1. The project shall be permitted one full access connection on Clewis Ave. serving the residential development and one full access connection on Clewis Ave. to serve the publicly accessible park.
2. Since the developer is proposing a publicly accessible park which will be privately owned and maintained by the property owner, public access to the property must be ensured. As such, prior to or concurrent with the initial increment of development, the developer shall record in the Official Records of Hillsborough County a public access easement over the sidewalks and driveways which connect the proposed publicly accessible park with the vehicular and pedestrian access on Clewis Ave. and the pedestrian access connection between the apartment complex and the park.

Said vehicular and pedestrian on Clewis Ave. shall be un gated.

3. If PD 22-0682 is approved, the County Engineer will approve a Design Exception (dated May 18, 2022) which was found approvable by the County Engineer (on May 31, 2022) for Clewis Ave. substandard road improvements. As Clewis Ave. is a substandard local roadway, the developer will be required to construct +/-1,530 feet of new 5-foot sidewalk on the west side of the roadway along the project frontage and south to the existing sidewalk
4. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting a rezoning from PD 06-0468 and AS-0.4 to Planned Development for a single parcel totaling +/- 17 ac. The PD 06-0468 is approved for 180 town home units. The proposed PD is seeking approval for up to 268 multi-family dwelling units and +/- 3.73-acre publicly accessible park which will be owned and maintained by the multi-family apartments.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis. Additional transportation analysis was requested by staff to evaluate the functional classification of the project access, as further discussed below in the "Transportation Infrastructure Serving the Site" section of this report. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is largely based on data from the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition.

Approved Uses:

Zoning, Land Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 180-Units Townhome (220)	1,318	83	101
AS-0.4: 1-Unit Single Family Detached (210)	9	1	1
Total Trips:	1,327	84	102

Proposed Uses:

Zoning, Land Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 268-Units Multi-Family (221)	1,458	96	118
PD: 3.73-Acre Park (411)	3	0	0
Total Trips:	1,461	96	118

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>+134</b>	<b>+12</b>	<b>+16</b>

The proposed rezoning is anticipated to have an increased maximum trip generation potential of 134 daily trips, 12 am and 16 pm peak hours trips for the subject site.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Clewis Ave. is a 2-lane, substandard, publicly maintained, local roadway characterized by +/- 10-foot wide travel lanes within a +/- 50 to 60-foot wide right-of-way along the project's frontage. There is a sidewalk on the east side of the roadway and no bicycle lanes within the vicinity of the project. The applicant's traffic study indicated that with existing and project traffic the roadway will not exceed the 5,000 AADT traffic capacity for a local roadway (after which it would be considered to be a collector roadway).

Pursuant to the Hillsborough County Transportation Technical Manual, a rural local roadway shall meet the typical section TS-7 standard. TS-7 standard includes 12-foot-wide lanes, 8-foot shoulders with 5 foot paved, and 5-foot wide sidewalks on both sides and swales within a minimum of 96 feet of right-of-way. Clewis Ave. is not included in the Hillsborough County Corridor Preservation Plan.

The applicant is requesting a design exception to construct a sidewalk along the project frontage and south of the project +/-480 feet to connect to the existing sidewalk on the west side of Clewis Ave. in lieu of improving the roadway to standard. See the Design Exception request section below for additional detail.

**SITE ACCESS AND CONNECTIVITY**

The PD proposes two full access connections on Clewis Ave.; one access for the multi-family residential component and a separate one for the publicly accessible park. The PD site plan also proposes gated pedestrian access between the residential and park uses.

Public access easements are being required over project driveways and sidewalks to allow for public access to the privately maintained but publicly accessible park which is being proposed. Additionally, the vehicular and pedestrian access to Clewis Ave. shall remain ungated to ensure public access.

**REQUESTED DESIGN EXCEPTION: CLEWIS AVE.**

As Clewis Ave. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request for Clewis Ave. (May 18, 2022) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on May 31, 2022). The developer will be required to construct a new 5-foot sidewalk along the project frontage and extending south +/-480 feet on the west side of the roadway to connect to the existing sidewalk on the west side of Clewis Ave.

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

**ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Clewis Ave. is not a regulated roadway in the Hillsborough County 2020 Level of Service Report.



## Perez, Richard

---

**From:** Williams, Michael  
**Sent:** Tuesday, May 31, 2022 7:53 PM  
**To:** Steven Henry  
**Cc:** Suzanne Walker; Heinrich, Michelle; Perez, Richard; Tirado, Sheida; PW-CEIntake; Lampkin, Timothy  
**Subject:** FW: PD 22-0682 DE Review  
**Attachments:** 22-0682 DReq 05-31-22.pdf  
  
**Importance:** High

Steve,

I have found the attached Design Exception (DE) for PD 22-0682 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Ingrid Padron ([padroni@hillsboroughcounty.org](mailto:padroni@hillsboroughcounty.org) or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to [PW-CEIntake@hillsboroughcounty.org](mailto:PW-CEIntake@hillsboroughcounty.org)

Mike

**Michael J. Williams, P.E.**

**Director, Development Review**

**County Engineer**

Development Services Department

---

P: (813) 307-1851

M: (813) 614-2190

E: [Williamsm@HillsboroughCounty.org](mailto:Williamsm@HillsboroughCounty.org)

W: HCFLGov.net

---

**Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

---

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

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

---

**From:** Tirado, Sheida <TiradoS@hillsboroughcounty.org>  
**Sent:** Tuesday, May 31, 2022 5:47 PM  
**To:** Williams, Michael <WilliamsM@HillsboroughCounty.ORG>  
**Cc:** Perez, Richard <PerezRL@hillsboroughcounty.org>  
**Subject:** PD 22-0682 DE Review  
**Importance:** High

Hello Mike,

The following DE for this zoning case is approvable to me, please include the following people in your email.

[shenry@lincks.com](mailto:shenry@lincks.com)  
[swalker@stearnsweaver.com](mailto:swalker@stearnsweaver.com)  
[HeinrichM@HillsboroughCounty.ORG](mailto:HeinrichM@HillsboroughCounty.ORG)  
[lampkint@hillsboroughcounty.org](mailto:lampkint@hillsboroughcounty.org)  
[PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org)

Best Regards,

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

---

**P:** (813) 276-8364  
**E:** [tirados@HCFLGov.net](mailto:tirados@HCFLGov.net)  
**W:** [HCFLGov.net](http://HCFLGov.net)

---

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

---

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

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



**LINCKS & ASSOCIATES, INC.**

May 18, 2022

Mr. Michael Williams, PE  
County Engineer Development Review Director  
Hillsborough County  
601 East Kennedy Blvd., 20<sup>th</sup> Floor  
Tampa, FL 33602

Re: Clewis Avenue Apartments  
Folio Number – 040483.0000  
PD 22-0682  
Lincks Project No. 22014

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Clewis Avenue from Dr. Martin Luther King Jr Boulevard to the Project Access. The developer proposes to rezone the property to Planned Development (PD) to allow following land uses:

- Multi-Family - 268 Dwelling Units
- Park – 1.7 Acres

The access for the subject parcel is to be as follows:

- One (1) full access to Clewis Avenue to serve the Multi-Family Development
- One (1) full access to Clewis Avenue to serve the Park

According to Hillsborough County Functional Classification Map, Clewis Avenue is a local road. The subject site is within the Hillsborough County Urban Service Area.

Table 1 provides the trip generation for the proposed development.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Clewis Avenue from the Sabal Ridge entrance to the Project Access. This segment of Clewis Avenue is currently a two (2) lane roadway. The following exceptions are requested to accommodate the proposed project:

1. Right of Way – TS-7 has 96 feet of right of way. The existing right of way along Clewis Avenue varies between 50 and 60 feet.
2. Lanes – TS-7 has 12 foot travel lanes. The existing lanes on Clewis Avenue are approximately 10 to 11 feet.

5023 West Laurel Street  
Tampa, FL 33607  
813 289 0039 Telephone  
8133 287 0674 Telefax  
[www.Lincks.com](http://www.Lincks.com) Website

**22-0682**

Mr. Mike Williams  
May 18, 2022  
Page 2

3. Shoulders – TS-7 has 8 foot shoulders with 5 feet paved. There are unpaved shoulders along the segment of roadway.
4. Sidewalk – TS-7 has 5 foot sidewalks on both sides of the roadway. There is sidewalk on the east side of Clewis Avenue to Six Mile Creek Road.

The justification for the Design Exception is as follows:

1. The subject parcel has limited frontage along Clewis Avenue.
2. The developer proposes to construct 5 foot sidewalk along the property frontage and extend the sidewalk south to connect to the existing sidewalk. This would provide a continuous sidewalk from the project to Dr. Martin Luther King Jr Boulevard.

Figure 1 illustrates the limits of the proposed improvements.

Based on the above, it is our opinion, the proposed improvements to Clewis Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.



Mr. Mike Williams  
May 18, 2022  
Page 3

Please do not hesitate to contact us if you have any questions or require any additional information.

Best Regards,

Steven J Henry  
President  
Lincks & Associates, Inc.  
P.E. #51555



---

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

- Disapproved
- Approved
- Approved with Conditions

If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E., (813) 276-8364, TiradoS@hillsboroughcounty.org.

Sincerely,  
Michael J. Williams  
Hillsborough County Engineer

TABLE 1  
ESTIMATED PROJECT TRIP ENDS (1)

<u>Land Use</u>	<u>ITE LUC</u>	<u>Size</u>	<u>Daily Trip Ends</u>	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
				<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>
Multi-Family	221	268 DU's	1,217	24	82	64	41
Park	411	1.7 AC	1	0	0	0	0
<b>Total</b>			1,218	24	82	64	41
					106		105

(1) Source: ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.

Mr. Mike Williams  
May 18, 2022  
Page 5



FIGURE 1

APPENDIX





PD PLAN





HILLSBOROUGH COUNTY  
ROADWAY FUNCTIONAL CLASSIFICATION MAP





TS-4







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
Clewis Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,327	84	102
Proposed	1,461	96	118
Difference (+/-)	+134	+12	+16

\*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	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

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

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

<b>Application number:</b>	RZ-PD 22-0682
<b>Hearing date:</b>	June 13, 2022
<b>Applicant:</b>	Falcone & Associates, LLC
<b>Request:</b>	Rezone to Planned Development
<b>Location:</b>	4504 Clewis Avenue, Tampa
<b>Parcel size:</b>	17 acres +/-
<b>Existing zoning:</b>	PD 06-0468 and AS-0.4
<b>Future land use designation:</b>	CMU-12 (12 du/ga; 0.50 FAR)
<b>Service area:</b>	Urban
<b>Community planning area:</b>	East Lake Orient Park

**A. APPLICATION REVIEW**

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

**Rezoning Application:** PD 22-0682  
**Zoning Hearing Master Date:** June 13, 2022  
**BOCC Land Use Meeting Date:** August 25, 2022

**1.0 APPLICATION SUMMARY**

**Applicant:** S. Elise Batsel, Esq.;  
Stearns Weaver Miller

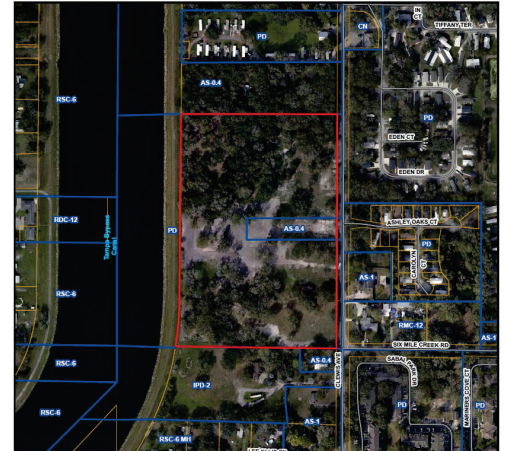
**FLU Category:** CMU-12

**Service Area:** Rural

**Site Acreage:** Approximately 17 acres

**Community Plan Area:** East Lake/Orient Park

**Overlay:** None



**Introduction Summary:**

The applicant seeks to develop an approximately 17-acre unified development consisting of a 264-unit apartment complex, an additional four “carriage apartment” units, and a 3.73-acre publicly accessible privately owned park with amenities.

The property consists of a 15.67-acre portion zoned PD 06-0468, which is currently limited to 180 townhome units with conditions pursuant to PD 06-0468. This development wrapped around an approximate 1.33-acre, AS-0.4 (Agricultural, Single-Family Estate) zoning. The AS-0.4 property is developed with a single-family dwelling.

Zoning:	Existing		Proposed
District(s)	PD 06-0468	AS-0.4	PD 22-0682
Typical General Use(s)	Townhomes	Single-Family Residential/Agricultural	Multifamily with Park
Acreage	15.67 acres	1.33 acres	17 acres
Density/Intensity	±11.49 du/ac.	1 du/2.5 ac.	20 du/ac. 8.1 ac. (flex area) 12 du/ac. 8.9 ac.
Mathematical Maximum*	180 Townhomes (PD)	1 dwelling	268 MF dwellings

\*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	PD 06-0468	AS-0.4	PD 22-0682
Setbacks/Buffering and Screening	20’ setback. Structures over 20’ not subject to increased setbacks.	50’ front 25’ side 50’ rear	Side/Rear/Front: 20’ Buffer / Type “B” Buffer  Building Setbacks: 50’
Height	45’ (35’ adjacent to folio 40485.0000)	50’	Up to 45’

**Additional Information:**

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

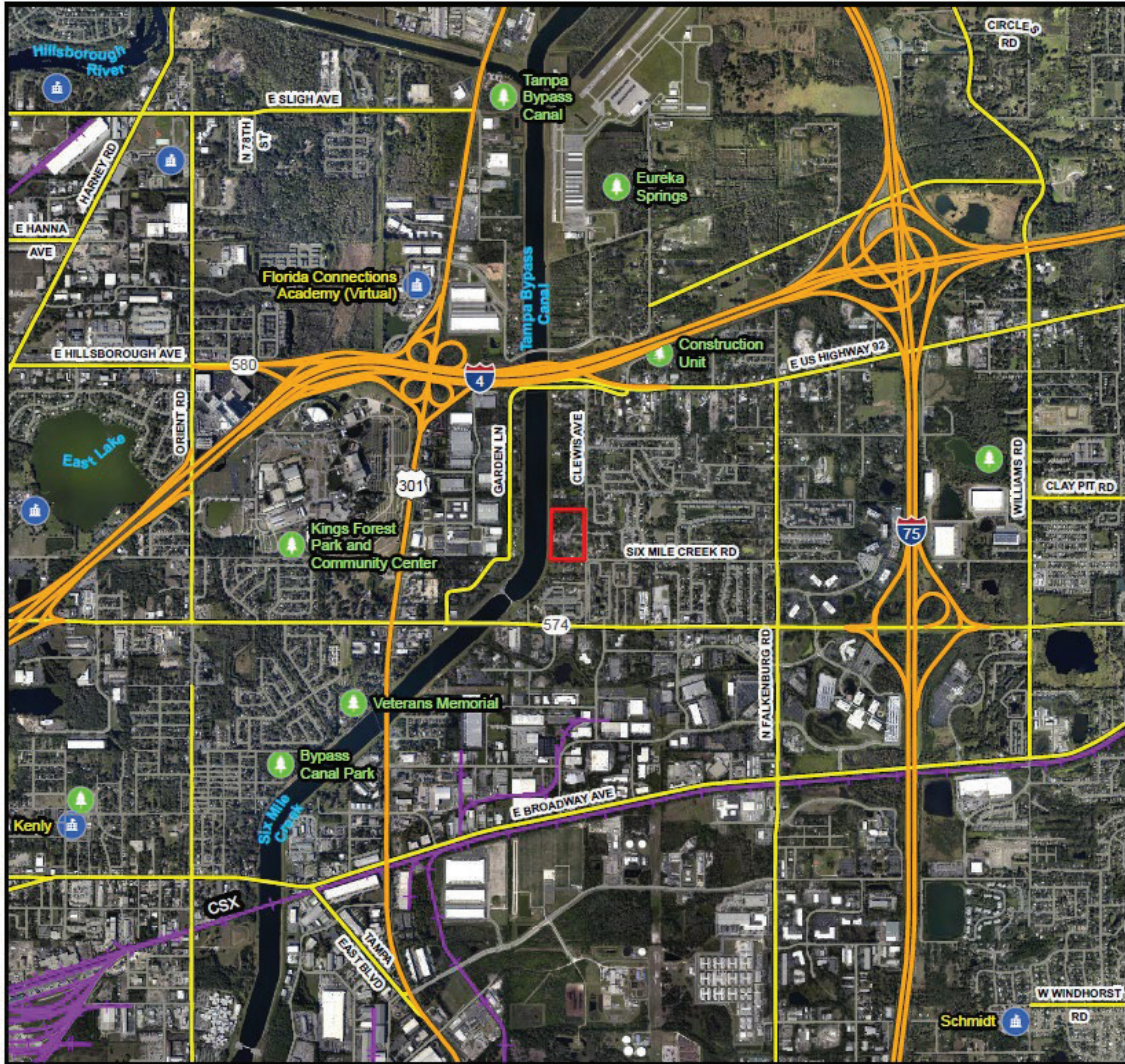


**Planning Commission Recommendation:**  
Consistent with conditions

**Development Services Recommendation:**  
Supportable

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



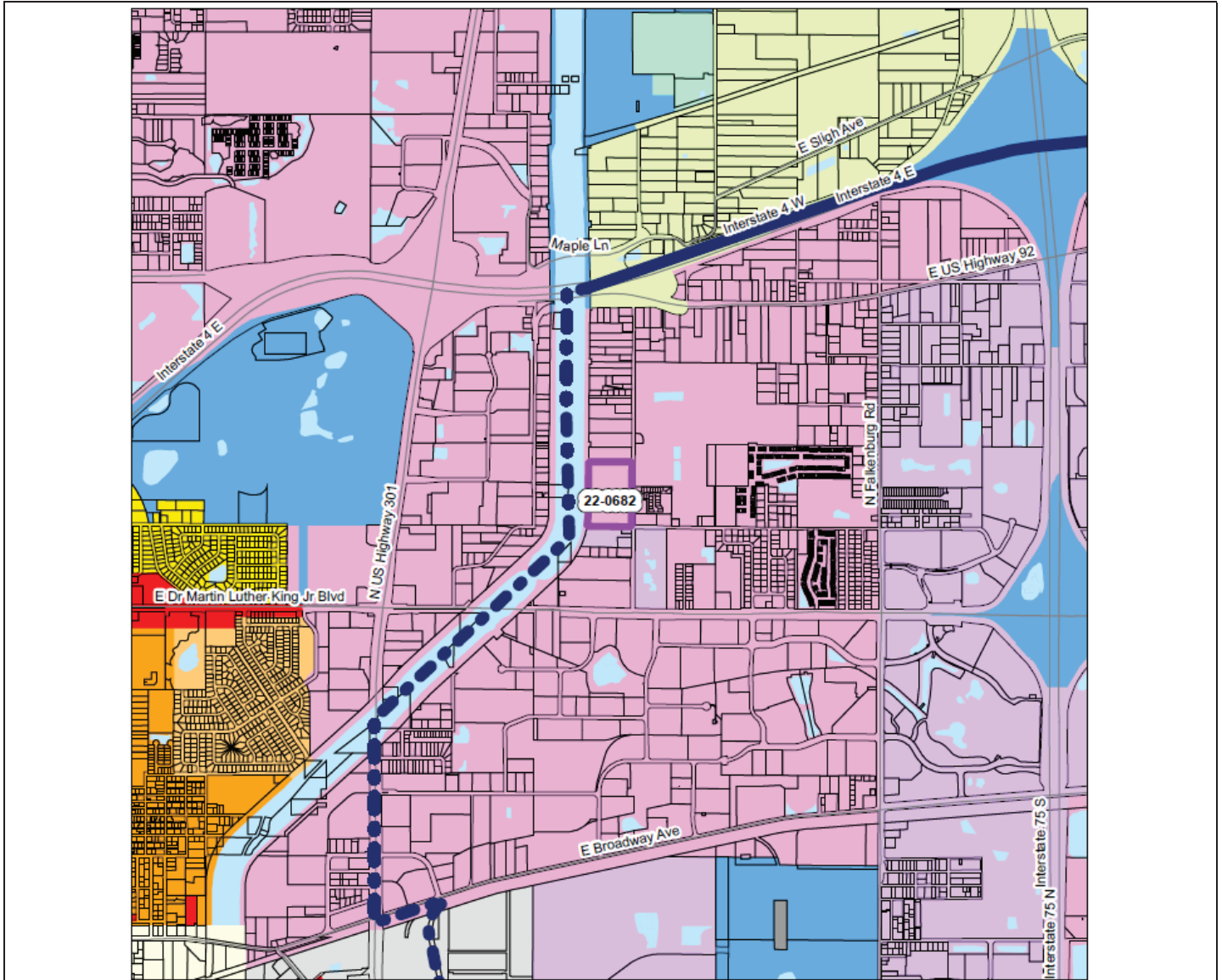
#### **Context of Surrounding Area:**

The site is located in the East Lake/Orient Park community on the west side of Clewis Avenue. The surrounding area is predominantly a mixture of single and multi-family residential, with a mobile home park to the northeast. The Hillsborough River bypass canal is located immediately to the west of the subject site.

The site is within close proximity to Sabal Park, an employment center and is within the Interstate 75 corridor, which encourages urban level intensities. Transit service is provided along Dr. Martin Luther King, Jr. Blvd. connecting this site with the Brandon Mall.

## 2.0 LAND USE MAP SET AND SUMMARY DATA

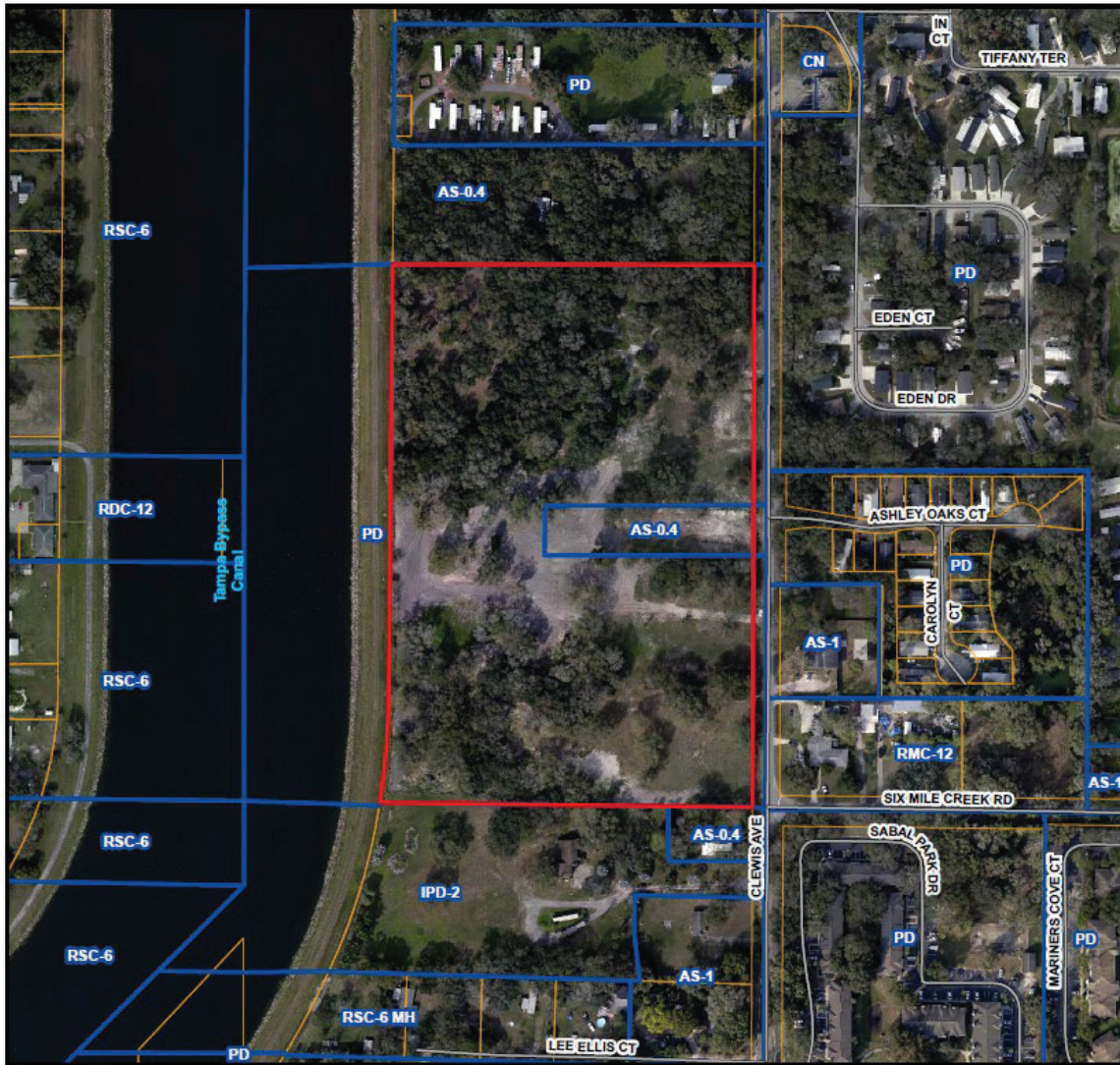
## 2.2 Future Land Use Map



Subject Site Future Land Use Category:	CMU-12 (Community Mixed Use -12)
Maximum Density/F.A.R.:	20 dwelling per acre (CMU-12)
Typical Uses:	Typical uses in the CMU-12 include residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and mixed-use projects at appropriate locations.



### 2.3 Immediate Area Map

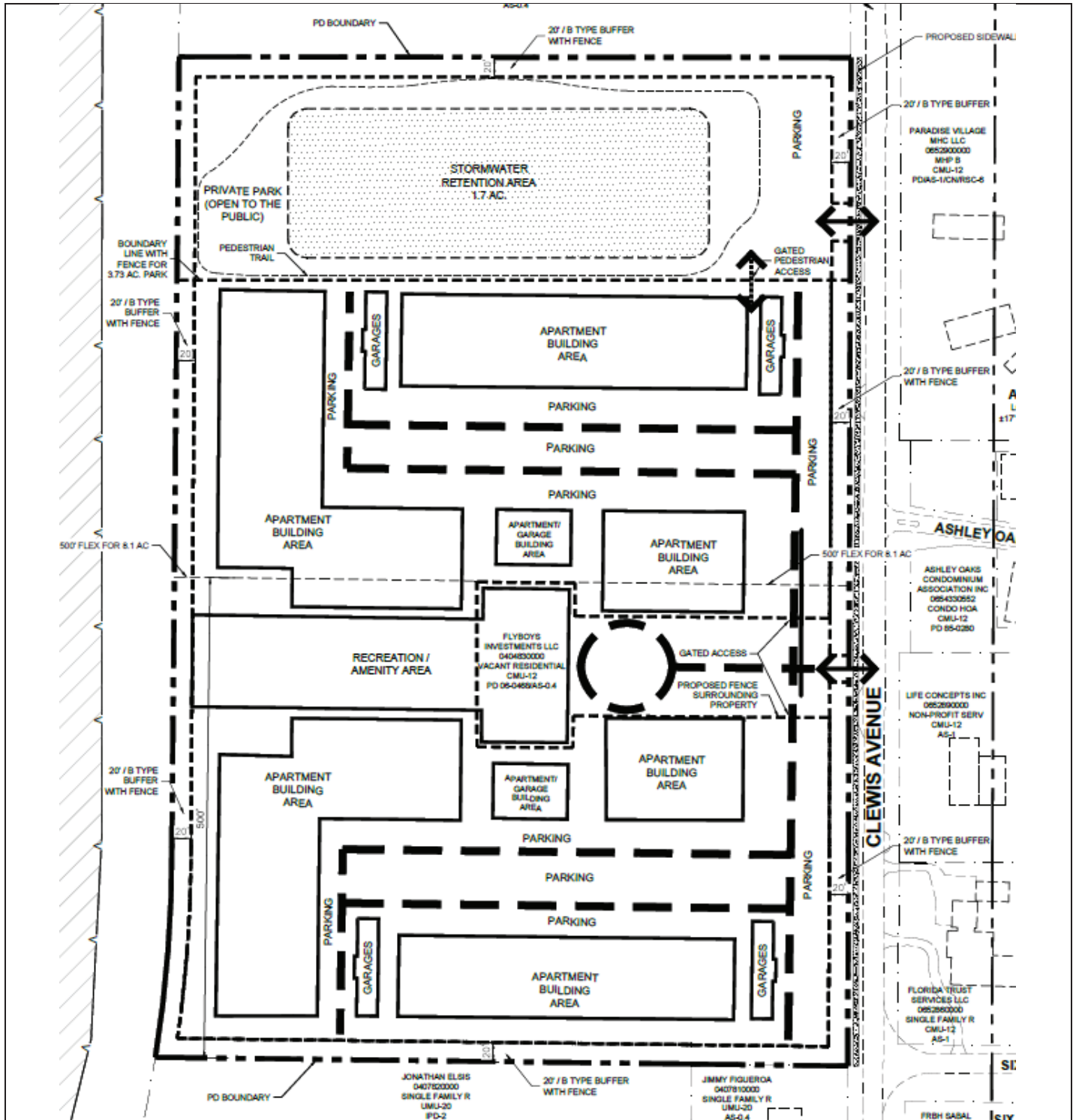


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North/Northeast	AS-0.4	Min. lot size: 2.5 ac.	Agricultural / Single-family dwellings	SF/Vacant/MH park (NE)
South	AS-0.4 & IPD-2 (Interstate PD)	2.5 ac.	Agricultural / Single-family dwellings (AS-0.4) / Comm., Res., Office, Ind. (IPD-2)	Single-family homes
East	AS-1, RMC-12, PD	43,560 sf	Single-Family dwellings	SF / Mobile Homes
West	Tampa Bypass Canal	NA	NA	NA

### 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)



**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
Clewis Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" 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	1,327	84	102
Proposed	1,461	96	118
Difference (+/-)	+134	+12	+16

\*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	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC

Notes:

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

Road Name/Nature of Request	Type	Finding
Clewis Ave/Substandard Roadway	Design Exception Requested	Approvable
	Choose an item.	Choose an item.

Notes:

**4.0 Additional Site Information & Agency Comments Summary**

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

**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	EPC staff may identify other legitimate concerns at any time prior to final project approval.
Natural Resources	<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	
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"> <li><input type="checkbox"/> Wetlands/Other Surface Waters</li> <li><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</li> <li><input checked="" type="checkbox"/> Wellhead Protection Area</li> <li><input type="checkbox"/> Surface Water Resource Protection Area</li> <li><input checked="" type="checkbox"/> Potable Water Wellfield Protection Area</li> <li><input type="checkbox"/> Significant Wildlife Habitat</li> <li><input type="checkbox"/> Coastal High Hazard Area</li> <li><input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</li> <li><input type="checkbox"/> Adjacent to ELAPP property</li> <li><input type="checkbox"/> Other _____</li> </ul>				
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	
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.
<b>Impact/Mobility Fees</b> (Fee estimate is based on a 1,200 square foot, Multi-Family Units 1-2 story) Mobility: \$5,995 * 268 units = \$1,606,660 Parks: \$1,555 * 268 units = \$ 416,740 School: \$3,891 * 268 units = \$1,042,788 Fire: \$249 * 268 units = \$ 66,732 Total Multi-Family (1-2 story) = \$3,132,920				



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

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The site is located in the East Lake/Orient Park community on the west side of Clewis Avenue. The surrounding area is predominantly a mixture of single and multi-family residential, with a mobile home park to the northeast. The Hillsborough River bypass canal is located immediately to the west of the subject site.

The request is to develop an approximately 17-acre unified development consisting of a 264-unit apartment complex, an additional four “carriage apartment” units, and a 3.73-acre publicly accessible privately owned park with amenities. The park will be owned and maintained by the multi-family apartment complex. The applicant requests to rezone the site to PD to develop a maximum of 268 multi-family dwelling units and a publicly accessible park.

The subject site is surrounded by CMU-12 to the north, east and west, and Urban Mixed Use-20 (UMU-20) to the south. The request includes a flex of the Urban Mixed Use-20 (UMU-20) Future Land Use designation to the south (8.1 acres). The proposal is consistent with the Flex Provision Policies 7.2 and 7.3. The applicant is proposing a density of 268 units, which is approximately 15.7 dwelling units per acre. The request includes a 500’ flex of the UMU-20 to the south which is 8.1 acres. The proposed density utilizing the flex provision is consistent with the intended density for the CMU-12.

The density calculations are as follows:

- 12 du/acre x 8.9 acres of CMU-12 = 106 units
- 20 du/acre x 8.1 acres of UMU-20 = 162 units
- Total of 268 residential units

Pursuant to Section 6.06.06, addressing compatibility with the adjacent residential the applicant has proposed a 20-foot buffer with Type B screening surrounding the perimeter of the property consistent with the Land Development Code. The application does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

The property lies within the City of Tampa Water Service Area. A 4-inch wastewater force main exists adjacent to the site, and is located within the west right-of-way of Clewis Avenue. The subject property is within the Urban Service Area and would require connect to the County’s potable water and wastewater systems.

The proposed development falls within Zone “A” on the Airport Height Zoning Map. The Aviation Authority recommends that potential buyers should be informed that this location is in close proximity to Tampa Executive Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour and is a compatible use, but occupants may be subject to noise from aircraft operating to and from the airport. The airport suggests a noise reduction level of at least 25 db be incorporated into the design.

The subject site meets the intent of the East Lake Orient Park Community Plan. The Plan proposes a publicly accessible new park with amenities in conjunction with the approval of new residential development.

## 5.2 Recommendation


Based on the above consideration, staff finds the request **APPROVABLE**.

## 6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted May 24, 2022.

1. Development shall be limited to 268 multi-family residential units, with a 3.73-acre publicly accessible private park located on the northern portion of the unified site plan.
  - Minimum Building Setback  
from all Property lines: 50 feet
  - Maximum Building Height: 45 feet
  - Maximum Impervious Area: 75 percent
2. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code. The following standards shall comply.
  - 2.1 A minimum of 20-foot buffer with Type "B" screening shall be provided along the perimeter of the property.
3. The proposed area designated as a private park shall consist of a total of +/- 3.73 acres. The uses within the private park (open to the public) shall include the following elements:
  - walking paths, bicycle rack, benches, shade trees, observation deck, dog park, wayfinding signage, pond, and open space.
4. Since the developer is proposing a publicly accessible park which will be privately owned and maintained by the property owner, public access to the property must be ensured. As such, prior to or concurrent with the initial increment of development, the developer shall record in the Official Records of Hillsborough County a public access easement over the sidewalks and driveways which connect the proposed publicly accessible park with the vehicular and pedestrian access on Clewis Avenue and the pedestrian access connection between the apartment complex and the park. Said vehicular and pedestrian on Clewis Avenue shall be ungated.
5. The project shall be permitted one full access connection on Clewis Avenue serving the residential development and one full access connection on Clewis Avenue to serve the publicly accessible park.
6. If PD 22-0682 is approved, the County Engineer will approve a Design Exception (dated May 18, 2022) which was found approvable by the County Engineer (on May 31, 2022) for Clewis Avenue substandard road improvements. As Clewis Avenue is a substandard local roadway, the developer will be required to construct +/-1,530 feet of new 5-foot sidewalk on the west side of the roadway along the project frontage and south to the existing sidewalk.
7. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
8. 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. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.

9. 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.
10. 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.
11. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
12. 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.
13. Prior to Preliminary Plat or Site Development Plan approval, all trees qualifying as Grand Oaks as defined by the Land Development Code and as confirmed by the Natural Resource staff of Planning and Growth Management Department shall be shown on the Preliminary Plat or Site Development Plan. The location of vehicular use areas, buildings and stormwater treatment ponds may be modified to meet Grand Oak and other tree preservation and/or natural resource requirements of the Land Development Code provided the required building setback, buffer areas and building massing requirements are maintained. Notwithstanding the modifications allowed pursuant to this condition, the developer acknowledges that the Grand Oak, tree preservation and/or natural resource requirements may prevent development of the maximum number of units permitted by the rezoning.
14. The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 70 feet Above Mean Sea Level or requested by FAA may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.
15. If the notes and/or graphics 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.
16. 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.
17. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

<b>Zoning Administrator Sign Off:</b>	 J/ Brian Grady Fri Jun 3 2022 08:34:45
---------------------------------------	---

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

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

## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on June 13, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Ms. Elise Batsel spoke on behalf of the applicant. Ms. Batsel presented the rezoning request and provided testimony as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation.

Mr. David Smith provided expert testimony on planning issues related to the rezoning request as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation.

### **Development Services Department**

Mr. Tim Lampkin, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

### **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.

### **Proponents**

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

### **Opponents**

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

### **Development Services Department**

Mr. Grady stated Development Services Department had nothing further.

### **Applicant Rebuttal**

Ms. Batsel stated the applicant had nothing further.

The hearing officer closed the hearing RZ-PD 22-0682.

## **C. EVIDENCE SUBMITTED**

Ms. Batsel submitted into the record at the hearing a copy of the applicant's presentation packet.



#### **D. FINDINGS OF FACT**

1. The Subject Property consists of approximately 17 acres at 4504 Clewis Avenue, Tampa, located on the west side of Clewis Avenue, north of State Road 574.
2. The Subject Property is designated CMU-12 on the Future Land Use Map and is zoned PD 06-0468 and AS-0.4.
3. The Subject Property is in the Urban Services Area and is within the geographical boundaries of the East Lake Orient Park Community Plan.
4. The Subject Property consists of 15.67 acres zoned PD 06-0468, which allows 180 townhome units, and approximately 1.33 acres zoned AS-0.4 (Agricultural, Single-Family Estate) zoning. The AS-0.4 portion of the Subject Property is developed with a single-family dwelling.
5. The applicant is requesting to rezone the Subject Property to allow a 264-unit apartment complex, four carriage apartment units, and a 3.73-acre publicly accessible privately owned park with amenities. Planning Commission staff found the requested rezoning complies with Future Land Use (FLU) policies 19.1 and 19.2, which require two land uses for projects in CMU-12 land use category that are 10 or more acres. The secondary use exceeds the minimum size of 10 percent of the site.
6. The applicant is requesting a 500-foot flex of the UMU-20 land use designation to the south, which is 8.1 acres. Planning Commission staff found the proposal is consistent with the flex provisions at FLU policies 7.2 and 7.3 and the proposed density applying the flex provisions is consistent with the intended density for the CMU-12 land use category. Planning Commission staff found the proposed density is compatible with the existing character of development in the area.
7. The applicant requested a Design Exception for Clewis Avenue substandard roadway improvements, which the County Engineer found approvable. The developer will be required to construct 1,530 feet +/- of new 5-foot sidewalk on the west side of the roadway along the project frontage and south to the existing sidewalk.
8. The area surrounding the Subject Property is predominantly a mixture of single and multi-family residential, with a mobile home park to the northeast. The Hillsborough River bypass canal is located immediately to the west. The Subject Property is in proximity to Sabal Park, which is an employment center, and is within the Interstate 75 corridor, which encourages urban-level intensities.
9. Adjacent uses include properties to the north and northeast zoned AS-0.4, some of which are vacant and others developed in single-family residential and a mobile home park; properties to the south zoned AS-0.4 and IPD-2 developed in single-

family homes; properties to the east zoned AS-1, RMC-12, and PD and developed with single-family homes and mobile homes; the bypass canal to the west.

10. Development Services staff found the request approvable with the conditions enumerated in the staff report based on the applicant's general site plan submitted May 24, 2022.
11. Planning Commission staff found the proposed rezoning meets the intent of the East Lake Orient Park Community Plan, which seeks new park and recreation facilities in conjunction with approval of new residential development. Planning Commission staff found the request compatible with the existing and planned development pattern in the surrounding area and consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions proposed by Development Services Department.

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

The proposed request for a rezoning to Planned Development is in compliance with, and does further the intent of the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and is compatible with the existing and planned development pattern found in the surrounding area.

#### **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 to Planned Development is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

#### **G. SUMMARY**

The applicant is requesting to rezone the Subject Property to allow a 264-unit apartment complex, four carriage apartment units, and a 3.73-acre publicly accessible privately owned park with amenities. The applicant is requesting a 500-foot flex of the UMU-20 land use designation to the south, which is 8.1 acres. The applicant requested a Design Exception for Clewis Avenue substandard roadway improvements, which the County Engineer found approvable.

## H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning to Planned Development subject to the conditions enumerated in the staff report based on the applicant's general site plan submitted May 24, 2022.

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

July 6, 2022

Date:

# Hearing Transcript

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

```

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

```

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, June 13, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 11:56 p.m.

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

Reported via Cisco Webex Videoconference by:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 130  
Clearwater, FL 33762  
(800) 337-7740

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
June 13, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D13:  
Application Number: RZ-PD 22-0682  
Applicant: Falcone & Associates, LLC  
Location: 4504 Clewis Ave.  
Folio Number: 040483.0000  
Acreage: 17 acres, more or less  
Comprehensive Plan: CMU-12  
Service Area: Urban  
Existing Zoning: PD 06-0468 and AS-0.4  
Request: Rezone to Planned Development



1 MR. GRADY: The next item is agenda item  
2 D-13 is Rezoning-PD 22-0682. The applicant is  
3 Falcone & Associates, LLC. The request is for  
4 rezone from PD and AS-0.4 to Planned Development.

5 Tim Lampkin will provide staff  
6 recommendation after presentation by the applicant.

7 HEARING MASTER HATLEY: Okay.

8 MS. BATSEL: Good evening. Madam Hearing  
9 Officer and Mr. Grady, I do have documents to  
10 submit into the record.

11 HEARING MASTER HATLEY: Okay.

12 MS. BATSEL: I do have a PowerPoint. Thank  
13 you. For the record, Elise Batsel with Stearns,  
14 Weaver, Miller, 401 East Jackson Street.

15 I have submitted a copy of our presentation  
16 as well as resumés for experts this evening. Next  
17 slide. We're here with all of our team members  
18 from anyone from Falcone & Associates. The  
19 developer, we have our traffic engineer, Steve  
20 Henry, as well as our legal and planning team.  
21 Next slide.

22 So this property is generally located on the  
23 Tampa Bay Bypass Canal between Dr. Martin Luther  
24 King Jr. Boulevard and I-4. The canal is  
25 immediately to the west of the property. It does

1 contain plus or minus 17 acres. Next slide.

2 The Future Land Use and zoning designations  
3 are respectfully CMU-12 and the zoning is PD and a  
4 little sliver there you can see of as AS. Next  
5 slide.

6 So this is a very interesting area. It's  
7 residential. There are mobile home communities,  
8 multifamily communities, and single-family  
9 scattered throughout.

10 The area is predominantly scattered for  
11 those uses as well as it is within the  
12 Interstate-75 corridor, which encourages urban  
13 level densities. I think that's very important as  
14 we look at this particular property.

15 There is commercial further to the north  
16 along MLK Jr. Boulevard, and to the -- sorry, to  
17 the south and to the north along I-4. This is kind  
18 of sandwiched in between. Next slide.

19 So our request this evening is for 268  
20 multifamily units and amenities. We do have a  
21 second use on the property to comply with 19.1 of  
22 the Comprehensive Plan. We developed a public --  
23 I'm sorry, a private park that will be open to the  
24 public and amenitize that. Talk a little bit more  
25 about that.

1           We are requesting a flex from the adjacent  
2           UMU-20. We have satisfied all of the flex  
3           provisions and we'll talk about that as well. We  
4           are not asking for any variations or waivers to the  
5           Land Development Code.

6           There is one roadway design exception, and  
7           we have our transportation engineer here to speak  
8           as well as Mr. Perez, I believe, is on the line as  
9           well. Next slide.

10           This is the southern half of the property.  
11           This is really the unit-type layout, which is south  
12           of the park. As you can see, we have various  
13           apartment buildings as well as four -- we call them  
14           cottage units. They're above garage units. They  
15           kind of add a diversity of housing types to this  
16           development.

17           Our proposed density is only 15.7 dwelling  
18           units per acre. We're not asking for the max under  
19           the flex. Next slide. So the park, which is on  
20           the northern portion of the property, which will be  
21           open to the public, we did work with Planning  
22           Commission and your Development Services staff to  
23           come up with a condition that this park would  
24           include a variety of things.

25           A walking path, bicycle racks, benches, an

1 observation deck, a small dog park, a way-finding  
2 signage as well as open space as you can see. Next  
3 slide.

4 At this point in time I want to turn it over  
5 to David Smith, our planning expert, to talk about  
6 compatibility as well as consistency with the  
7 Comprehensive Plan.

8 MR. SMITH: Good evening. David Smith, 401  
9 East Jackson Street, 33602, representing Falcone.

10 Elise has done a very good framing of the  
11 development and its location. The property is  
12 located, as you can see on the graphic, in the  
13 black square.

14 This area is targeted for urban level  
15 development throughout the -- in the Comprehensive  
16 Plan. Other areas in the lighter shades are more  
17 suburban in nature or are not residential  
18 whatsoever as you get into Sabal Park and over  
19 towards the fairgrounds and I-4. Next slide,  
20 please.

21 Looking at the property CMU-12 requires a PD  
22 development. That is why we are here today with  
23 that. It allows residential and community uses.  
24 The proposed development which proposes  
25 residential, a variety of housing types.

1           As you can see from the site plan, we're  
2           talking about multiple building, different shapes.  
3           So it's not a uniformed presentation. It doesn't  
4           create that walled effect of multifamily  
5           development sometime can result in.

6           The area surrounding us has a mix of low  
7           density, high density. And I think this is a very  
8           good infill-type development. As you come from MLK  
9           from the Employment Centers of Sabal and the  
10          Employment Centers of 301, you have multifamily  
11          development coming up to the north and progressing  
12          in the corridor. And as you come down from the  
13          northern side, there's higher density development  
14          off of the commercial sides.

15          So this is a very typical situation where  
16          you have UMU-20 land use, CMU-12 land use in parts  
17          of the community that have been developed at very  
18          low densities, and these become prime opportunities  
19          for infill development.

20          As indicated, there's no waivers requested.  
21          Typically, when you have the residential  
22          development that is in an infill situation with low  
23          density residential in proximity, you would have  
24          several waivers that are typically asked for.

25          We think that this adds to the compatibility

1 of the project but also the consistency with the  
2 Comprehensive Plan. Planning Commission, as usual,  
3 does a very good job of listing all the policies.

4 This slide just goes through a few of those,  
5 which is typical. Again, we're trying to direct  
6 population to the Urban Service Area. We are  
7 trying to make sure we have compatible development  
8 with mass, height, scale, bulk, and massing of the  
9 buildings.

10 We're utilizing the flex. The flex does  
11 meet those criteria. We have the availability of  
12 public services. We have compatibility with the  
13 surrounding uses by virtue of the placement of the  
14 buildings.

15 They're not asking for those reductions in  
16 waiver from the two to one in particular. As  
17 buildings get higher, there's usually a two-to-one  
18 setback, and we meet or exceed those criteria.

19 And the goals and objectives of the  
20 Comprehensive Plan are to increase the density and  
21 utilize the property efficiently when we have these  
22 higher land uses categories in the county.

23 So we also are looking at the neighborhood,  
24 excuse me, objectives and which is the creation of  
25 like or similar uses. Residential is the



1           predominant use in the area. We could propose  
2           another type of secondary use, but we felt that  
3           this private park open to the public was more of a  
4           community benefit and provides that second use but  
5           also at the same time becoming sensitive to the  
6           neighbors.

7                        When we look at the East Lake Orient  
8           Community Plan, we also have just coincidentally a  
9           plan that talks about increasing recreational  
10          opportunities in trying to maintain the opportunity  
11          for people to enjoy the bypass canal.

12                      This proposed park will accomplish both of  
13          those opportunities. It will go all the way down  
14          to the bypass, and it will provide an overlook so  
15          people can -- technically, right now, you probably  
16          can't get to the water's edge without crossing  
17          private property.

18                      But in this case, we provide that  
19          opportunity with this project. Looking at  
20          compatibility, I've kind of touched on a little  
21          bit. We're surrounded by diverse housing types.  
22          We're proposing a mixed-use multifamily  
23          development.

24                      We're nearby employment centers, which is  
25          where you would like to have the opportunity for

1 shorter trips to employment opportunities in the  
2 area. The buffers comply or exceed the Land  
3 Development Code requirements.

4 Setbacks comply with those setbacks in the  
5 two to one and the appropriate height for a  
6 mixed-use area, we're looking at a property that is  
7 similar to other apartment buildings in the area.

8 So with that conclusion is Development  
9 Services staff finds it approvable. The Planning  
10 Commission finds it consistent and supports the  
11 vision map and it the community plan and  
12 respectfully request a recommendation of approval.  
13 Glad to answer any questions.

14 HEARING MASTER HATLEY: Thank you.  
15 Development Services.

16 MR. LAMPKIN: Hello. Tim Lampkin,  
17 Development Services.

18 And you can see the screen, I'm assuming.  
19 The site is located in East Lake Orient Park  
20 community. It's located on the west side of Clewis  
21 Avenue. The surrounding area is predominately a  
22 mixture of single multifamily residential.

23 There is a mobile home park to the east.  
24 And the Hillsborough River Bypass Canal is located  
25 immediately to the west of the subject site. The

1 Future Land Use is Community Mixed-Use-12. The  
2 property is located in the Urban Service Area.

3 Typical uses in the CMU-12 include  
4 residential, community scale, retail, office uses,  
5 research corporate park uses, light industrial,  
6 multipurpose, cluster, residential, mixed-use  
7 projects at appropriate locations.

8 To the subject property includes mostly an  
9 existing PD and then there is a smaller portion  
10 that's AS-04. To the north is AS-0.4 zoning. The  
11 existing use is single-family vacant and mobile  
12 home park.

13 To the south is the same designation and  
14 interstate is PD and single-family homes -- I think  
15 this is the slide from the previous. Hold on. Oh,  
16 no, it is. Sorry. And then to the west is Tampa  
17 Bypass Canal of the existing use is Tampa Bypass  
18 Canal.

19 To the east is single-family mobile homes  
20 and to the south are single-family mobile homes and  
21 the IPD-2 and the AS-0.4 and the AS-1. Here is the  
22 site plan the applicant just showed. It's  
23 approximately 6.08-acre unified development  
24 consisting of two areas, and this is actually  
25 from -- the request is -- sorry, is to develop a

1 17-acre unified development consisting of 264-unit  
2 apartment complex, an additional four apartment  
3 units, and 3.7-acre publicly accessible privately  
4 owned park with amenities.

5 The park will be owned and maintained by the  
6 multifamily apartment complex. The applicant  
7 requested to rezone the site to PD to develop a  
8 maximum of 268 units and a publicly accessible park  
9 which is located here.

10 Pursuant to -- as the applicant stated,  
11 pursuant to Section 6.06.06 addressing capability,  
12 the applicant has not requested any waivers of  
13 that. The applicant also does not request any  
14 variations to the Land Development Code 6.06.00.  
15 And the site will comply with and conform to all  
16 other applicable policies and applications.

17 And that concludes staff's presentation  
18 unless there are questions. Staff finds the  
19 request approvable.

20 HEARING MASTER HATLEY: All right. Thank  
21 you.

22 Planning Commission.

23 MS. LIENHARD: Melissa Lienhard, Planning  
24 Commission staff.

25 The subject property is located in the

1 Community Mixed-Use-12 Future Land Use Category.  
2 It is in the Urban Service Area and also located  
3 within the limits of the East Lake Orient Park  
4 Community Plan.

5 The applicant requests to rezone the site to  
6 Planned Development to develop a maximum 268  
7 dwelling units in a publicly accessible park. The  
8 proposed residential density in the Urban Service  
9 Area is compatible with the existing character of  
10 development in the area as it is surrounded by the  
11 Community Mixed-Use-12 and Urban Mixed-Use-20  
12 designations for single-family residential and  
13 mobile homes.

14 The proposal is consistent with the flex  
15 provision Policies 7.1 -- I'm sorry, 7.2 and 7.3 of  
16 the Future Land Use Element. The applicant is  
17 proposing a density of 268 units, which is  
18 approximately 15.7 dwelling units per acre.

19 The request includes a 500-foot flex of the  
20 UMU-20 to the south, which is 8.1 acres. The  
21 proposed density utilizing the flex provision is  
22 consistent with the intended density for the CMU-12  
23 Future Land Use Category.

24 The proposed rezoning meets the intent of  
25 Objective 16 and Policy 16.2, 16.3, and 17.7 with

1 regard to compatibility. The proposal includes  
2 appropriate setbacks, landscape buffers, and  
3 fencing around the perimeter of the property. In  
4 addition, the stormwater retention on the north  
5 part of the property serves as single-family  
6 residential that's located to the north.

7 The proposed residential apartments and  
8 public park is consistent -- I'm sorry, publicly  
9 accessible park is consistent with the residential  
10 density and neighborhood uses that are intended in  
11 the CMU-12 Future Land Use Category.

12 Objective 19 and associated Policies 19.1  
13 and 19.2 require two land uses for projects in the  
14 CMU-12 category that are 10 acres or greater in  
15 size.

16 The secondary use must be at least  
17 10 percent of the site. The proposal includes a  
18 publicly accessible park that is 3.73 acres in size  
19 which exceeds this requirement.

20 The applicant has committed to park  
21 amenities including walking, bike racks, benches,  
22 shade trees, way-finding signage, observation deck,  
23 dog park, pond, and open space, which have been  
24 memorialize in the conditions of approval.

25 The subject site meets the intent of the



1 East Lake Orient Park Community Plan. The plan  
2 seeks new park and recreational facilities in  
3 conjunction with the approval of new residential  
4 development.

5 In addition, the community plan states the  
6 Tampa Bypass Canal should be enjoyed by all, which  
7 the proposed park would help facilitate. Finally,  
8 the plan seeks to create housing opportunities for  
9 a diverse population and income level.

10 The development proposal meets the intent of  
11 the housing goals and plan. Based upon those  
12 considerations, Planning Commission staff finds the  
13 proposed Planned Development consistent with the  
14 Future of Hillsborough Comprehensive Plan for  
15 unincorporated Hillsborough County subject to the  
16 conditions proposed by Development Services. Thank  
17 you.

18 HEARING MASTER HATLEY: Okay. Thank you.  
19 Is there anyone here or online who wishes to speak  
20 in support of this application? I don't see  
21 anyone.

22 Is there anyone here or online who wishes to  
23 speak in opposition to this application? All  
24 right. I don't see anyone.

25 Development Services, anything further?

1 MR. GRADY: Nothing further.

2 HEARING MASTER HATLEY: All right.

3 Applicant? All right. Thank you.

4 This will close the hearing on PD 22-0682.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

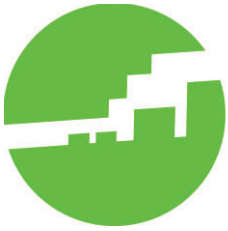
21

22

23

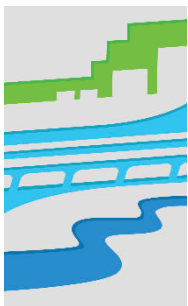
24

25



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> June 13, 2022	<b>Petition: PD 22-0682</b>
<b>Report Prepared:</b> June 1, 2022	<b>4504 Clewis Avenue</b>  <i>West side of Clewis Avenue, north of State Road 574</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>	East Lake Orient Park
<b>Rezoning Request:</b>	Rezone from Planned Development (PD) to PD to develop a maximum of 268 dwelling units and a park open to the public
<b>Parcel Size (Approx.):</b>	17 +/- acres
<b>Street Functional Classification:</b>	Clewis Avenue – <b>Local</b> State Road 574 – <b>State Principal Arterial</b>
<b>Locational Criteria:</b>	N/A
<b>Evacuation Area:</b>	C, D & E



## **Context**

- The subject site is located on the west side of Clewis Avenue, north of State Road 574 on approximately 17 acres. The site is in the Urban Service Area and within the limits of the East Lake Orient Park 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, east and west, and Urban Mixed Use-20 (UMU-20) to the south. The Tampa Bypass Canal is located immediately to the west, and there is single family residential and a mobile home park to the north, east and south.
- The subject site is zoned Planned Development (PD) and Agricultural, Single-Family Estate (AS-0.4). In the general vicinity, the site is mainly surrounded by PD and AS-0.4 zoning.
- The applicant requests to rezone the site to PD to develop a maximum of 268 dwelling units and a publicly accessible park. The request includes a flex of the Urban Mixed Use-20 (UMU-20) Future Land Use designation to the south (8.1 acres).

### **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.

### ***Relationship to the Future Land Use Map***

#### ***Policy 7.3:***

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

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

**Policy 7.4:**

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

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

**Land Use Categories**

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

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

## **Relationship to Land Development Regulations**

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

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

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

## **Neighborhood/Community Development**

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

**Policy 16.2:** 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 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.

## **Mixed Use Land Use Categories**

**Objective 19:** All development in the mixed use categories shall be integrated and interconnected to each other.

**Policy 19.1:** Larger new projects proposed in all mixed use plan categories shall be required to develop with a minimum of 2 land uses in accordance with the following:

- Requirements for 2 land uses will apply to properties 10 acres or greater in the RMU-35, UMU-20, and CMU-12 land use categories, and to properties 20 acres or greater in the SMU-6 and NMU-4 land use categories.
- At least 10% of the total building square footage in the project shall be used for uses other than the primary use.



**Policy 19.2:** *In the mixed use land use categories, when two or more uses are required on the same project, then the development shall be implemented through a zoning district that demonstrates street connectivity, description of land uses, and site placement, access locations and internal connections at a minimum.*

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

### **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.*

### **Livable Communities Element: East Lake Orient Park Community Plan**

*Parks, Recreation, and Natural Resources – Protect and enhance East Lake-Orient Park’s natural environment.*

- *Seek new park and recreation facilities in conjunction with the approval of new residential development.*
- *The Hillsborough River and the Tampa By-Pass Canal are key community assets that should be enjoyed by all. Public access should be maintained in all new developments adjacent to these resources.*

*Housing – Create housing opportunities.*

- *Support affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership.*

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

The subject site is located on the west side of Clewis Avenue, north of State Road 574 on approximately 17 acres. The site is in the Urban Service Area and within the limits of the East Lake Orient Park Community Plan. The applicant requests rezone the site to PD to develop a maximum of 268 dwelling units and a publicly accessible park. The request includes a flex of the Urban Mixed Use-20 (UMU-20) Future Land Use designation to the south (8.1 acres).

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 residential density in the Urban Service Area is compatible with the existing character of development in the area as it is surrounded by the CMU-12 and UMU-20 designation with single family residential and mobile homes.

The proposal is consistent with the Flex Provision Policies 7.2 and 7.3. The applicant is proposing a density of 268 units, which is approximately 15.7 dwelling units per acre. The

request includes a 500' flex of the UMU-20 to the south which is 8.1 acres. The proposed density utilizing the flex provision is consistent with the intended density for the CMU-12. The density calculations are as follows: 12 du/ga x 8.9 acres of CMU-12 = 106 units, 20 du/ga x 8.1 acres of UMU-20 = 162 units, which totals 268 residential units.

The proposed rezoning meets the intent of Objective 16 and policies 16.2, 16.3, and 17.7. The proposal includes appropriate setbacks, landscape buffers and fencing around the perimeter of the property. In addition, the stormwater retention area in the park on the north side of the property serves as a buffer from the single family residential to the north. The proposed residential apartments and public park is consistent with the residential density and neighborhood uses that are intended in the CMU-12 Future Land Use category.

Objective 19 and associated Policies 19.1 and 19.2 require two land uses for projects in the CMU-12 that are 10 acres or greater. The secondary use must be 10% of the site. The proposal includes a publicly accessible park that is 3.73 acres in size, which exceeds this requirement. The applicant has committed to park amenities including walking paths, bike rack, benches, shade trees, wayfinding signage, observation deck, dog park, pond and open space, which have been memorialized in the Conditions of Approval.

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 Clewis Avenue contains residential uses and therefore the proposed residential use is compatible with the surrounding development pattern.

The subject site meets the intent of the East Lake Orient Park Community Plan. The Plan seeks new park and recreation facilities in conjunction with the approval of new residential development. In addition, the Community Plan states that the Tampa Bypass Canal should be enjoyed by all, which the proposed park would help facilitate. Finally, the Plan seeks to create housing opportunities for a diverse population and income level. The proposed development meets the intent of the housing goals in the plan.

Overall, staff finds that the proposed residential apartments and publicly accessible park would facilitate growth within the Urban Service Area and supports the vision of the East Lake Orient Park Community Plan. The proposed Planned Development would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*. The request is compatible with the existing development pattern found within the surrounding area.

### **Recommendation**

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

# HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 22-0682

<all other values>

**Rezoning**

**STATUS**

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

**Map Features**

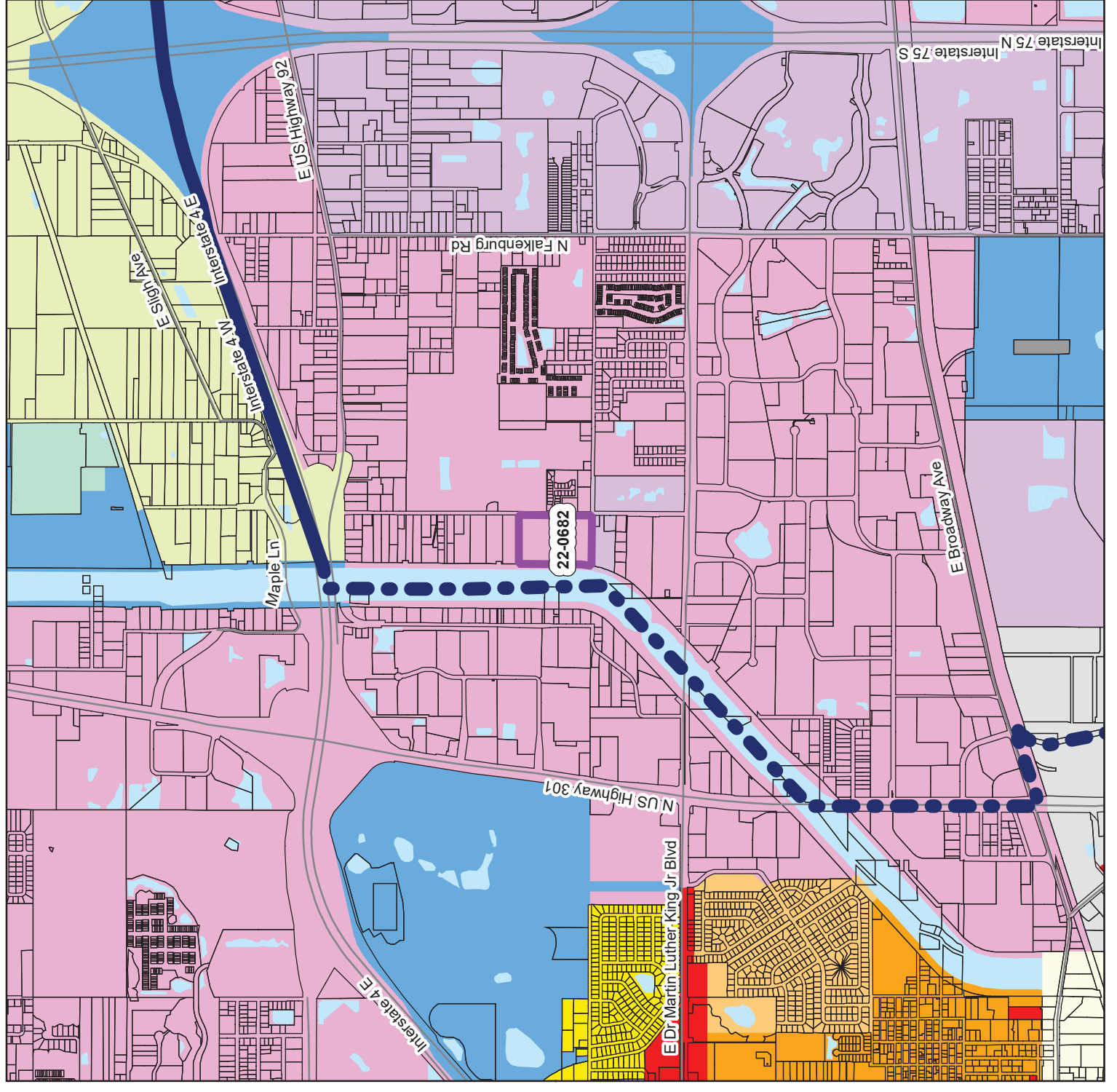
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels
- WATER NATURAL LULC, Wet Poly
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL/ESTATE-1/2.5 (.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)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information is for informational purposes only and is not intended to be used for any specific approval of the Hillsborough County City/County Planning Commission.

ACCURACY: It is intended that the information on this map be accurate to within 1/8" on a 1" scale. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 4/8/2022  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Gen\_H\Rezoning\_Copy.mxd





**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



**DEVELOPMENT SERVICES**

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

**HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

**GENERAL SITE PLAN REVIEW/CERTIFICATION**

**BOARD OF COUNTY  
COMMISSIONERS**

Harry Cohen  
Ken Hagan  
Pat Kemp

Gwendolyn "Gwen" Myers  
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: Clewis Avenue appartments

Zoning File: RZ-PD ( 22-0682) Modification: None

Atlas Page: None Submitted: 07/28/22

To Planner for Review: 07/28/22 Date Due: ASAP

Contact Person: S. Elise Batsel C/O Stearns Weaver Miller Phone: 813-223-4800/ ebatsel@stearnsweaver.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: Tim Lampkin Date: 8/2/22

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







# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

---

---

TO: Zoning Technician, Development Services Department

DATE: 5/31/2022

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: ELOP/ Central

PETITION NO: PD 22-0682

---

---

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

### **CONDITIONS OF APPROVAL**

1. The project shall be permitted one full access connection on Clewis Ave. serving the residential development and one full access connection on Clewis Ave. to serve the publicly accessible park.
2. Since the developer is proposing a publicly accessible park which will be privately owned and maintained by the property owner, public access to the property must be ensured. As such, prior to or concurrent with the initial increment of development, the developer shall record in the Official Records of Hillsborough County a public access easement over the sidewalks and driveways which connect the proposed publicly accessible park with the vehicular and pedestrian access on Clewis Ave. and the pedestrian access connection between the apartment complex and the park.

Said vehicular and pedestrian on Clewis Ave. shall be un gated.

3. If PD 22-0682 is approved, the County Engineer will approve a Design Exception (dated May 18, 2022) which was found approvable by the County Engineer (on May 31, 2022) for Clewis Ave. substandard road improvements. As Clewis Ave. is a substandard local roadway, the developer will be required to construct +/-1,530 feet of new 5-foot sidewalk on the west side of the roadway along the project frontage and south to the existing sidewalk
4. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting a rezoning from PD 06-0468 and AS-0.4 to Planned Development for a single parcel totaling +/- 17 ac. The PD 06-0468 is approved for 180 town home units. The proposed PD is seeking approval for up to 268 multi-family dwelling units and +/- 3.73-acre publicly accessible park which will be owned and maintained by the multi-family apartments.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis. Additional transportation analysis was requested by staff to evaluate the functional classification of the project access, as further discussed below in the "Transportation Infrastructure Serving the Site" section of this report. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is largely based on data from the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition.

Approved Uses:

Zoning, Land Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 180-Units Townhome (220)	1,318	83	101
AS-0.4: 1-Unit Single Family Detached (210)	9	1	1
Total Trips:	1,327	84	102

Proposed Uses:

Zoning, Land Use/Size (ITE LUC)	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 268-Units Multi-Family (221)	1,458	96	118
PD: 3.73-Acre Park (411)	3	0	0
Total Trips:	1,461	96	118

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference (+/-)</b>	<b>+134</b>	<b>+12</b>	<b>+16</b>

The proposed rezoning is anticipated to have an increased maximum trip generation potential of 134 daily trips, 12 am and 16 pm peak hours trips for the subject site.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Clewis Ave. is a 2-lane, substandard, publicly maintained, local roadway characterized by +/- 10-foot wide travel lanes within a +/- 50 to 60-foot wide right-of-way along the project’s frontage. There is a sidewalk on the east side of the roadway and no bicycle lanes within the vicinity of the project. The applicant’s traffic study indicated that with existing and project traffic the roadway will not exceed the 5,000 AADT traffic capacity for a local roadway (after which it would be considered to be a collector roadway).

Pursuant to the Hillsborough County Transportation Technical Manual, a rural local roadway shall meet the typical section TS-7 standard. TS-7 standard includes 12-foot-wide lanes, 8-foot shoulders with 5 foot paved, and 5-foot wide sidewalks on both sides and swales within a minimum of 96 feet of right-of-way. Clewis Ave. is not included in the Hillsborough County Corridor Preservation Plan.

The applicant is requesting a design exception to construct a sidewalk along the project frontage and south of the project +/-480 feet to connect to the existing sidewalk on the west side of Clewis Ave. in lieu of improving the roadway to standard. See the Design Exception request section below for additional detail.

**SITE ACCESS AND CONNECTIVITY**

The PD proposes two full access connections on Clewis Ave.; one access for the multi-family residential component and a separate one for the publicly accessible park. The PD site plan also proposes gated pedestrian access between the residential and park uses.

Public access easements are being required over project driveways and sidewalks to allow for public access to the privately maintained but publicly accessible park which is being proposed. Additionally, the vehicular and pedestrian access to Clewis Ave. shall remain ungated to ensure public access.

**REQUESTED DESIGN EXCEPTION: CLEWIS AVE.**

As Clewis Ave. is a substandard local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request for Clewis Ave. (May 18, 2022) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on May 31, 2022). The developer will be required to construct a new 5-foot sidewalk along the project frontage and extending south +/-480 feet on the west side of the roadway to connect to the existing sidewalk on the west side of Clewis Ave.

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

**ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Clewis Ave. is not a regulated roadway in the Hillsborough County 2020 Level of Service Report.

## Perez, Richard

---

**From:** Williams, Michael  
**Sent:** Tuesday, May 31, 2022 7:53 PM  
**To:** Steven Henry  
**Cc:** Suzanne Walker; Heinrich, Michelle; Perez, Richard; Tirado, Sheida; PW-CEIntake; Lampkin, Timothy  
**Subject:** FW: PD 22-0682 DE Review  
**Attachments:** 22-0682 DReq 05-31-22.pdf

**Importance:** High

Steve,

I have found the attached Design Exception (DE) for PD 22-0682 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Ingrid Padron ([padroni@hillsboroughcounty.org](mailto:padroni@hillsboroughcounty.org) or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to [PW-CEIntake@hillsboroughcounty.org](mailto:PW-CEIntake@hillsboroughcounty.org)

Mike

**Michael J. Williams, P.E.**

**Director, Development Review**

**County Engineer**

Development Services Department

---

P: (813) 307-1851

M: (813) 614-2190

E: [Williamsm@HillsboroughCounty.org](mailto:Williamsm@HillsboroughCounty.org)

W: HCFLGov.net

---

**Hillsborough County**

601 E. Kennedy Blvd., Tampa, FL 33602

---

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

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

---

**From:** Tirado, Sheida <TiradoS@hillsboroughcounty.org>  
**Sent:** Tuesday, May 31, 2022 5:47 PM  
**To:** Williams, Michael <WilliamsM@HillsboroughCounty.ORG>  
**Cc:** Perez, Richard <PerezRL@hillsboroughcounty.org>  
**Subject:** PD 22-0682 DE Review  
**Importance:** High

Hello Mike,

The following DE for this zoning case is approvable to me, please include the following people in your email.

[shenry@lincks.com](mailto:shenry@lincks.com)  
[swalker@stearnsweaver.com](mailto:swalker@stearnsweaver.com)  
[HeinrichM@HillsboroughCounty.ORG](mailto:HeinrichM@HillsboroughCounty.ORG)  
[lampkint@hillsboroughcounty.org](mailto:lampkint@hillsboroughcounty.org)  
[PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org)

Best Regards,

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

---

**P:** (813) 276-8364  
**E:** [tirados@HCFLGov.net](mailto:tirados@HCFLGov.net)  
**W:** [HCFLGov.net](http://HCFLGov.net)

---

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

---

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

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





**LINCKS & ASSOCIATES, INC.**

May 18, 2022

Mr. Michael Williams, PE  
County Engineer Development Review Director  
Hillsborough County  
601 East Kennedy Blvd., 20<sup>th</sup> Floor  
Tampa, FL 33602

Re: Clewis Avenue Apartments  
Folio Number – 040483.0000  
PD 22-0682  
Lincks Project No. 22014

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Clewis Avenue from Dr. Martin Luther King Jr Boulevard to the Project Access. The developer proposes to rezone the property to Planned Development (PD) to allow following land uses:

- Multi-Family - 268 Dwelling Units
- Park – 1.7 Acres

The access for the subject parcel is to be as follows:

- One (1) full access to Clewis Avenue to serve the Multi-Family Development
- One (1) full access to Clewis Avenue to serve the Park

According to Hillsborough County Functional Classification Map, Clewis Avenue is a local road. The subject site is within the Hillsborough County Urban Service Area.

Table 1 provides the trip generation for the proposed development.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Clewis Avenue from the Sabal Ridge entrance to the Project Access. This segment of Clewis Avenue is currently a two (2) lane roadway. The following exceptions are requested to accommodate the proposed project:

1. Right of Way – TS-7 has 96 feet of right of way. The existing right of way along Clewis Avenue varies between 50 and 60 feet.
2. Lanes – TS-7 has 12 foot travel lanes. The existing lanes on Clewis Avenue are approximately 10 to 11 feet.

5023 West Laurel Street  
Tampa, FL 33607  
813 289 0039 Telephone  
8133 287 0674 Telefax  
[www.Lincks.com](http://www.Lincks.com) Website

**22-0682**

Mr. Mike Williams  
May 18, 2022  
Page 2

3. Shoulders – TS-7 has 8 foot shoulders with 5 feet paved. There are unpaved shoulders along the segment of roadway.
4. Sidewalk – TS-7 has 5 foot sidewalks on both sides of the roadway. There is sidewalk on the east side of Clewis Avenue to Six Mile Creek Road.

The justification for the Design Exception is as follows:

1. The subject parcel has limited frontage along Clewis Avenue.
2. The developer proposes to construct 5 foot sidewalk along the property frontage and extend the sidewalk south to connect to the existing sidewalk. This would provide a continuous sidewalk from the project to Dr. Martin Luther King Jr Boulevard.

Figure 1 illustrates the limits of the proposed improvements.

Based on the above, it is our opinion, the proposed improvements to Clewis Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams  
May 18, 2022  
Page 3

Please do not hesitate to contact us if you have any questions or require any additional information.

Best Regards,

Steven J Henry  
President  
Lincks & Associates, Inc.  
P.E. #51555



---

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

- Disapproved
- Approved
- Approved with Conditions

If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E., (813) 276-8364, TiradoS@hillsboroughcounty.org.

Sincerely,  
Michael J. Williams  
Hillsborough County Engineer

TABLE 1  
ESTIMATED PROJECT TRIP ENDS (1)

<u>Land Use</u>	<u>ITE LUC</u>	<u>Size</u>	<u>Daily Trip Ends</u>	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
				<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>
Multi-Family	221	268 DU's	1,217	24	82	64	41
Park	411	1.7 AC	1	0	0	0	0
<b>Total</b>			1,218	24	82	64	41
					106		105

(1) Source: ITE Trip Generation Manual, 11<sup>th</sup> Edition, 2021.



Mr. Mike Williams  
May 18, 2022  
Page 5



FIGURE 1

APPENDIX





PD PLAN





HILLSBOROUGH COUNTY  
ROADWAY FUNCTIONAL CLASSIFICATION MAP



**HILLSBOROUGH COUNTY  
ROADWAYS  
FUNCTIONAL CLASSIFICATION**  
*Infrastructure & Development Services*



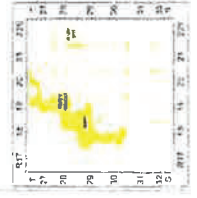
- Legend**
- Functional Classifications  
Authority Classification
- State, Principal Arterial
  - State, Arterial
  - Hillsborough, Arterial
  - Hillsborough, Collector
  - Urban Service Area Boundary
  - City Limits

This Hillsborough County Roadway Functional Map will be used by all entities in Hillsborough County Land Development Code (LDC) to make functional classification of roads. Some, but not all, examples of these include are as follows:

PART 3.02.06 INTERSTATE/75 PLANNED DEVELOPMENT DISTRICTS  
PART 3.10.00 CIVIC/PARK/MALLAGE DEVELOPMENT STANDARDS  
PART 3.11.00 COMMERCIAL DEVELOPMENT STANDARDS  
PART 6.02.00 SUBDIVISION STANDARDS AND GUIDELINES  
PART 6.07.00 FENCES AND WALLS  
PART 12.01.00 OPERATIONS  
OTHER PARTS OF THE LDC NOT LISTED ABOVE

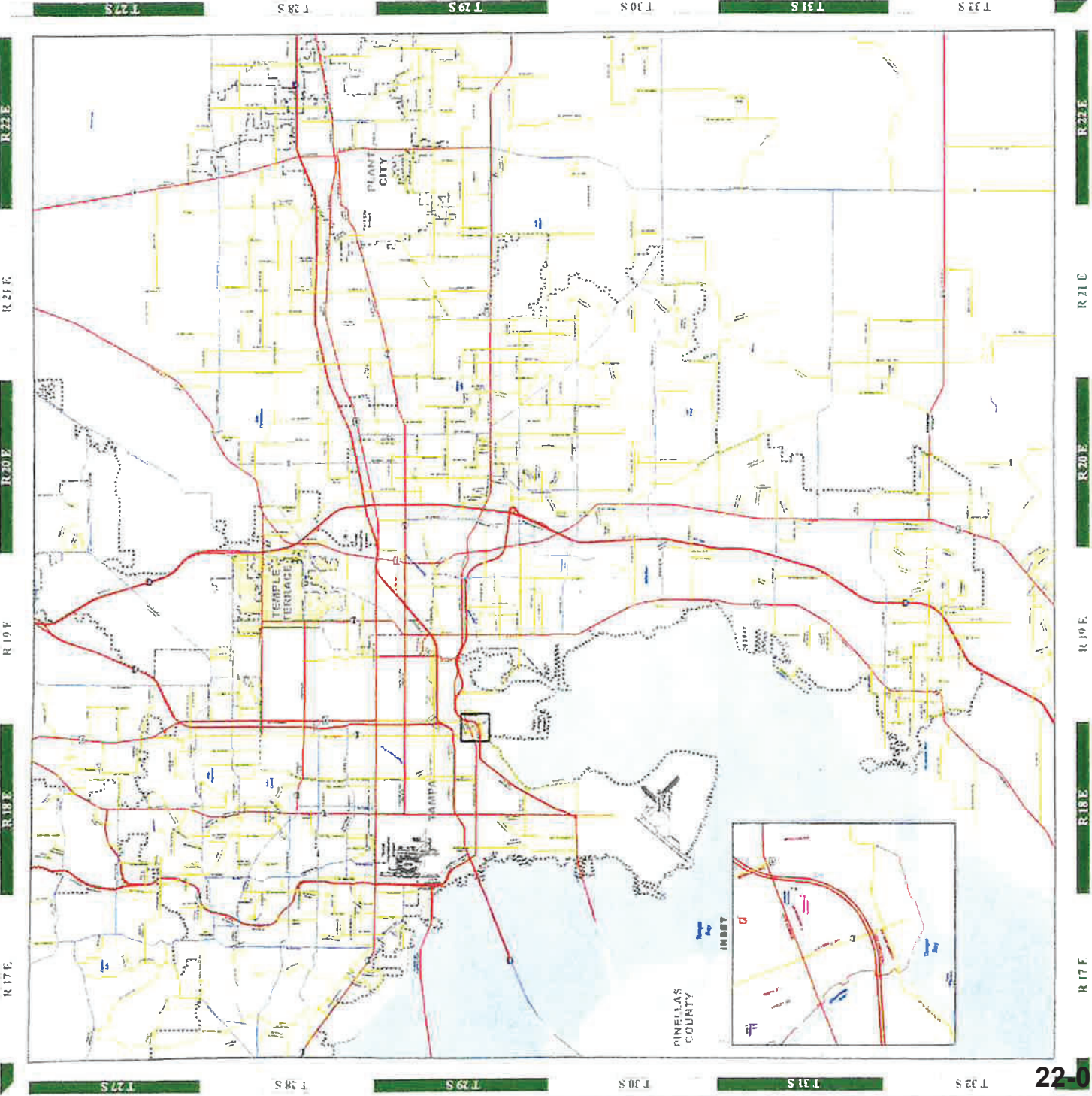
In addition to subject matters in the LDC, functional classification of roads plays an important role in administering the Residential Traffic Control Program and the Neighborhood Traffic Calming Program.

Locator Map



This map was prepared by the Hillsborough County Engineering Department. It is based on the most current information available to the County. The County is not responsible for any errors or omissions. This map is provided for informational purposes only. It is not intended to be used as a legal document. The County is not responsible for any errors or omissions. This map is provided for informational purposes only. It is not intended to be used as a legal document.

801 E. Kennedy Blvd  
Tampa, FL 33602  
ph: 813.273.3300  
www.hillsboroughcounty.org



TS-4









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
Clewis Ave.	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,327	84	102
Proposed	1,461	96	118
Difference (+/-)	+134	+12	+16

\*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	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 Additional Site Information & Agency Comments Summary

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

## Hartshorn, Sarah

---

**From:** Hartshorn, Sarah  
**Sent:** Tuesday, April 19, 2022 2:51 PM  
**To:** Clock, Dessa  
**Subject:** Revised Rezone Comments

Hi Dessa,

EPC has reviewed the revised site plan and request for REZ 22-0682 and has no changes to current comments.

Thank you!

### **Sarah Hartshorn**

Environmental Scientist  
Wetlands Division  
(813)627-2600 ext. 1237 | [www.epchc.org](http://www.epchc.org)

### **Environmental Protection Commission**

3629 Queen Palm Drive, Tampa, FL 33619  
Our mission is *"to protect our natural resources, environment, and quality of life in Hillsborough County"*  
Follow us on: [Twitter](#) | [Facebook](#) | [YouTube](#)  
[Track Permit Applications](#)

**COMMISSION**

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



**DIRECTORS**

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

**AGENCY COMMENT SHEET**

REZONING	
<b>HEARING DATE:</b> June 13, 2022  <b>PETITION NO.:</b> 22-0682  <b>EPC REVIEWER:</b> Sarah Hartshorn  <b>CONTACT INFORMATION:</b> (813) 627-2600 X 1237  <b>EMAIL:</b> <a href="mailto:hartshorns@epchc.org">hartshorns@epchc.org</a>	<b>COMMENT DATE:</b> April 13, 2022  <b>PROPERTY ADDRESS:</b> 4504 Clewis Ave, Tampa, FL  <b>FOLIO #:</b> 040483.0000  <b>STR:</b> 06-29S-20E
<b>REQUESTED ZONING:</b> From PD (AS-0.4) to PD (CMU-12)	
FINDINGS	
<b>WETLANDS PRESENT</b>	YES
<b>SITE INSPECTION DATE</b>	4/12/22
<b>WETLAND LINE VALIDITY</b>	NA
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	Wetland area in NW corner and a ditch running along N property line
<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>	

*Environmental Excellence in a Changing World*

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

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

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

**INFORMATIONAL COMMENTS:**

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

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

Sjh/mst





**AVIATION AUTHORITY LAND USE REVIEW**  
**Hillsborough County - OPTIX**

---

**DATE:** May 26, 2022

**PROPOSED USE INFORMATION:**

---

Case No.: 22-0682 Reviewer: Tony Mantegna

Location: Clewis Ave

Folio: 40483.0000

Current use of Land: vacant

Zoning: PD

REQUEST: Multi-family

---

**COMMENTS:**

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 70 feet Above Mean Sea Level or requested by FAA may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

Compatible without conditions (see comments above) - \_\_\_\_\_

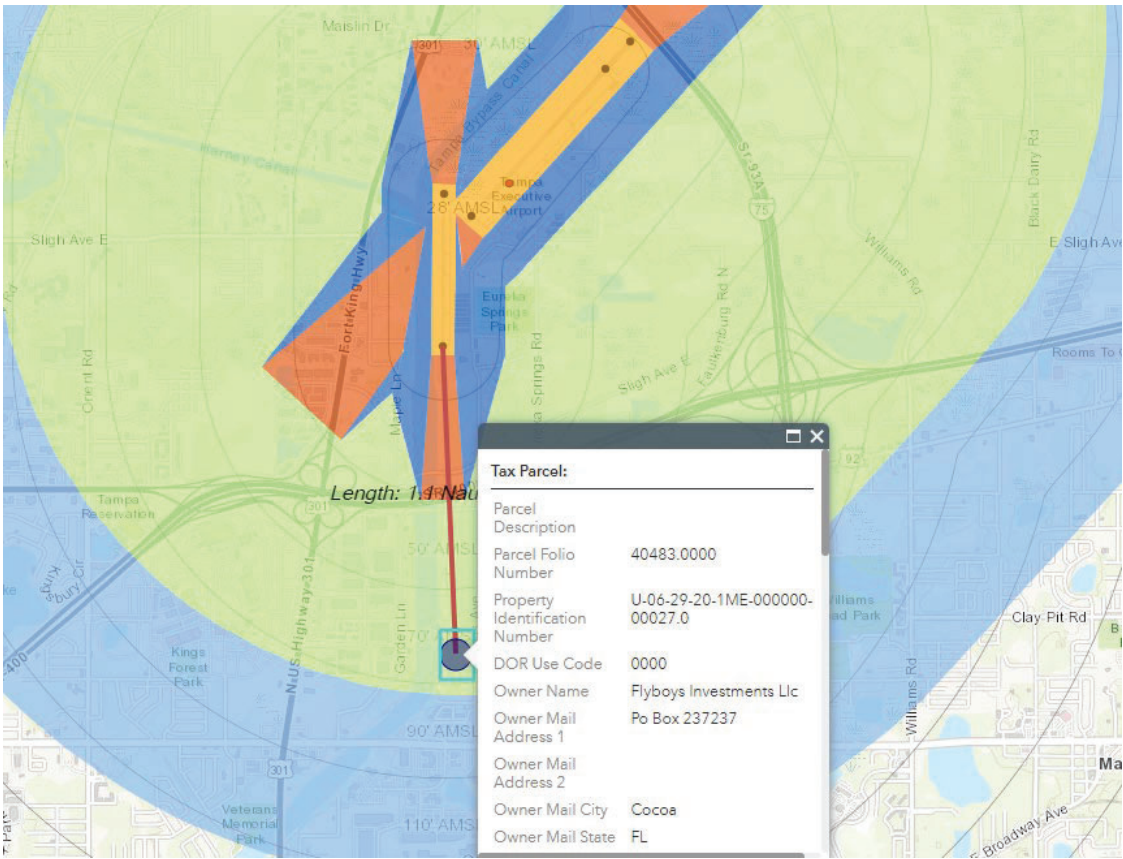
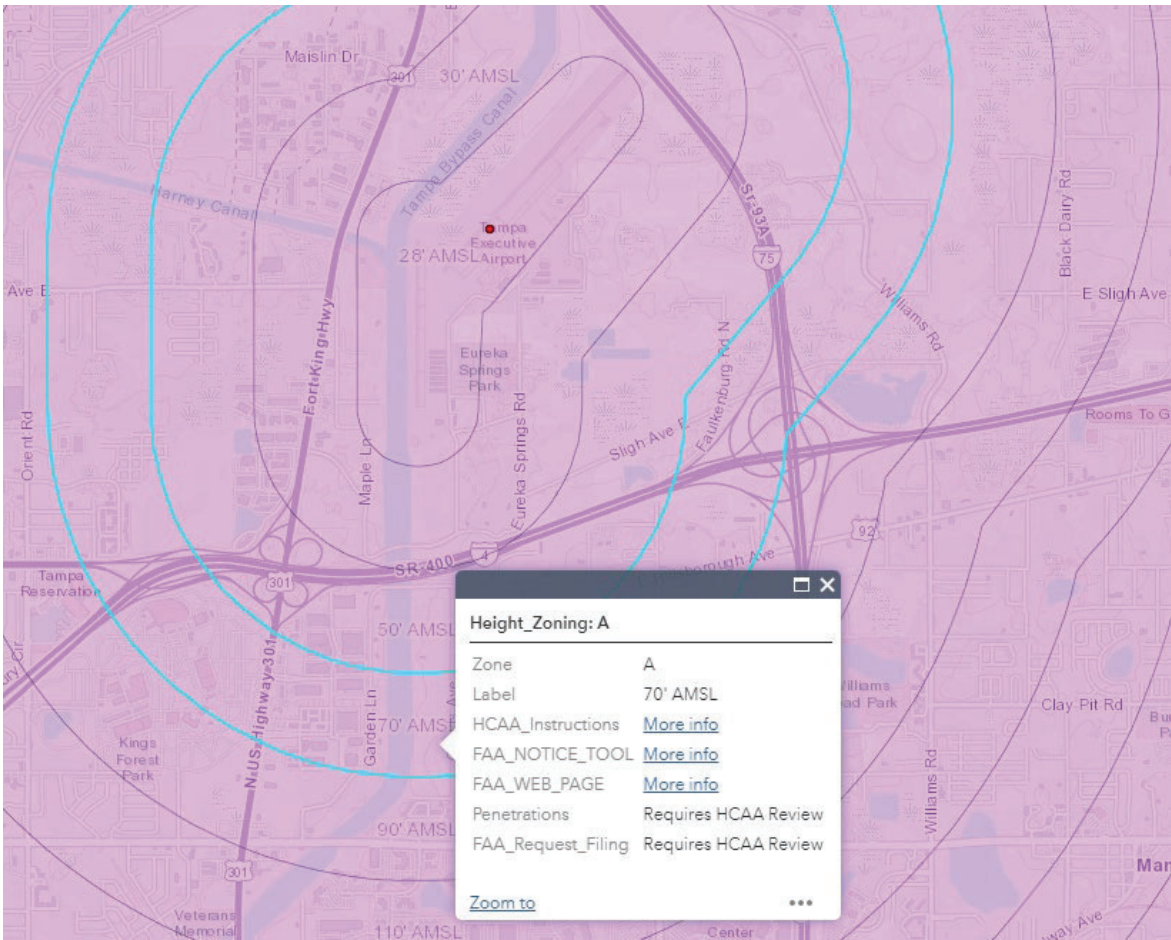
Not compatible (comments) - \_\_\_\_\_

Compatible with conditions (see comments above) – Potential buyers should be informed this location is in close proximity to Tampa Executive Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour and is a compatible use but occupants may be subjected to noise from aircraft operating to and from the airport. The Aviation Authority suggests a noise reduction level of at least 25 db be incorporated into design.

---

cc: Aviation Authority Zoning Director/Legal/Records Management/Central Records







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

---

**TO:** Zoning Review, Development Services

**DATE:** 05/20/2022

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

**APPLICANT:** Falcone & Associates, LLC

**PETITION NO:** 22-0682

**LOCATION:** 4505 Clewis Ave

**FOLIO NO:** 040483.0000

---

**Estimated Fees:**

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

Mobility: \$5,995 \* 268 units = \$1,606,660

Parks: \$1,555 \* 268 units = \$ 416,740

School: \$3,891 \* 268 units = \$1,042,788

Fire: \$249 \* 268 units = \$ 66,732

Total Multi-Family (1-2 story) = \$3,132,920

**Project Summary/Description:**

Urban Mobility, Northeast Park/Fire - 268 multi-family units

AGENCY COMMENT SHEET

TO: **Zoning/Code Administration, Development Services Department**

FROM: **Reviewer:** Ryan L. Joyce **Date:** June 02, 2022

**Agency:** Natural Resources **Petition #:** 22-0682

- This agency has **no comment**
- This agency has **no objections**
- This agency has **no objections, subject to listed or attached conditions**
- This agency **objects, based on the listed or attached issues.**

1. An evaluation of the property identified mature trees warranting preservation that may include Grand Oaks. The applicant is encouraged to consult with staff of the Natural Resource Unit for design input addressing these trees prior to submittal of preliminary plans through the Land Development Code's Site Development or Subdivision process.
2. This site contains trees that qualify as Grand Oaks as defined by the Land Development Code (LDC). All trees confirmed as a Grand Oak must be accurately located and labeled as such on the submitted preliminary plan/plat through the Site Development/Subdivision Review process. Design efforts are to be displayed on the submitted preliminary plan to avoid adverse impacts to these trees. **This statement should be identified as a condition of the rezoning.**
3. Modifications to the approved GSP will be allowed in order to preserve Grand Oaks and other trees and/or Natural Resources requirements.
4. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals and where land alterations are restricted.
5. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any



impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

6. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
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.

**AGENCY REVIEW COMMENT SHEET**

---

---

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

**DATE: 13 Apr. 2022**

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

**APPLICANT: Elise Batsel**

**PETITION NO: RZ-PD 22-0682**

**LOCATION: 4505 Clewis Ave, Tampa, FL 33610**

**FOLIO NO: 40483.0000**

**SEC: 06 TWN: 29 RNG: 20**

---

---

- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

COMMENTS: \_\_\_\_\_.





# **VERBATIM TRANSCRIPT**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
June 13, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

D13:  
Application Number: RZ-PD 22-0682  
Applicant: Falcone & Associates, LLC  
Location: 4504 Clewis Ave.  
Folio Number: 040483.0000  
Acreage: 17 acres, more or less  
Comprehensive Plan: CMU-12  
Service Area: Urban  
Existing Zoning: PD 06-0468 and AS-0.4  
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item  
2 D-13 is Rezoning-PD 22-0682. The applicant is  
3 Falcone & Associates, LLC. The request is for  
4 rezone from PD and AS-0.4 to Planned Development.

5 Tim Lampkin will provide staff  
6 recommendation after presentation by the applicant.

7 HEARING MASTER HATLEY: Okay.

8 MS. BATSEL: Good evening. Madam Hearing  
9 Officer and Mr. Grady, I do have documents to  
10 submit into the record.

11 HEARING MASTER HATLEY: Okay.

12 MS. BATSEL: I do have a PowerPoint. Thank  
13 you. For the record, Elise Batsel with Stearns,  
14 Weaver, Miller, 401 East Jackson Street.

15 I have submitted a copy of our presentation  
16 as well as resumés for experts this evening. Next  
17 slide. We're here with all of our team members  
18 from anyone from Falcone & Associates. The  
19 developer, we have our traffic engineer, Steve  
20 Henry, as well as our legal and planning team.  
21 Next slide.

22 So this property is generally located on the  
23 Tampa Bay Bypass Canal between Dr. Martin Luther  
24 King Jr. Boulevard and I-4. The canal is  
25 immediately to the west of the property. It does

1 contain plus or minus 17 acres. Next slide.

2 The Future Land Use and zoning designations  
3 are respectfully CMU-12 and the zoning is PD and a  
4 little sliver there you can see of as AS. Next  
5 slide.

6 So this is a very interesting area. It's  
7 residential. There are mobile home communities,  
8 multifamily communities, and single-family  
9 scattered throughout.

10 The area is predominantly scattered for  
11 those uses as well as it is within the  
12 Interstate-75 corridor, which encourages urban  
13 level densities. I think that's very important as  
14 we look at this particular property.

15 There is commercial further to the north  
16 along MLK Jr. Boulevard, and to the -- sorry, to  
17 the south and to the north along I-4. This is kind  
18 of sandwiched in between. Next slide.

19 So our request this evening is for 268  
20 multifamily units and amenities. We do have a  
21 second use on the property to comply with 19.1 of  
22 the Comprehensive Plan. We developed a public --  
23 I'm sorry, a private park that will be open to the  
24 public and amenitize that. Talk a little bit more  
25 about that.

1           We are requesting a flex from the adjacent  
2           UMU-20. We have satisfied all of the flex  
3           provisions and we'll talk about that as well. We  
4           are not asking for any variations or waivers to the  
5           Land Development Code.

6           There is one roadway design exception, and  
7           we have our transportation engineer here to speak  
8           as well as Mr. Perez, I believe, is on the line as  
9           well. Next slide.

10           This is the southern half of the property.  
11           This is really the unit-type layout, which is south  
12           of the park. As you can see, we have various  
13           apartment buildings as well as four -- we call them  
14           cottage units. They're above garage units. They  
15           kind of add a diversity of housing types to this  
16           development.

17           Our proposed density is only 15.7 dwelling  
18           units per acre. We're not asking for the max under  
19           the flex. Next slide. So the park, which is on  
20           the northern portion of the property, which will be  
21           open to the public, we did work with Planning  
22           Commission and your Development Services staff to  
23           come up with a condition that this park would  
24           include a variety of things.

25           A walking path, bicycle racks, benches, an



1 observation deck, a small dog park, a way-finding  
2 signage as well as open space as you can see. Next  
3 slide.

4 At this point in time I want to turn it over  
5 to David Smith, our planning expert, to talk about  
6 compatibility as well as consistency with the  
7 Comprehensive Plan.

8 MR. SMITH: Good evening. David Smith, 401  
9 East Jackson Street, 33602, representing Falcone.

10 Elise has done a very good framing of the  
11 development and its location. The property is  
12 located, as you can see on the graphic, in the  
13 black square.

14 This area is targeted for urban level  
15 development throughout the -- in the Comprehensive  
16 Plan. Other areas in the lighter shades are more  
17 suburban in nature or are not residential  
18 whatsoever as you get into Sabal Park and over  
19 towards the fairgrounds and I-4. Next slide,  
20 please.

21 Looking at the property CMU-12 requires a PD  
22 development. That is why we are here today with  
23 that. It allows residential and community uses.  
24 The proposed development which proposes  
25 residential, a variety of housing types.

1           As you can see from the site plan, we're  
2           talking about multiple building, different shapes.  
3           So it's not a uniformed presentation. It doesn't  
4           create that walled effect of multifamily  
5           development sometime can result in.

6           The area surrounding us has a mix of low  
7           density, high density. And I think this is a very  
8           good infill-type development. As you come from MLK  
9           from the Employment Centers of Sabal and the  
10          Employment Centers of 301, you have multifamily  
11          development coming up to the north and progressing  
12          in the corridor. And as you come down from the  
13          northern side, there's higher density development  
14          off of the commercial sides.

15          So this is a very typical situation where  
16          you have UMU-20 land use, CMU-12 land use in parts  
17          of the community that have been developed at very  
18          low densities, and these become prime opportunities  
19          for infill development.

20          As indicated, there's no waivers requested.  
21          Typically, when you have the residential  
22          development that is in an infill situation with low  
23          density residential in proximity, you would have  
24          several waivers that are typically asked for.

25          We think that this adds to the compatibility

1 of the project but also the consistency with the  
2 Comprehensive Plan. Planning Commission, as usual,  
3 does a very good job of listing all the policies.

4 This slide just goes through a few of those,  
5 which is typical. Again, we're trying to direct  
6 population to the Urban Service Area. We are  
7 trying to make sure we have compatible development  
8 with mass, height, scale, bulk, and massing of the  
9 buildings.

10 We're utilizing the flex. The flex does  
11 meet those criteria. We have the availability of  
12 public services. We have compatibility with the  
13 surrounding uses by virtue of the placement of the  
14 buildings.

15 They're not asking for those reductions in  
16 waiver from the two to one in particular. As  
17 buildings get higher, there's usually a two-to-one  
18 setback, and we meet or exceed those criteria.

19 And the goals and objectives of the  
20 Comprehensive Plan are to increase the density and  
21 utilize the property efficiently when we have these  
22 higher land uses categories in the county.

23 So we also are looking at the neighborhood,  
24 excuse me, objectives and which is the creation of  
25 like or similar uses. Residential is the

1           predominant use in the area. We could propose  
2           another type of secondary use, but we felt that  
3           this private park open to the public was more of a  
4           community benefit and provides that second use but  
5           also at the same time becoming sensitive to the  
6           neighbors.

7                        When we look at the East Lake Orient  
8           Community Plan, we also have just coincidentally a  
9           plan that talks about increasing recreational  
10          opportunities in trying to maintain the opportunity  
11          for people to enjoy the bypass canal.

12                      This proposed park will accomplish both of  
13          those opportunities. It will go all the way down  
14          to the bypass, and it will provide an overlook so  
15          people can -- technically, right now, you probably  
16          can't get to the water's edge without crossing  
17          private property.

18                      But in this case, we provide that  
19          opportunity with this project. Looking at  
20          compatibility, I've kind of touched on a little  
21          bit. We're surrounded by diverse housing types.  
22          We're proposing a mixed-use multifamily  
23          development.

24                      We're nearby employment centers, which is  
25          where you would like to have the opportunity for

1 shorter trips to employment opportunities in the  
2 area. The buffers comply or exceed the Land  
3 Development Code requirements.

4 Setbacks comply with those setbacks in the  
5 two to one and the appropriate height for a  
6 mixed-use area, we're looking at a property that is  
7 similar to other apartment buildings in the area.

8 So with that conclusion is Development  
9 Services staff finds it approvable. The Planning  
10 Commission finds it consistent and supports the  
11 vision map and it the community plan and  
12 respectfully request a recommendation of approval.  
13 Glad to answer any questions.

14 HEARING MASTER HATLEY: Thank you.  
15 Development Services.

16 MR. LAMPKIN: Hello. Tim Lampkin,  
17 Development Services.

18 And you can see the screen, I'm assuming.  
19 The site is located in East Lake Orient Park  
20 community. It's located on the west side of Clewis  
21 Avenue. The surrounding area is predominately a  
22 mixture of single multifamily residential.

23 There is a mobile home park to the east.  
24 And the Hillsborough River Bypass Canal is located  
25 immediately to the west of the subject site. The

1 Future Land Use is Community Mixed-Use-12. The  
2 property is located in the Urban Service Area.

3 Typical uses in the CMU-12 include  
4 residential, community scale, retail, office uses,  
5 research corporate park uses, light industrial,  
6 multipurpose, cluster, residential, mixed-use  
7 projects at appropriate locations.

8 To the subject property includes mostly an  
9 existing PD and then there is a smaller portion  
10 that's AS-04. To the north is AS-0.4 zoning. The  
11 existing use is single-family vacant and mobile  
12 home park.

13 To the south is the same designation and  
14 interstate is PD and single-family homes -- I think  
15 this is the slide from the previous. Hold on. Oh,  
16 no, it is. Sorry. And then to the west is Tampa  
17 Bypass Canal of the existing use is Tampa Bypass  
18 Canal.

19 To the east is single-family mobile homes  
20 and to the south are single-family mobile homes and  
21 the IPD-2 and the AS-0.4 and the AS-1. Here is the  
22 site plan the applicant just showed. It's  
23 approximately 6.08-acre unified development  
24 consisting of two areas, and this is actually  
25 from -- the request is -- sorry, is to develop a

1 17-acre unified development consisting of 264-unit  
2 apartment complex, an additional four apartment  
3 units, and 3.7-acre publicly accessible privately  
4 owned park with amenities.

5 The park will be owned and maintained by the  
6 multifamily apartment complex. The applicant  
7 requested to rezone the site to PD to develop a  
8 maximum of 268 units and a publicly accessible park  
9 which is located here.

10 Pursuant to -- as the applicant stated,  
11 pursuant to Section 6.06.06 addressing capability,  
12 the applicant has not requested any waivers of  
13 that. The applicant also does not request any  
14 variations to the Land Development Code 6.06.00.  
15 And the site will comply with and conform to all  
16 other applicable policies and applications.

17 And that concludes staff's presentation  
18 unless there are questions. Staff finds the  
19 request approvable.

20 HEARING MASTER HATLEY: All right. Thank  
21 you.

22 Planning Commission.

23 MS. LIENHARD: Melissa Lienhard, Planning  
24 Commission staff.

25 The subject property is located in the



1 Community Mixed-Use-12 Future Land Use Category.  
2 It is in the Urban Service Area and also located  
3 within the limits of the East Lake Orient Park  
4 Community Plan.

5 The applicant requests to rezone the site to  
6 Planned Development to develop a maximum 268  
7 dwelling units in a publicly accessible park. The  
8 proposed residential density in the Urban Service  
9 Area is compatible with the existing character of  
10 development in the area as it is surrounded by the  
11 Community Mixed-Use-12 and Urban Mixed-Use-20  
12 designations for single-family residential and  
13 mobile homes.

14 The proposal is consistent with the flex  
15 provision Policies 7.1 -- I'm sorry, 7.2 and 7.3 of  
16 the Future Land Use Element. The applicant is  
17 proposing a density of 268 units, which is  
18 approximately 15.7 dwelling units per acre.

19 The request includes a 500-foot flex of the  
20 UMU-20 to the south, which is 8.1 acres. The  
21 proposed density utilizing the flex provision is  
22 consistent with the intended density for the CMU-12  
23 Future Land Use Category.

24 The proposed rezoning meets the intent of  
25 Objective 16 and Policy 16.2, 16.3, and 17.7 with

1 regard to compatibility. The proposal includes  
2 appropriate setbacks, landscape buffers, and  
3 fencing around the perimeter of the property. In  
4 addition, the stormwater retention on the north  
5 part of the property serves as single-family  
6 residential that's located to the north.

7 The proposed residential apartments and  
8 public park is consistent -- I'm sorry, publicly  
9 accessible park is consistent with the residential  
10 density and neighborhood uses that are intended in  
11 the CMU-12 Future Land Use Category.

12 Objective 19 and associated Policies 19.1  
13 and 19.2 require two land uses for projects in the  
14 CMU-12 category that are 10 acres or greater in  
15 size.

16 The secondary use must be at least  
17 10 percent of the site. The proposal includes a  
18 publicly accessible park that is 3.73 acres in size  
19 which exceeds this requirement.

20 The applicant has committed to park  
21 amenities including walking, bike racks, benches,  
22 shade trees, way-finding signage, observation deck,  
23 dog park, pond, and open space, which have been  
24 memorialize in the conditions of approval.

25 The subject site meets the intent of the

1 East Lake Orient Park Community Plan. The plan  
2 seeks new park and recreational facilities in  
3 conjunction with the approval of new residential  
4 development.

5 In addition, the community plan states the  
6 Tampa Bypass Canal should be enjoyed by all, which  
7 the proposed park would help facilitate. Finally,  
8 the plan seeks to create housing opportunities for  
9 a diverse population and income level.

10 The development proposal meets the intent of  
11 the housing goals and plan. Based upon those  
12 considerations, Planning Commission staff finds the  
13 proposed Planned Development consistent with the  
14 Future of Hillsborough Comprehensive Plan for  
15 unincorporated Hillsborough County subject to the  
16 conditions proposed by Development Services. Thank  
17 you.

18 HEARING MASTER HATLEY: Okay. Thank you.  
19 Is there anyone here or online who wishes to speak  
20 in support of this application? I don't see  
21 anyone.

22 Is there anyone here or online who wishes to  
23 speak in opposition to this application? All  
24 right. I don't see anyone.

25 Development Services, anything further?

1 MR. GRADY: Nothing further.

2 HEARING MASTER HATLEY: All right.

3 Applicant? All right. Thank you.

4 This will close the hearing on PD 22-0682.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

DATE/TIME: 6/13/22 6pmHEARING MASTER: Damela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0443</u>	PLEASE PRINT NAME <u>Rebecca Keft</u> ADDRESS <u>400 N Tampa St Ste 1916</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 368 3064</u>
APPLICATION # <u>22-0802</u>	PLEASE PRINT NAME <u>Jaine Marie</u> ADDRESS <u>101 E. Kennedy Blvd. Ste. 3700</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-506-5184</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>William J. Molloy</u> ADDRESS <u>1355 S Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>336 06</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> ADDRESS <u>1000 W. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 332-0976</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Betty R. Willis</u> ADDRESS <u>1440 Hounds Mallow Ct</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-949-1072</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Nick Pullaro</u> ADDRESS <u>1612 W. Magdalene Manor Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813 962-0192</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Natalie Davis</u> ADDRESS <u>17844 N. US Highway 41</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>8352-219-2670</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Craig Latimer</u> ADDRESS <u>P.O. Box 2303</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33518</u> PHONE <u>813-728-3738</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>DAN POMESBUTZ</u> ADDRESS <u>1816 REBECCA RD.</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>3356</u> PHONE <u>949-334</u>
APPLICATION # <u>22-0103</u>	PLEASE PRINT NAME <u>Chris Capkovic</u> ADDRESS <u>17510 Estes Rd</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33548</u> PHONE <u>813 482-6825</u>
APPLICATION # <u>22-0083</u>	PLEASE PRINT NAME <u>Sarah Combs</u> ADDRESS <u>14013 W. 22nd St</u> CITY <u>Tpa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813 404 8940</u>
APPLICATION # <u>220083</u>	PLEASE PRINT NAME <u>Catharine Hertley</u> ADDRESS <u>2021 East 2nd Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33605</u> PHONE <u>813 220 4569</u>



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

APPLICATION # <u>21-0745</u>	PLEASE PRINT NAME <u>CARON BRICKMETER</u> ADDRESS <u>4427 W. KENNEDY BLVD, SUITE 250</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>(813) 229-7700</u>
APPLICATION # <u>22-0295</u>	PLEASE PRINT NAME <u>ROY WEINER</u> ADDRESS <u>637 N. EVANSTON RD</u> CITY <u>BRANDON</u> STATE <u>FL</u> ZIP <u>33507</u> PHONE <u>813 866-5500</u>
APPLICATION # <u>22-0295</u>	PLEASE PRINT NAME <u>LEO MURRAY</u> ADDRESS <u>SARASOTA SPRINGS RD</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33637</u> PHONE <u>813-957-4730</u>
APPLICATION # <u>22-0604</u>	PLEASE PRINT NAME <u>Cliff Cardwell</u> <u>cliff cardwell</u> ADDRESS <u>1204 12th st</u> CITY <u>Tampa</u> STATE <u>F</u> ZIP <u>33612</u> PHONE <u>813 293 1549</u>
APPLICATION # <u>22-0604</u>	PLEASE PRINT NAME <u>SANDOR GASPAR</u> ADDRESS <u>1908 SO. 47TH STREET</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33619</u> PHONE <u>908-801-0690</u>
APPLICATION # <u>22-0812</u>	PLEASE PRINT NAME <u>Todd Pressman</u> ADDRESS <u>200 2nd Ave, S #451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>804-1760</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION #  <u>20-1142</u>	PLEASE PRINT NAME <u>TU Mai</u> ADDRESS <u>14031 N. Dale Mabry Highway</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>(813) 962-6230</u>
APPLICATION #  <u>20-1142</u> <u>VS</u>	PLEASE PRINT NAME <u>Rigoberto Reyes</u> ADDRESS <u>6806 36<sup>th</sup> Ave South</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33619</u> PHONE _____
APPLICATION #  <u>22-0442</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> ADDRESS <u>1600N Ashley Dr. # 900</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813 331-0976</u>
APPLICATION #  <u>21-1338</u> <u>VS</u>	PLEASE PRINT NAME <u>David Wright</u> ADDRESS <u>PO BOX 273417</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33688</u> PHONE _____
APPLICATION #  <u>21-1338</u> <u>VS</u>	PLEASE PRINT NAME <u>Janise Man-Son-Hing</u> ADDRESS <u>16740 Whirlway Rd</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33558</u> PHONE _____
APPLICATION #  <u>22-0319</u>	PLEASE PRINT NAME <u>Todd Pressman</u> ADDRESS <u>200 2<sup>nd</sup> Ave S. # 451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33779</u> PHONE <u>804-1760</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0319	PLEASE PRINT NAME <u>Mich Golegram</u> ADDRESS <u>11606 Boki Ln</u> CITY <u>Thonotosassa</u> STATE <u>FL</u> ZIP <u>33592</u> PHONE <u>813-343-1751</u>
APPLICATION # 22-0319	PLEASE PRINT NAME <u>Stephanie Elders</u> ADDRESS <u>11504 Boki Lane</u> CITY <u>Thonotosassa</u> STATE <u>FL</u> ZIP <u>33592</u> PHONE <u>813-982-2548</u>
APPLICATION # 22-0319 US	PLEASE PRINT NAME <u>Ricky Richardson</u> ADDRESS <u>11499 Boki Lane</u> CITY <u>Thonotosassa</u> STATE <u>FL</u> ZIP <u>33592</u> PHONE _____
APPLICATION # 22-0319	PLEASE PRINT NAME <u>Michael Yates</u> ADDRESS <u>PALM TRAFFIC 400 N TAMPA ST, 15th FL</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 205 8057</u>
APPLICATION # 22-0416	PLEASE PRINT NAME <u>PETER PENSA, AICP - AVID GROUP LLC</u> ADDRESS <u>2300 CURLEW RD, STE 201</u> CITY <u>PALM HARBOR</u> STATE <u>FL</u> ZIP <u>34683</u> PHONE <u>727-234-8015</u>
APPLICATION # 22-0444	PLEASE PRINT NAME <u>Alex Schaler</u> ADDRESS <u>400 N. Ashley Dr. Suite 1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>850-319-0782</u>



DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo HatleyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>22-0558</u>	PLEASE PRINT NAME <u>Anne Pollack</u> ADDRESS <u>433 Central Ave Ste 400</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-898-2836</u>
APPLICATION # <u>22-0561</u> <u>VS</u>	PLEASE PRINT NAME <u>Tvett Gardner</u> ADDRESS <u>400 N. Ashley Dr #1100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>Buddy Harwell</u> ADDRESS <u>P.O. Box 297</u> CITY <u>Libertine</u> STATE <u>FL</u> ZIP <u>33531</u> PHONE <u>813-671-4858</u>
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>James Frankland</u> ADDRESS <u>15864 Balm Rd</u> CITY <u>Balm</u> STATE <u>FL</u> ZIP <u>33503</u> PHONE <u>813 4349556</u>
APPLICATION # <u>22-0561</u>	PLEASE PRINT NAME <u>Michael Yates</u> ADDRESS <u>PALM TRAFFIC</u> <u>400 N TAMPA ST, 15th FL</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 2058057</u>
APPLICATION # <u>22-0569</u>	PLEASE PRINT NAME <u>Mattmanah S. Jahn</u> ADDRESS <u>935 Mann Street Ste D1</u> CITY <u>Safety Harbor</u> STATE <u>FL</u> ZIP <u>34695</u> PHONE <u>727.773.0001</u>

DATE/TIME: 6/13/22 4pm HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0569	PLEASE PRINT NAME <u>Thomas Thamel</u> ADDRESS <u>5115 LITHIA SPRINGS RD</u> CITY <u>LITHIA</u> STATE <u>FL</u> ZIP <u>3347</u> PHONE _____
APPLICATION # 22-0569	PLEASE PRINT NAME <u>Bill Meyers</u> ADDRESS <u>5104 Lithia Springs Rd</u> CITY <u>Lithia</u> STATE <u>FL</u> ZIP <u>33547</u> PHONE <u>813-495-7522</u>
APPLICATION # 22-0682	PLEASE PRINT NAME <u>Elise Batsel</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813.222.5057</u>
APPLICATION # 22-0682	PLEASE PRINT NAME <u>David M. Smith</u> ADDRESS <u>401 E. Jackson Street</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 222 5010</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Elise Batsel</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813.222.5057</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>David M Smith</u> ADDRESS <u>401 E. Jackson St.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 222 5010</u>

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 22-0689	PLEASE PRINT NAME <u>STEVE TENRY</u> ADDRESS <u>5023 W. LAUREL ST</u> CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-289-0039</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Daryl MAX FORGAY</u> ADDRESS <u>236 SE 45th STREET</u> CITY <u>CAPE CORAL</u> STATE <u>FL</u> ZIP <u>33904</u> PHONE <u>239-560-5864</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Robert Padilla</u> ADDRESS <u>212 Ranja Lane</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>813-523-7202</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Kevin Ratliff</u> ADDRESS <u>1814 Citrus Orchard way</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>813-538-0851</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Elizabeth Rodriguez-Balchen</u> ADDRESS <u>406 S Miller Rd</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>813-478-1041</u>
APPLICATION # 22-0689	PLEASE PRINT NAME <u>Charles Bothe</u> ADDRESS <u>2303 Hwy 60</u> CITY <u>VALRICO</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>813-267-5476</u>



SIGN-IN SHEET: RFR ZHM, PHM, LUHO

PAGE 9 OF 9

DATE/TIME: 6/13/22 6pm HEARING MASTER: Pamela Jo Hatley

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

<p>APPLICATION #</p> <p><i>22-0689</i></p>	<p>PLEASE PRINT NAME <u>LUKE LIROT</u></p> <p>ADDRESS <u>2240 BELLEAIR RD. #190</u></p> <p>CITY <u>CLEARWATER</u> STATE <u>FL</u> ZIP <u>33784</u> PHONE <u>727-536-2100</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>





JUNE 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, June 13, 2022, at 6:00 p.m., held virtually.

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

☐ Brian Grady, Development Services, reviewed the non-published changes/withdrawals/continuances.

D.2. RZ 21-1337 W/D

☐ Brian Grady, Development Services, announces RZ 21-1337 was withdrawn.

D.8. RZ 22-0443

☐ Brian Grady, Development Services, calls RZ 22-0443.

☐ Rebecca Kerf, applicant rep, presents testimony.

☐ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0443 to July 25, 2022.

C.3. RZ 22-0802

☐ Brian Grady, Development Services, calls RZ 22-0802.

☐ Jaime Maier, applicant rep, presents testimony.

☐ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0802 to August 15, 2022.

A. WITHDRAWALS AND CONTINUANCES

☐ Brian Grady, Development Services, continued the review of the changes/withdrawals/continuances.

☐ Pamela Jo Hatley, ZHM, overview of ZHM process.

☐ Assistant County Attorney Cameron Clark overview of oral argument/ZHM process.

☐ Pamela Jo Hatley, ZHM, Oath.

B. REMANDS

B.2. MM 22-0103 Susan Finch

- ☐ Brian Grady, Development Services, calls MM 22-0103.
- ☐ William Molloy, applicant rep, presents testimony.
- ☐ Isabelle Albert, applicant rep, presents testimony.
- ☐ Susan Finch, questions to applicant rep.
- ☐ Isabelle Albert, applicant rep, answers ZHM questions.
- ☐ Michelle Heinrich, Development Services, staff report.
- ☐ Melissa Lienhard, Planning Commission, staff report.
- ☐ Susan Finch, ZHM, questions to Planning Commission.
- ☐ Melissa Lienhard, Planning Commission, answers ZHM questions.
- ☐ Susan Finch, ZHM, calls for proponents.
- ☐ Betty Willis, proponent, presents testimony.
- ☐ Nick Pullaro, proponent, presents testimony.
- ☐ Natalie Davis, proponent, presents testimony.
- ☐ Susan Finch, ZHM, calls for opponents.
- ☐ Craig Latimer, opponent, presents testimony.
- ☐ Dan Bomesburg, opponent, presents testimony.
- ☐ Chris Capkovic, opponent, presents testimony and submits exhibits.
- ☐ Susan Finch, ZHM, calls for applicant rep/Development Services.
- ☐ Isabelle Albert, applicant rep, presents rebuttal and submits exhibits.
- ☐ William Molloy, applicant rep, presents rebuttal.
- ☐ Susan Finch, ZHM, closes MM 22-0103.

D.4. RZ 22-0083 Susan Finch

- ☒ Brian Grady, Development Services, calls RZ 22-0083 and submits exhibits.
- ☒ Catherine Hartley, applicant rep, presents testimony.
- ☒ Sarah Combs, applicant rep, presents testimony.
- ☒ Catherine Hartley, applicant rep, continues testimony.
- ☒ Susan Finch, ZHM, questions to applicant rep.
- ☒ Catherine Hartley, applicant rep, answers ZHM questions and continues testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Susan Finch, ZHM, questions to Development Services.
- ☒ Tim Lampkin, Development Services, answers ZHM questions.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Susan Finch, ZHM, calls for proponents/opponents/Development Services.
- ☒ Catherine Hartley, applicant rep, presents rebuttal.
- ☒ Susan Finch, ZHM, closes RZ 22-0083.

B.1. RZ 21-0745

- ☒ Brian Grady, Development Services, calls RZ 21-0745 and submits exhibits.
- ☒ Clayton Brickleyer, applicant rep, presents testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, questions to Planning Commission.
- ☒ Melissa Lienhard, Planning Commission, answers ZHM questions.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 21-0745.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 22-0295

- ☒ Brian Grady, Development Services, calls RZ 22-0295.
- ☒ Rory Weiner, applicant rep, presents testimony.
- ☒ Isis Brown, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents.
- ☒ Francis Murray, proponent, presents testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep/closes RZ 22-0295.

C.2. RZ 22-0604

- ☒ Brian Grady, Development Services, calls RZ 22-0604.
- ☒ Cliff Cardwell, applicant rep, presents testimony.
- ☒ Brian Grady, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- ☒ Sandor Gaspar, Opponent, presents testimony.
- ☒ Brian Grady, Development Services, responds to opponent.
- ☒ Sandor Gaspar, Opponent, continues testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for Development Services.
- ☒ Brian Grady, Development Services, responds to opponent.
- ☒ Sandor Gaspar, Opponent, continues testimony.
- ☒ Pamela Jo Hatley, ZHM, calls for applicant rep.
- ☒ Cliff Cardwell, applicant rep, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM, closes RZ 22-0604.



C.4. RZ 22-0812

📄 Brian Grady, Development Services, calls RZ 22-0812.

📄 Todd Pressman, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Melissa Lienhard, Planning Commission, staff report.

📄 Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0812.

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

D.1. RZ 20-1142

📄 Brian Grady, Development Services, calls RZ 20-1142.

📄 Tu Mai, applicant rep, presents testimony.

📄 Pamela Jo Hatley, ZHM, questions to applicant rep.

📄 Tu Mai, applicant rep, answers ZHM questions and continues testimony.

📄 Rigoberto Reyes, applicant rep, presents testimony.

📄 Michelle Heinrich, Development Services, staff report.

📄 Pamela Jo Hatley, ZHM, statement for the record.

📄 Michelle Heinrich, Development Services, continues staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Pamela Jo Hatley, ZHM, questions to Development Services and Transportation.

📄 Brian Grady, Development Services, answers ZHM questions.

📄 Tu Mai, applicant rep, responds to Development Services and ZHM.

📄 Michelle Heinrich, Development Services, continues staff report.

📄 Melissa Lienhard, Planning Commission, staff report.



MONDAY, JUNE 13, 2022

▶ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.

▶ Brian Grady, Development Services, provides rebuttal.

▶ James Ratliff, Development Services Transportation, provides rebuttal.

▶ Pamela Jo Hatley, ZHM, questions to applicant rep.

▶ Brian Grady, Development Services, responds to ZHM.

▶ Tu Mai, applicant rep, request continuance.

▶ Pamela Jo Hatley, ZHM, continues RZ 22-1142 to July 25, 2022.

▶ Pamela Jo Hatley, ZHM, Break.

▶ Pamela Jo Hatley, ZHM, Resumes Hearing.

D.7. RZ 22-0442

▶ Brian Grady, Development Services, calls RZ 22-0442.

▶ Isabelle Albert, applicant rep, request continuance.

▶ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0442 to July 25, 2022.

D.3. RZ 21-1338

▶ Brian Grady, Development Services, calls RZ 21-1338.

▶ David Wright, applicant rep, presents testimony.

▶ Brian Grady, Development Services, staff report.

▶ Melissa Lienhard, Planning Commission, staff report.

▶ Pamela Jo Hatley, ZHM, calls for proponents

▶ Janise Man-Son-Hing, proponent, presents testimony.

▶ Pamela Jo Hatley, ZHM, calls for opponents/Development Services.

▶ Brian Grady, Development Services, statement for the record.

▶ Pamela Jo Hatley, ZHM, calls for applicant rep.

MONDAY, JUNE 13, 2022

David Wright, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, closes RZ 21-1338.

D.5. RZ 22-0319

Brian Grady, Development Services, calls RZ 22-0319.

Todd Pressman, applicant rep, presents testimony.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Todd Pressman, applicant rep, answers ZHM questions.

Michelle Heinrich, Development Services, staff report.

Melissa Lienhard, Planning Commission, staff report.

Pamela Jo Hatley, ZHM, calls for proponents.

Mitch Gologram, proponent, presents testimony and submits exhibits.

Stephanie Elders, proponent, presents testimony.

Ricky Richardson, proponent, presents testimony.

Mitch Gologram, proponent, continues testimony.

Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep.

Todd Pressman, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Todd Pressman, applicant rep, answers ZHM questions.

Michael Yates, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, questions to applicant rep.

Michael Yates, answers ZHM questions.

Pamela Jo Hatley, ZHM, closes RZ 22-0319.

MONDAY, JUNE 13, 2022

D.6. MM 22-0416

- ☒ Brian Grady, Development Services, calls MM 22-0416 and submits exhibits.
- ☒ Peter Pensa, applicant rep, presents testimony and submitted exhibits.
- ☒ Sam Ball, Development Services, staff report.
- ☒ Pamela Jo Hatley, ZHM, questions to Development Services.
- ☒ Sam Ball, Development Services, answers ZHM questions.
- ☒ Brian Grady, Development Services, answers ZHM questions.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services.
- ☒ James Ratliff, Development Services Transportation, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM applicant rep/closes MM 22-0416.

D.9. RZ 22-0444

- ☒ Brian Grady, Development Services, calls RZ 22-0444 and submits exhibits.
- ☒ Alex Schaler, applicant rep, presents testimony.
- ☒ Tim Lampkin, Development Services, staff report.
- ☒ Melissa Lienhard, Planning Commission, staff report.
- ☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- ☒ Alex Schaler, applicant rep, presents rebuttal.
- ☒ Pamela Jo Hatley, ZHM, closes RZ 22-0444.

D.10. MM 22-0558

- ☒ Brian Grady, Development Services, calls MM 22-0558.
- ☒ Anne Pollack, applicant rep, presents testimony and submitted exhibits.
- ☒ Tania Chapela, Development Services, staff report.

MONDAY, JUNE 13, 2022

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes MM 22-0558.

D.11. RZ 22-0561

☒ Brian Grady, Development Services, calls RZ 22-0561.

☒ T. Truett Gardner, applicant rep, presents testimony.

☒ Michelle Heinrich, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ Buddy Harwell, opponent, presents testimony and submitted exhibits.

☒ James Frankland, opponent, presents testimony.

☒ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

☒ T. Truett Gardner, rep, presents rebuttal.

☒ Michael Yates, applicant rep, presents rebuttal.

☒ Pamela Jo Hatley, ZHM, closes RZ 22-0561.

D.12. MM 22-0569

☒ Brian Grady, Development Services, calls MM 22-0569.

☒ Mahaniah S. Jahn, applicant rep, presents testimony.

☒ Colleen Marshall, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ C. Thommen Thomas, opponent, presents testimony and submits exhibits.

☒ Bill Meyers, opponent, presents testimony and submits exhibits.

☒ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.



MONDAY, JUNE 13, 2022

☒ Mahaniah S. Jahn, applicant rep, presents rebuttal and submits exhibits.

☒ Pamela Jo Hatley, ZHM, closes MM 22-0569.

D.13. RZ 22-0682

☒ Brian Grady, Development Services, calls RZ 22-0682.

☒ Elise Batsel, applicant rep, presents testimony and submits exhibits.

☒ David Smith, applicant rep, presents testimony.

☒ Tim Lampkin, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0682.

D.14. MM 22-0689

☒ Brian Grady, Development Services, calls MM 22-0689 and will be hard on August 11, 2022 6 p.m. and submits exhibits.

☒ Elise Batsel, applicant rep, presents testimony and submitted exhibits.

☒ David Smith, applicant rep, presents testimony.

☒ Steve Henry, applicant rep, presents testimony.

☒ Michelle Heinrich, Development Services, staff report.

☒ Melissa Lienhard, Planning Commission, staff report.

☒ Pamela Jo Hatley, ZHM, calls for proponents/opponents.

☒ Max Forgey, opponent, presents testimony and submits exhibits.

☒ Robert Padilla, opponent, presents testimony and submits exhibits.

☒ Kevin Ratliff, opponent, presents testimony.

☒ Elizabeth Belcher, opponent, presents testimony.

☒ Charles Bothe, opponent, presents testimony.

☒ Luke Lirot, opponent, presents testimony.

MONDAY, JUNE 13, 2022

☐ Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

☐ Brian Grady, Development Services, statement for the record.

☐ Pamela Jo Hatley, ZHM, questions to Development Services.

☐ Brian Grady, Development Services, answers ZHM questions.

☐ Pamela Jo Hatley, ZHM, calls for applicant rep.

☐ Steve Henry, applicant rep, presents rebuttal.

☐ Elise Batsel, applicant rep, presents rebuttal.

☐ Pamela Jo Hatley, ZHM, closes MM 22-0689.

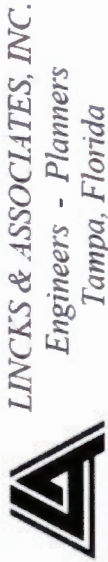
E. ZHM SPECIAL USE

ADJOURNMENT

☐ Pamela Jo Hatley, ZHM, adjourns the meeting at 11:55 p.m.



Application No. 22-0682  
Name: Elise Baxel  
Entered at Public Hearing: ZHM  
Exhibit # 1 Date: 6/13/22



# Planned Development PD 22-0682

Zoning Hearing Master  
June 13, 2022

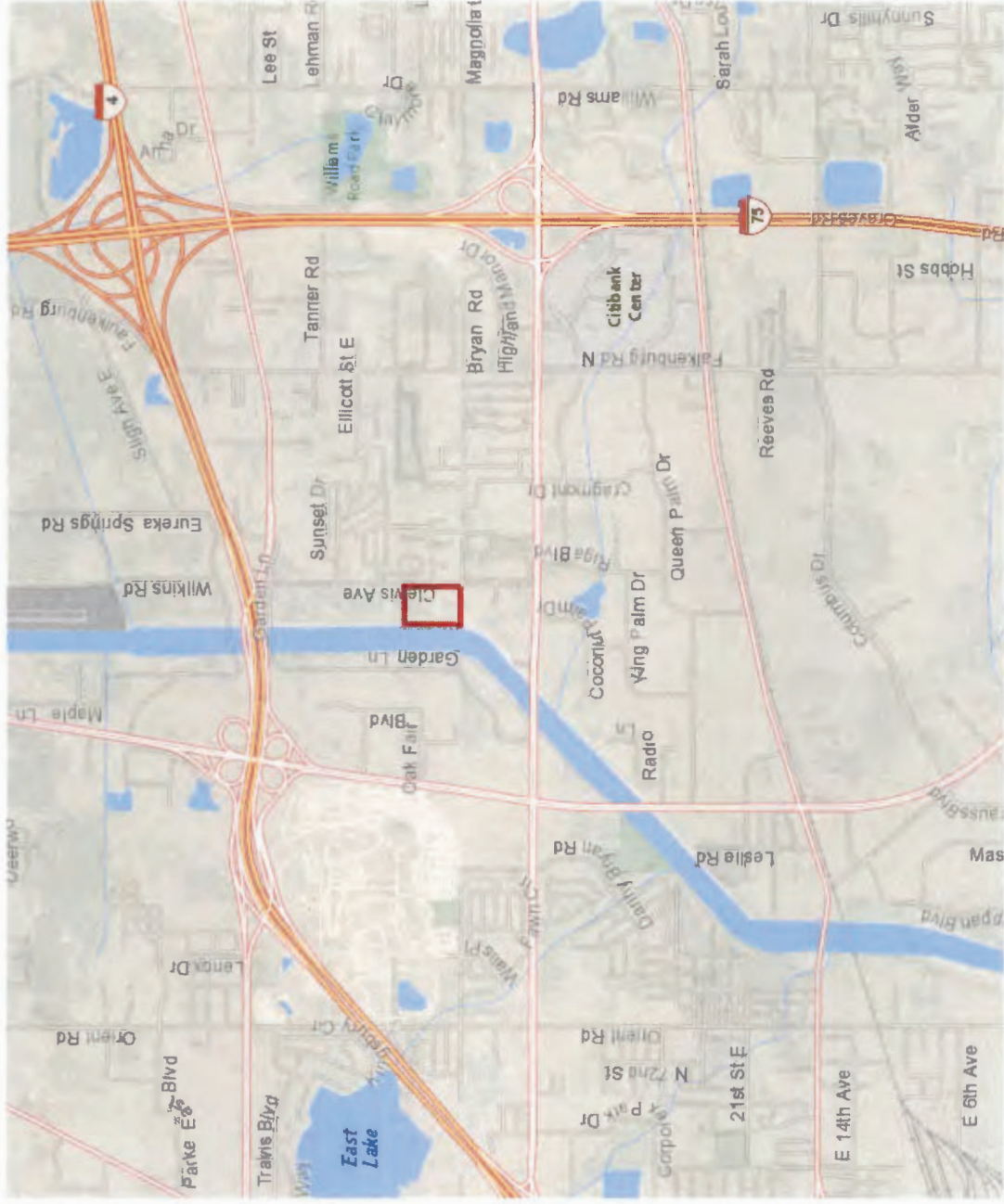
# Team Members

---

- **Developer:** Ryan Williams, Falcone & Associates, LLC
- **Civil Engineer:** Halff Associates, Inc.
- **Traffic Engineer:** Steve Henry, Lincks & Associates, Inc.
- **Legal and Land Planning:** Stearns Weaver Miller
  - Elise Batsel, Land Use Counsel
  - David M. Smith, Director of Development and Zoning

## General Location

- +/- 17 acres
- Generally located on Tampa Bypass Canal between Dr. Martin Luther King Jr Blvd. and I-4



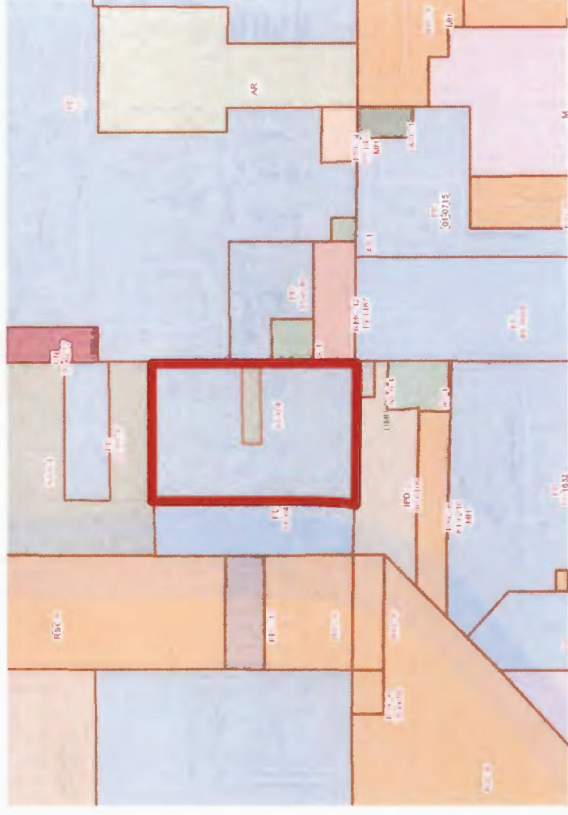


# Future Land Use and Zoning Maps

FLUM CATEGORY: CMU-12

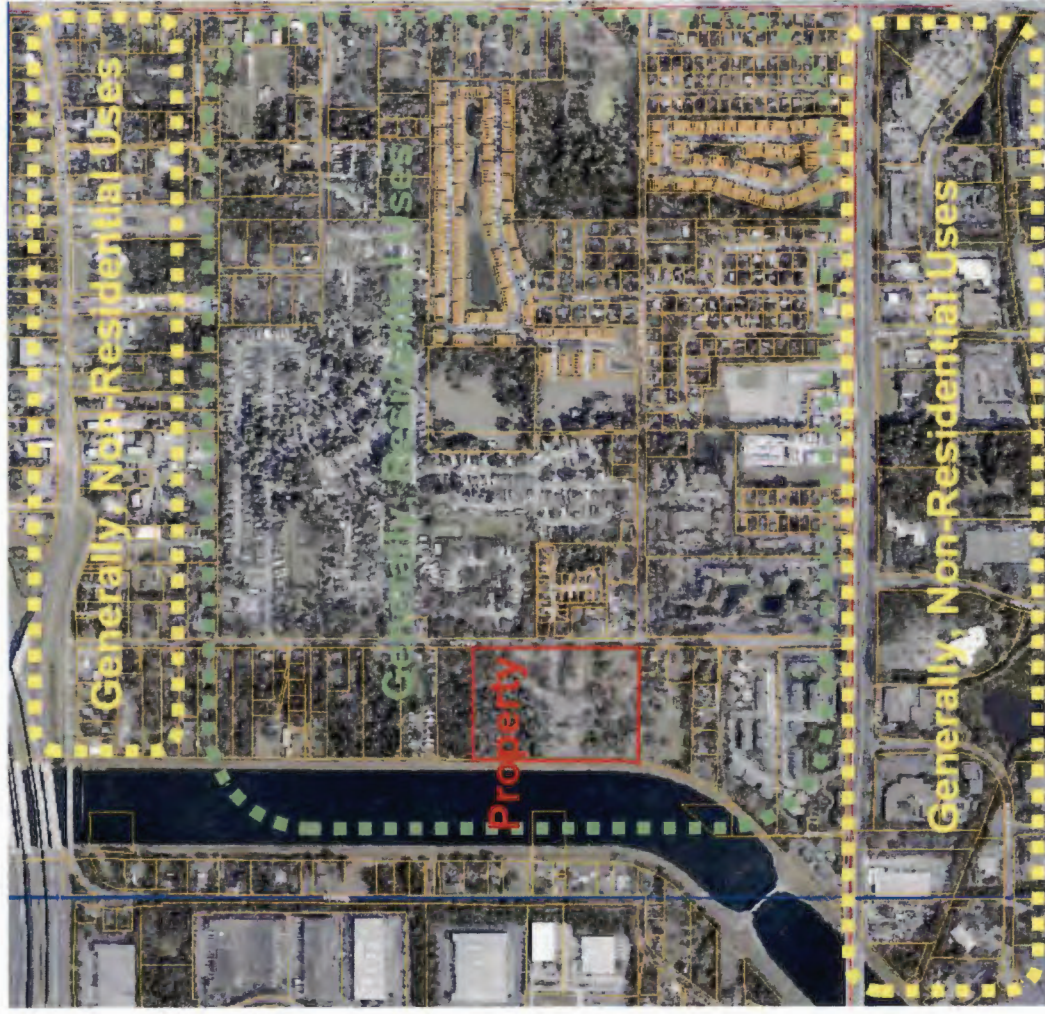


ZONING: PD(180 TOWNHOMES) & AS-0.4



## Surrounding Area

- Residential
  - Mobile Home
  - Multi-family
  - Single-family
- Commercial
  - Along MLK Jr Blvd.
  - Along I-4



## Request

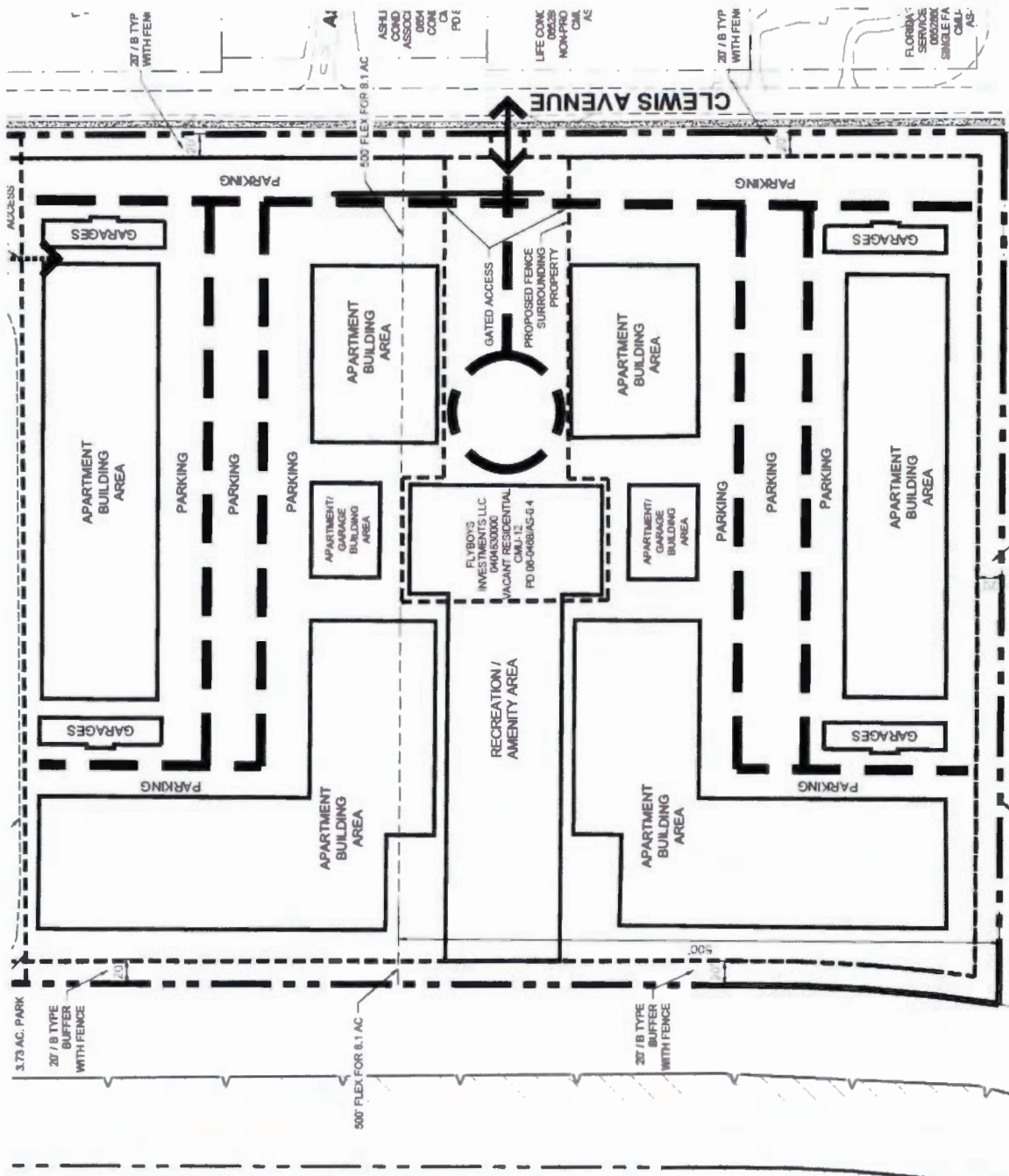
---

- 268 multi-family units + amenities
- Park (private, open to the public)
- Flex from adjacent UMU-20 (All Flex Provisions Satisfied)
- No Variations/Waivers
- Roadway Design Exception w/ Off-Site Improvements  
(Propose installation of approximately 1,800' of sidewalk as mitigation)

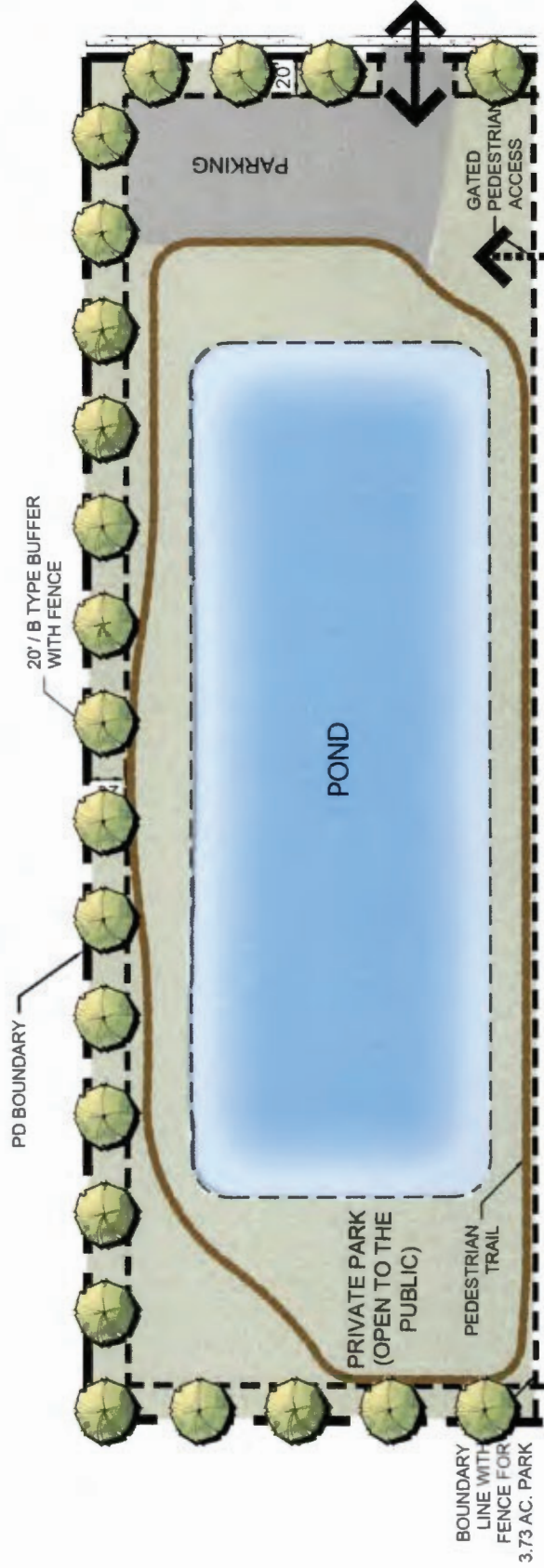


# Unit Type Layout

- 268 Multi-Family Units
- 264 Apartments
- 4 Above-Garage Units
- Garages
- Amenities
- 15.7 DU/AC

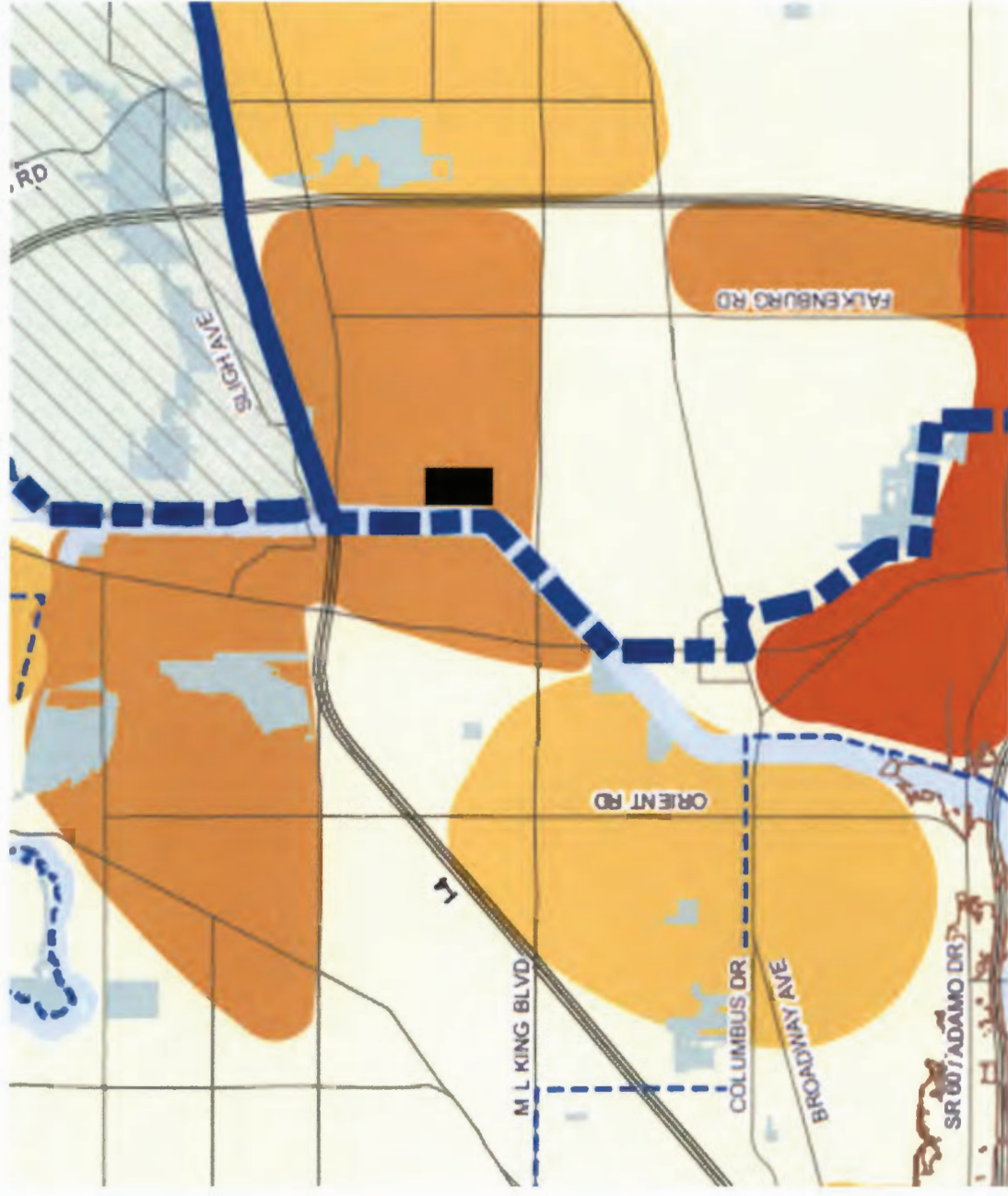


# Park (Private, Open to Public)



6. PRIVATE PARK AREA OPEN TO PUBLIC EXCEEDS MIXED USE SECOND USE AREA REQUIREMENT OF 10 PERCENT.
7. THE PROPOSED AREA DESIGNATED AS PRIVATE PARK SHALL CONSIST OF A TOTAL ACREAGE OF  $\pm 3.73$  ACRES. THE USES WITHIN THE PRIVATE PARK MAY INCLUDE: WALKING PATHS, BICYCLE PATHS, BICYCLE RACKS, OBSERVATION DECK, DOG PARK, PLAYGROUND, PONDS, OPEN SPACE, AND COMMUNITY GATHERING PLACE.
8. PEDESTRIAN TRAIL WILL BE 5-FEET-WIDE MINIMUM AND CONSIST OF NATURAL, AGGREGATE, OR PAVED MATERIAL

Area Targeted  
for Growth –  
Vision Map Area  
Located in URBAN  
development area  
(Level 4).





# Comprehensive Plan Consistency

- CMU-12
  - Requires PD
  - Allows residential & community uses
- Density
  - 15.7 units per acre with flex
  - Complies with all flex provisions
- No Waivers or Variations



# Comprehensive Plan Consistency

- Consistent with the Urban Service Area Objectives and Policies related to density and timing of growth:
  - **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 built of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.
  - **Policy 7.4:** The criteria for consideration of a flex request are as follows:
    - The availability and adequacy of public facilities to serve the proposed development accommodated by the flex;
    - The compatibility with surrounding land uses and their density and intensity;
    - The utilization of the flex furthers other goals, objectives and policies of the Future Land Use Element.

# Comprehensive Plan Consistency

- Consistent with the Neighborhood/Community Development Objectives and Policies:
  - **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
- Consistent with the Mixed Use Land Categories Objectives and Policies:
  - **Policy 19.1:** Larger new projects proposed in all mixed use plan categories shall be required to develop with a minimum of 2 land uses in accordance with the following:
    - Requirements for 2 land uses will apply to properties 10 acres or greater in the RMU-35, UMU-20, AND CMU-12 land use categories, and to properties 20 acres or greater in SMU-6 and NMU-4 land use categories.
    - At least 10% of the total building square footage in the project shall be used for uses other than the primary use.
- Consistent with the Livable Communities Element: East Lake Orient Park Community Plan:
  - **Parks, Recreation, and Natural Resources** – Protect and enhance East Lake-Orient Park’s natural environment.
  - Seek new park and recreation facilities in conjunction with the approval of new residential development.
  - The Hillsborough River and the Tampa By-Pass Canal are key community assets that should be enjoyed by all. Public access should be maintained in all new developments adjacent to these resources.



# Compatibility

- Surrounded by diverse housing types
- Nearby significant commercial uses
- Nearby major employment centers
- No waivers requested
- Buffers Comply with LDC
  - North (Park)
  - West (Canal)
  - East (Clewis Ave)
  - South (UMU-20 development potential)
- Setbacks Comply with LDC
- Appropriate height for mixed uses in area



## Conclusion

---

- Development Services staff finding: **approvable**.
- Planning Commission staff finding: **consistent**.
- Supports Vision Map
- Respectfully request recommendation of approval

# Questions?

---

- **Applicant:** Falcone & Associates, LLC
- **Civil Engineer:** Halff Associates, Inc.
- **Traffic Engineer:** Lincks & Associates, Inc.
- **Legal and Land Planning:** Stearns Weaver Miller, PA



# Adjacent Zoning and Uses

Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North/Northeast	AS-0.4	Min. lot size: 2.5 ac.	Agricultural / Single-family dwellings	SF/Vacant/MH park (NE)
South	AS-0.4 & IPD-2 (Interstate PD)	2.5 ac.	Agricultural / Single-family dwellings (AS-0.4) / Comm., Res., Office, Ind. (IPD-2)	Single-family homes
East	AS-1, RMC-12, PD	43,560 sf	Single-Family dwellings	SF / Mobile Homes
West	Tampa Bypass Canal	NA	NA	NA



# STEARNS WEAVER MILLER



\* Non-Lawyer

## DAVID M. SMITH

Director of Development & Zoning\*, Tampa  
813-222-5010 | dsmith@stearnsweaver.com

### PRACTICE AREAS

Land Development

Litigation- Land Use,  
Environmental & Property  
Rights Litigation

Environmental

Real Estate

Construction

Planning/GIS Services

Transportation

### EDUCATION

M.B.A., Muma College of  
Business, University of South  
Florida, 1984

B.A., Furman University, 1975

David M. Smith serves as an in-house consultant in the Land Use and Environmental Department. David's background is in permitting, planning, development, growth management and governmental regulation. He came to the Firm in 1990 from the Hillsborough County Government, where he worked for fourteen and a half years in community development, planning, zoning, and permitting. During his employment with Hillsborough County, he was Manager of Administration and Planning for the County's Community Development Block Grant program, South County Planning Manager and was the County Planning Department representative during all public hearings on the 1989 amendment of the County Comprehensive Plan under the State's Growth Management Act.

He received his undergraduate degree from Furman University and his MBA from the University of South Florida. David's role at the Firm is that of in-house consultant regarding planning, zoning, permitting, and governmental regulation. His involvement spans all practice areas of the Firm ranging from litigation to transaction. David has also been involved extensively in comprehensive planning, rezoning and land use, as well as eminent domain takings and property rights issues ranging from road widenings and school sites to height restrictions. His expertise and knowledge of zoning, planning, development, and permitting, and his experience managing planners and engineers, provides the Firm with an in-house capability to conduct real estate due diligence, address code enforcement, zoning and development issues, expedite permitting and to assess takings and property rights issues. David provides in-house capability to not only identify key issues but to effectively deal with land use and permitting issues directly or as needed, assemble and coordinate a team of experts to address issues and process a case through the system to conclusion.

### REPRESENTATIVE EXPERIENCE

- Obtained a zoning modification on behalf of Piedmont Companies, a developer of Goodwill Industries projects across the country. The 212,000 square foot facility in Hillsborough County will serve a 10-county area, employing over 100 individuals with disabilities and special needs. It is Goodwill Industries-Suncoast, Inc.'s first "build to suit" distribution center in its central Florida territory and will be used as a model for future facilities.
- Negotiated development agreement and zoned 26-acre Housing Authority property for redevelopment into 1,500 units, 180,000 s.f. office, hotel and 85,000 s.f. of retail.

# STEARNS WEAVER MILLER

---

David M. Smith – 2

- Obtained zoning approval for mixed-use residential property in Hillsborough County for 2,200 units.
- Performed due diligence on Florida properties in association with multi-state portfolio purchase.
- Obtained zoning for the first residential tower on the west coast of Florida exceeding fifty stories.
- Coordination of due diligence on numerous hotel and residential project acquisitions and dispositions.
- Appear before local government and regional planning councils as developer applicant representative seeking residential, commercial and mixed-use development approvals.
- Represent developers and investors in acquisition, zoning and development of commercial, hotel, residential and mixed-use projects.
- Represent developers and operators in permitting, code compliance and enforcement matters.
- Represent land owners and developers in annexations and comprehensive plan amendments.
- Represent developers in the Development of Regional Impact process.

## PROFESSIONAL & COMMUNITY INVOLVEMENT

- American Planning Association ([APA](#))
- Tampa Bay Builder's Association (TBBA)

## PUBLICATIONS

- "Hillsborough County Studying Comprehensive Plan Updates to Facilitate Affordable Housing," Stearns Weaver Miller News Update, July 2, 2021
- "Update: Tampa Bay Local Governments Continue to Enact Burdensome Moratoria," Stearns Weaver Miller News Update, April 30, 2021
- "Hillsborough County Moving Quickly in Proposal to Take Away Density from Rural and Agricultural Landowners," Stearns Weaver Miller News Update, March 4, 2021
- "City of Tampa Holds Important Workshop on Changes in Land Use and Development Policies," Stearns Weaver Miller News Update, November 4, 2020
- "Hillsborough County Sets Aggressive Twelve Program to Remake Development Policies - and Increase Fees," Stearns Weaver Miller News Update, February 12, 2020



# STEARNS WEAVER MILLER

---

David M. Smith – 3

- “Hillsborough County Continues Discussion on Changes in Land Use and Development Policies to Prepare for Smart and Sustainable Growth,” Stearns Weaver Miller News Update, January 24, 2020
- “Major Land Use and Development Policies Discussions Continue in Hillsborough County,” Stearns Weaver Miller News Update, January 14, 2020
- “Friday Deadline for Hillsborough County’s Final Impact Fee Buyback Solicitation,” Stearns Weaver Miller News Update, July 17, 2019
- “What’s Developing | Spring 2019,” Stearns Weaver Miller News Update, April 23, 2019
- “Why Developers and Landowners Should Engage in the U.S. Census Bureau’s Designation of Places and Census Tracts Over the Next Three Months,” Stearns Weaver Miller News Update, February 20, 2019
- “Opportunities to Reduce Mobility Fees and Monetize Impact Fee Credits as Hillsborough County’s Mobility Fee Takes Effect,” Stearns Weaver Miller News Alert, January 27, 2017
- “Golf Course Redevelopment Team Update: National and Florida Trends and Recent Local Government Regulatory Responses,” Stearns Weaver Miller News Update, July 20, 2016
- “Hillsborough County’s Mobility Fee Ordinance Likely to Affect Existing, Ongoing, and Future Projects,” Stearns Weaver Miller News Update, April 20, 2016
- “Hillsborough County Releases Draft Mobility Fee Ordinance Ahead of March 24 Commissioner Workshop,” Stearns Weaver Miller News Update, March 22, 2016
- “Hillsborough County’s Mobility Fee Proposal to Affect Ongoing Projects and Development Agreements,” Stearns Weaver Miller News Update, December 11, 2015
- “New Mobility Fees on the Horizon in Hillsborough County,” Stearns Weaver Miller News Update, November 23, 2015

STEVEN J. HENRY, P.E.  
TRANSPORTATION & CIVIL ENGINEER

EDUCATION: North Carolina State University - 1984  
Bachelor of Science In Civil Engineering

REGISTRATION: Professional Engineer: Florida

RESPONSIBILITIES: President  
Senior Project Manager  
Transportation/Site Planner

**PROFESSIONAL EXPERIENCE:**

Professional experience includes site engineering, roadway design, and management of engineering studies to evaluate and develop recommendations for public and private projects. Work included the development of final roadway plans for State and City projects, preliminary and final geometric design, interchange design, construction traffic control plans, pavement marking plans, preparing project reports, traffic modelling, Development of Regional Impact Studies, feasibility studies, Environmental Impact Statements, Planned Development Amendment Proposals, Analysis of Development Factors reports, Transportation Analysis studies for rezoning petitions and driveway permits, and site engineering drawings for private developments.

As a former real estate developer, Mr. Henry has been involved in the development of private commercial projects which involved determining the site feasibility, coordination with local and state agencies to obtain approval of projects, and overseeing the construction of the projects.

Mr. Henry has been involved in over 400 rezonings and transportation studies for both private clients and public agencies. Representative projects include:

- Office Depot at Tampa Commons - Coordination of all engineering services for new retail/office complex while being primarily responsible for rezoning and land planning services.
- Luria's - Rezoning, transportation planning, and site engineering services for new site in Tampa, Florida.
- Home Depot - Planning and engineering services for proposed new store sites and relocations throughout Florida.
- Kash n' Karry Food Stores - Development feasibility and transportation planning services for grocery store chain for various sites throughout Florida.
- Barnett Banks, Inc. - Preparation of development feasibility studies, site planning, and transportation engineering services for proposed new bank branches throughout the state.
- University Community Hospital (UCH) and UCH-Carrollwood - Master planning, site engineering, and transportation services, Hillsborough County, Florida.
- Museum of Science & Industry - Transportation and planning services for expansion of existing "hands-on" museum, Hillsborough County, Florida.

STEVEN J. HENRY, P.E.  
TRANSPORTATION & CIVIL ENGINEER  
PAGE 2

- Apollo Beach DRI - Transportation Analysis (2,500 acre planned unit development), Hillsborough County, Florida.
- Trinity Communities DRI - Transportation Analysis (4,000 acre planned unit development), Pasco County, Florida.
- Meadow Point DRI - Transportation Analysis (1,800 acre planned unit development), Pasco County, Florida.
- Lakeview DRI - Transportation Analysis (3,500 acre planned unit development), Polk County, Florida.
- North Palms Village DRI - Transportation Analysis (124 acre planned unit development), Hillsborough County, Florida
- Tri-County Business Park DRI - Transportation Analysis (Industrial Park), Hillsborough County, Florida
- Tampa Palms - Transportation Analysis (8,500 acre planned unit development), Tampa, Florida.
- Polk Power Station - Transportation Analysis (4,000 acre new power station).
- State Road 39 Project Development & Environmental Study.

PROFESSIONAL AFFILIATIONS:

Institute of Transportation Engineers  
American Planning Association  
Tampa Bay FSUTMS Users Group

PROFESSIONAL ENGAGEMENTS:

1991-Date	Lincks & Associates, Inc. Tampa, Florida
1990-1991	Skorman-Waxman Development Corp. Tampa, Florida
1987-1991	Lincks & Associates, Inc. Tampa, Florida
1985-1987	DSA Group, Inc. Tampa, Florida



**PARTY OF  
RECORD**

**NONE**