



Hillsborough County Florida

SM STAFF REPORT

SUBJECT:	PD 20-1149	PLANNING AREA:	Brandon
REQUEST:	Rezoning to a Planned Development	SECTOR	Central
APPLICANT:	Pittwood Associates, LLC		
Existing Zoning: ASC-1 & PD		Comp Plan Category: RES-4	




Project Location Map
RZ-PD 20-1149
 Folio: 87304.0000, 87304.0100

■ Application Site
 Parcels


 N


 0 100 200 Feet

STR: 6-30-21

R17	18	19	20	21	22R
27					27
28					28
29					29
30					30
31					31
32					32
33					33
R17	18	19	20	21	22R

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 Date: 02/02/2021 File: C:\2019\GIS\Details.aprx

Application Review Summary and Recommendation

1.0 Summary

1.1 Project Narrative

The applicant is requesting to rezone approximately 2.35 acres from ASC-1 (Agricultural, Single-Family Conventional) and PD (Planned Development) #97-0037 to PD (Planned Development) to allow for 12,425 square feet for the following retail uses: hardware store, pet supply store and antique store.

The project area is currently developed with an antique store within the ASC-1 zoned area and various commercial businesses within the PD zoned area (see Figure 1). The ASC-1 zoned portion permits ASC-1 uses (single-family residential and agricultural uses). The PD zoned portion (PD 97-0037) is approved for ASC-1 uses within the western portion (Parcel A) and a 4,500 square foot "agricultural product distribution" use within the eastern portion (Parcel B) (see Figure 2). Existing uses on the site are nonconforming.

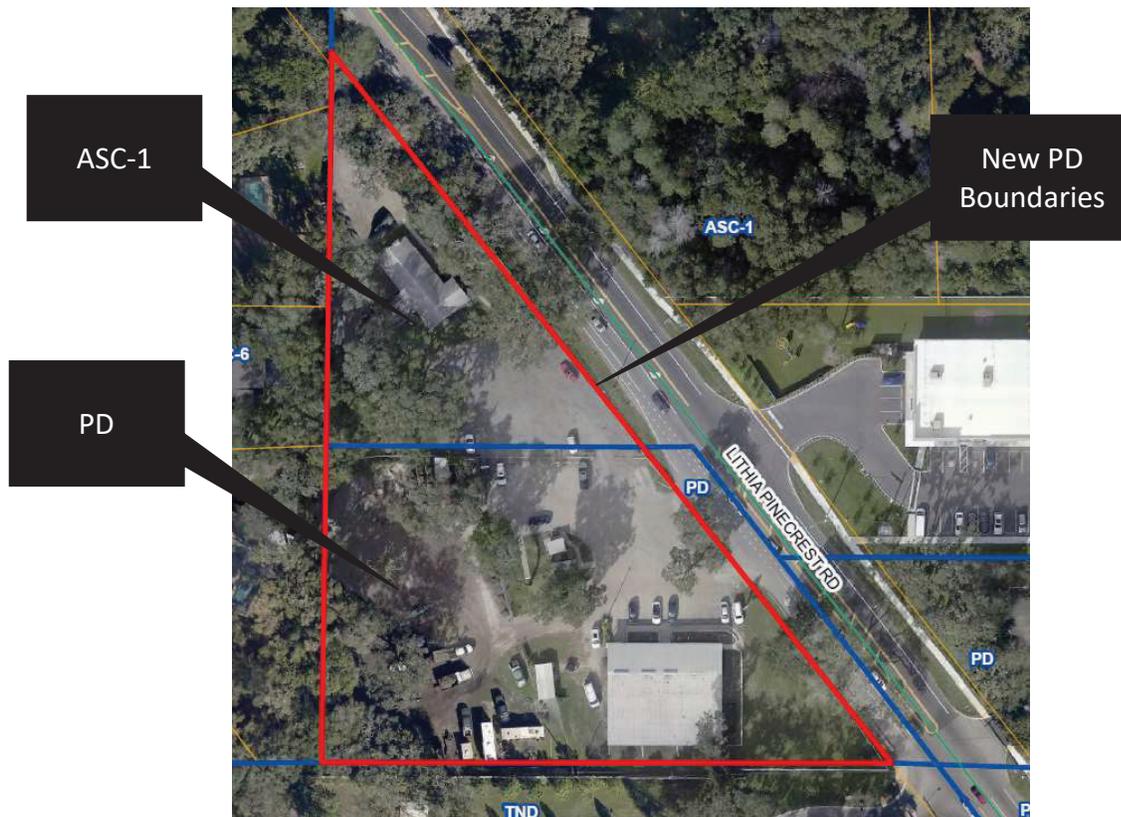


Figure 1: PD Area and Existing Zonings

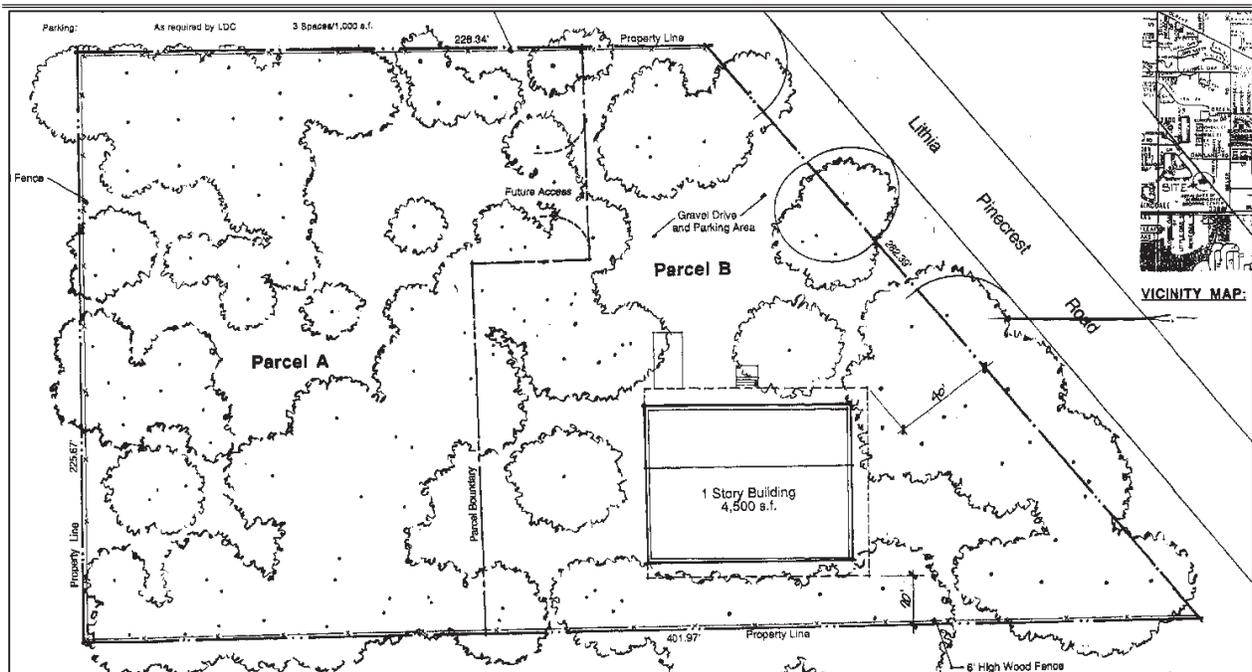


Figure 2: PD 97-0037 Site Plan (Folio 87304.0000)

The project is located within the RES-4 (Residential 4 units per acre) Future Land Use (FLU) category, which is a suburban land use category with a potential maximum intensity of 0.25 FAR (25,591 square feet). This land use category requires compliance with locational criteria policies for nonresidential rezoning requests. The applicant has requested a waiver to this requirement.

1.2 Compliance Overview with Land Development Code and Technical Manuals

The application seeks a variation to Land Development Code Part 6.06.00 (Landscaping/Buffering), specifically a reduction of the Suburban Scenic Corridor width from 15 feet to 10 feet. Land Development Code required tree plantings are not proposed for variation.

The applicant has provided responses to the PD Variation criteria for review and consideration. The applicant states that the provision of a 15 foot wide buffer along Lithia-Pinecrest Road would impact the development potential given the project's irregular shape, parcel size, required right-of-way dedication and necessary site improvements (such as parking and stormwater) for the uses and square footage requested.

1.3 Evaluation of Existing and Planned Public Facilities

The project area is located in the Urban Service Area with water and wastewater service provided by Hillsborough County. An 8 inch water main is located within the eastern Lithia-Pinecrest Road right-of-way. A 4 inch wastewater force main is located south of the property within the western Lithia-Pinecrest Road right-of-way.

Impact and Mobility Fees are estimated as follows:

Estimated Fees:

(Various use types allowed. Estimates are a sample of potential development)

Retail - Shopping Center (50k s.f. or less) (Per 1,000 s.f.) Mobility: \$8,382.00 Fire: \$313.00	Medical Office (greater than 100k s.f.) (Per 1,000 s.f.) Mobility: \$16,821.00 Fire: \$158.00
Bank w/DT (Per 1,000 s.f.) Mobility: \$12,924.00 Fire: \$313.00	Retail - Fast Food without Drive Thru (Per 1,000 s.f.) Mobility: \$38,389.00 Fire: \$313.00

Project Summary/Description:

Urban Mobility, Central Fire - Commercial Neighborhood - non-specific

The site is located on the west side of Lithia-Pinecrest Road, a 2-lane, undivided, substandard roadway. The 80+/- foot wide right of way contains 11 foot wide travel lanes, 5 foot wide paved shoulders on both sides and a sidewalk on the east side. This roadway is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway; as such right of way preservation will be required. The project’s primary access will be along Lithia Pinecrest Road with cross access to the south also provided.

Given that Lithia Pinecrest Road is a substandard roadway, the applicant has requested an Administrative Variance seeking relief from improving the roadway to County standards. This request has been found to be approvable by the County Engineer (January 7, 2021).

Transportation staff offers no objections to the request, subject to conditions that reflect the approvable Administrative Variance and the provision of right of way preservation along Lithia Pinecrest Road.

1.4 Natural Resources/Environmental

The Environmental Protection Commission has reviewed the application and finds that no wetlands are present on the site. Therefore, no agency objections have been made and no conditions of approval are proposed.

The site is not located within a Wellhead Resource Protection Area Zone, a Surface Water Resource Protection Area Zone, a Significant Wildlife Habitat or the Coastal High Hazard Area. Additionally, the site is not within or adjacent to any ELAPP property.

Lithia-Pinecrest Road is a County designated Suburban Scenic Corridor requiring a 15 foot wide buffer with four shade tree and four understory tree plantings every 100 feet. A PD variation to the buffer width has been requested (see Section 1.2).

1.5 Comprehensive Plan Consistency

The project is located within the RES-4 Future Land Use (FLU) category and within the Brandon Community Plan area. A waiver to the locational criteria has been submitted. Planning Commission staff has found the proposed rezoning to be **INCONSISTENT** with the *Future of Hillsborough* Comprehensive Plan.

1.6 Compatibility

The site is located on the western side of Lithia Pinecrest Road, approximately 0.4 miles north of Bloomingdale Avenue. The area south of the site serves as the northern portion of the Bloomingdale Avenue and Lithia Pinecrest commercial node. The remainder of the surrounding area is developed with office and residential uses (see Figure 3).

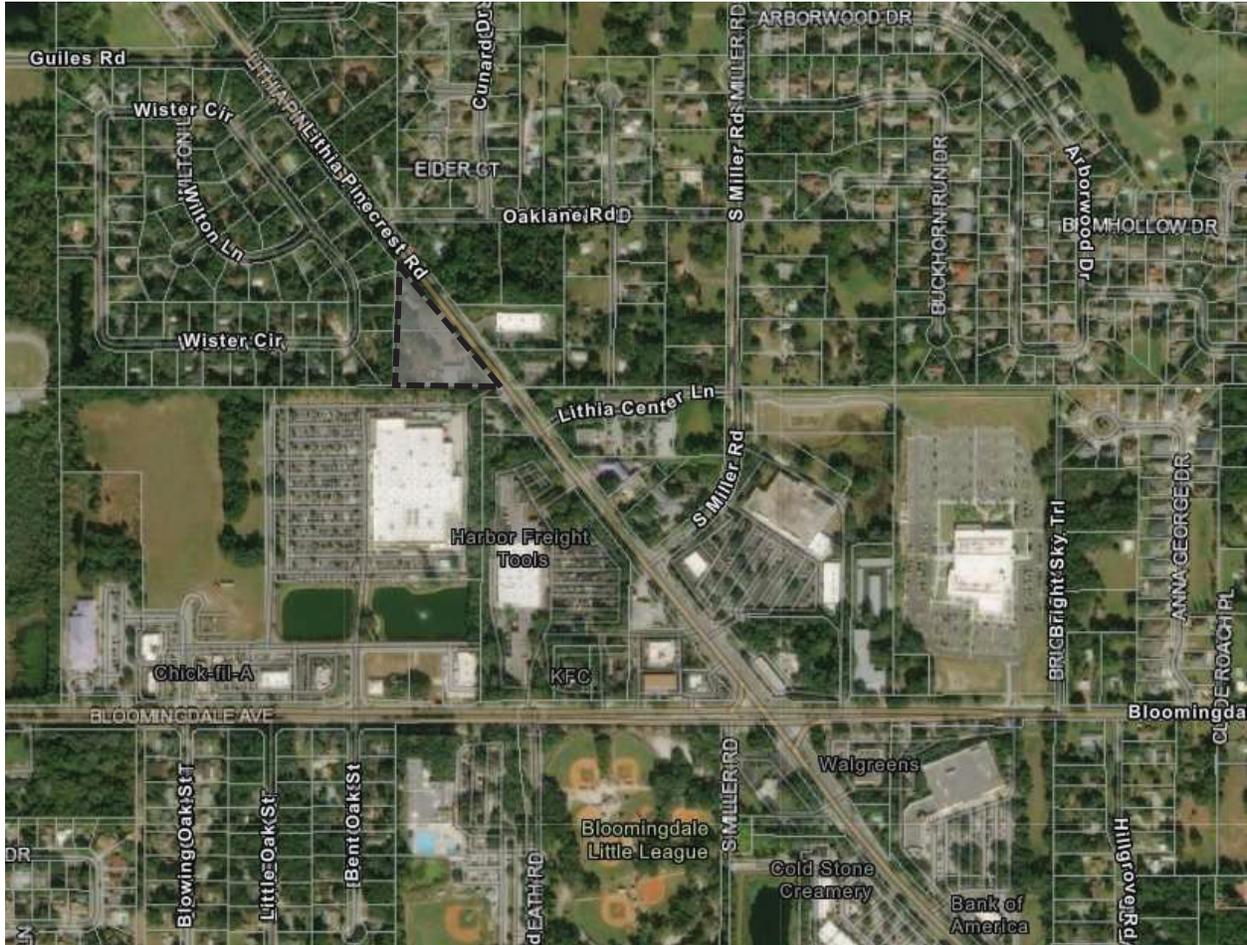


Figure 3: Surrounding Development Pattern and Uses

Properties to the immediate south are zoned PD and developed with large-scale retail businesses and smaller commercial outparcels. Parcels to the east/northeast, separated by Lithia-Pinecrest Road, are zoned PD and ASC-1. The PD zoned area is developed with one-story office uses. The ASC-1 zoned areas are developed with a daycare business and a single-family residence. To the west, property zoned RSC-6 and developed with a single-family detached neighborhood (Lithia Oaks). Adjacent homes are oriented westward and located approximately 28-43 feet from the common property line. See Figure 4 for immediate area development. Figures 5 and 6 provide a roadway view from the site both northwards and southwards.



Figure 5: View to the south of Lithia Pinecrest



Figure 6: View to the north of Lithia Pinecrest

The subject site is located at the edge of a commercial node as the Lithia-Pinecrest Road corridor transitions northward into a residential and less intense non-residential character (see Figure 3). The site does not meet locational criteria, which emphasizes the need for this location to serve as a transition between the more developed commercial node and the surrounding community.

1.7 Agency Comments

The following agencies have reviewed the application:

- Transportation
- Impact & Mobility Fee
- Environmental Protection Commission
- Water Resource Services
- Conservation and Environmental Lands Management

1.8 Exhibits

Exhibit 1: Future Land Use Map

Exhibit 2: Aerial/Zoning Map – General Area

Exhibit 3: Aerial/Zoning Map – Immediate Area

Exhibit 4: Proposed Site Plan (PD 20-1149 dated 01/07/2021)

Requirements for Certification:

1. Proposed FAR on the site plan to be modified to reflect revised reduced square footage request of 12,425 sf.
2. Site Data Table note #11 to be modified to reflect the specific uses being requested.
3. Site Plan to delineate the scenic corridor along Lithia Pinecrest Road, also indicating the requested width.

2.0 Recommendation

Not supportable.

APPLICATION: PD 20-1149

ZHM HEARING DATE: February 15, 2021

BOCC MEETING DATE: April 9, 2021

CASE REVIEWER: Michelle Heinrich, AICP

Staff concurs with Planning Commission's findings of inconsistency based upon the locational criteria policies of the *Future of Hillsborough* Comprehensive Plan. The extension of commercial uses at this location, despite the specification of certain retail uses and building placement along the roadway, will expand the area of commercial development beyond the intersection and be in conflict of the planning objective of creating appropriate transitions of lesser intense uses between residential and non-residential areas of the community.

Furthermore, the parcel size, proposed square footage and necessary site improvements for the proposed uses has constrained the applicant's ability to provide additional compatibility mitigation techniques (beyond building placement and height) staff feels is warranted given the site's location, and to comply the scenic corridor requirements.

Staff's Recommendation: Not supportable.

Zoning
Administrator
Sign-off:



J. Brian Grady
Tue Feb 2 2021 13:02:53

HILLSBOROUGH COUNTY 2019 AERIAL

RZ PD 20-1149

<all other values>

Rezoning's

STATUS



Tampa Service Area

Urban Service Area

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

AGRICULTURAL/MINING-1/20 (.25 FAR)

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL/RURAL-1/15 (.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/QUASI-PUBLIC

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE

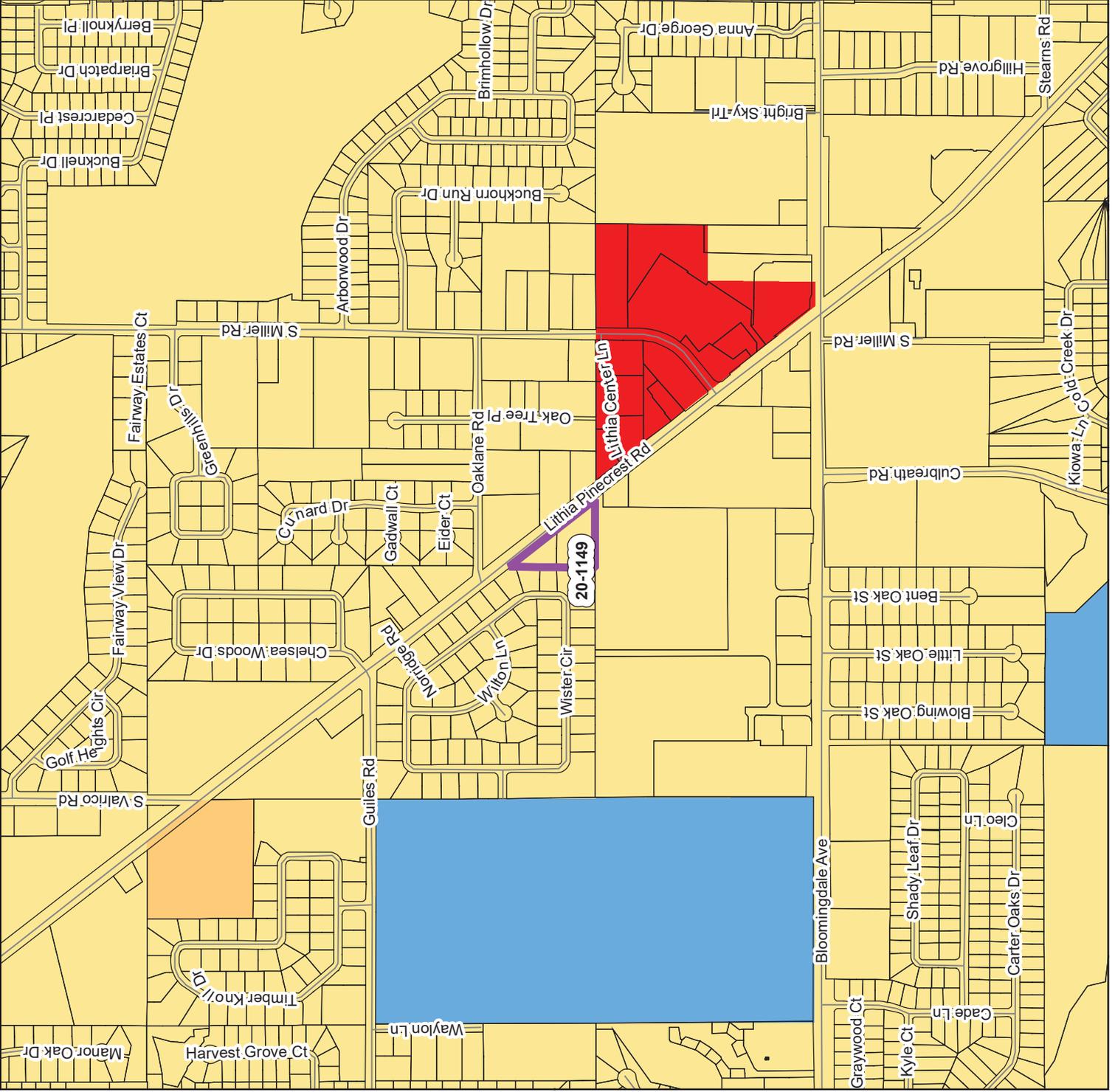
WATER

WATER



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only and is not intended for use without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended to be accurate to the best of the City/County Planning Commission's knowledge. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, use the appropriate source.

Map Printed from Rezoning System: 9/22/2020
 Author: Beverly F. Daniels
 File: C:\Rezoning\System\Map\Projects\HC\Proj_16\Rezoning.mxd





General Aerial Zoning Map

RZ-PD 20-1149

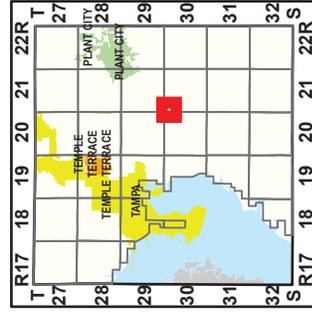
Folio: 87304.0000,
87304.0100

-  Application Site
-  Zoning Boundary
-  Parcels



0 540 1,080 Feet

STR: 6-30-21

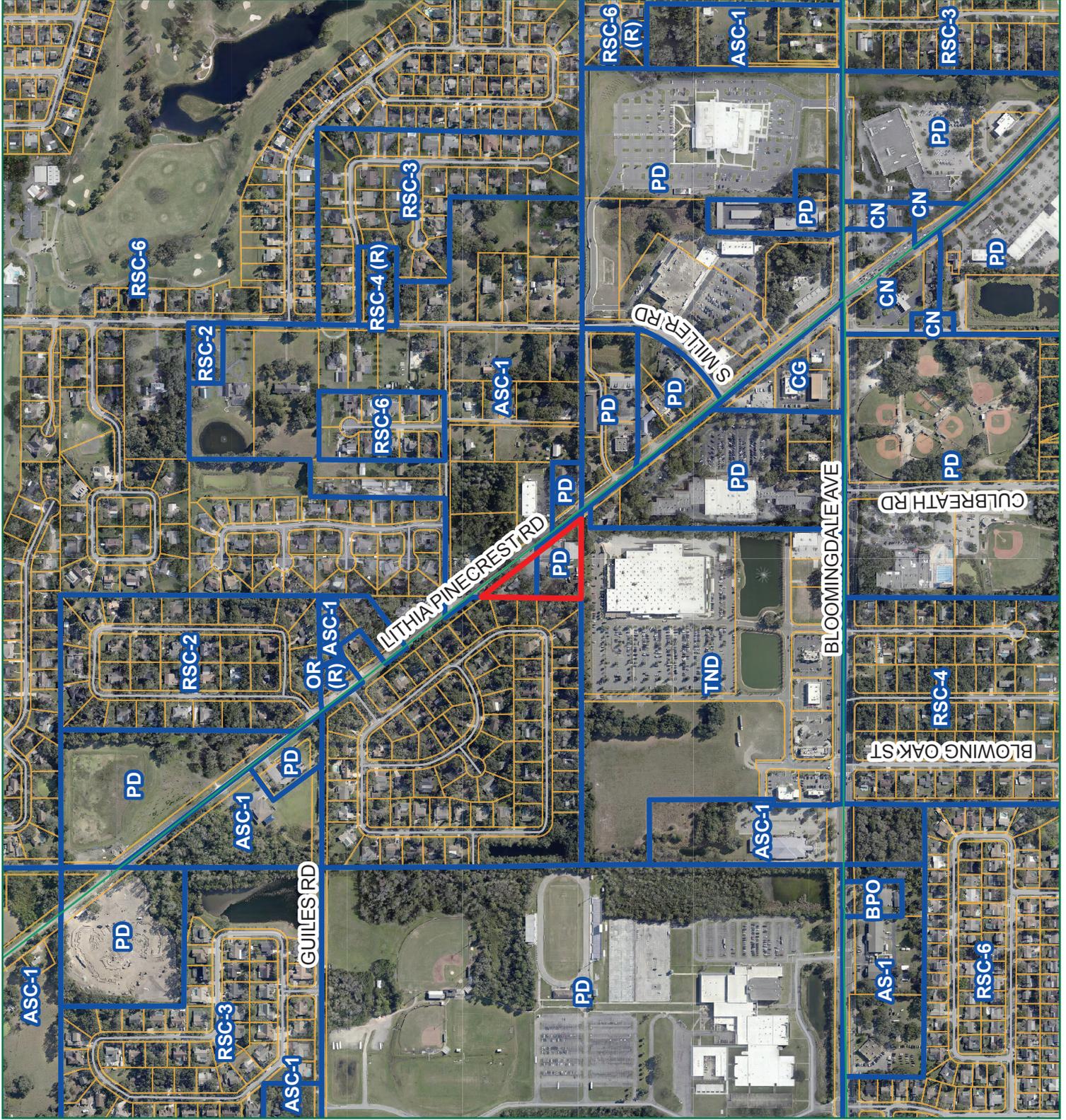


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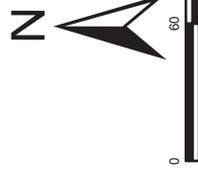


Immediate Aerial Zoning Map

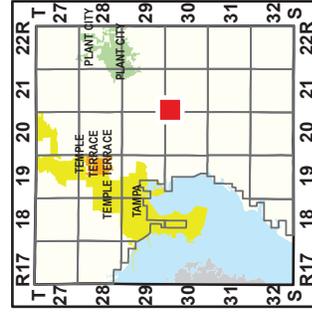
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**COUNTY OF HILLSBOROUGH
LAND USE HEARING OFFICER'S RECOMMENDATION**

Application number:	RZ PD 20-1149
Hearing date:	February 15, 2021
Applicant:	Pittwood Associates, LLC
Request:	Rezone approximately 2.35 acres from ASC-1 and PD 97-0037 to PD to allow for 12,425 square feet for retail uses
Location:	Southwest of Oakland Road and Lithia Pinecrest Road intersection.
Parcel size:	2.35 acres
Existing zoning:	ASC-1 and PD 97-0037
Future land use designation:	Residential-4 (4 du/ga; 0.25 FAR)
Service area:	Urban
Community planning area:	Brandon

A. APPLICATION REVIEW
DEVELOPMENT SERVICES STAFF REPORT

Application Review Summary and Recommendation

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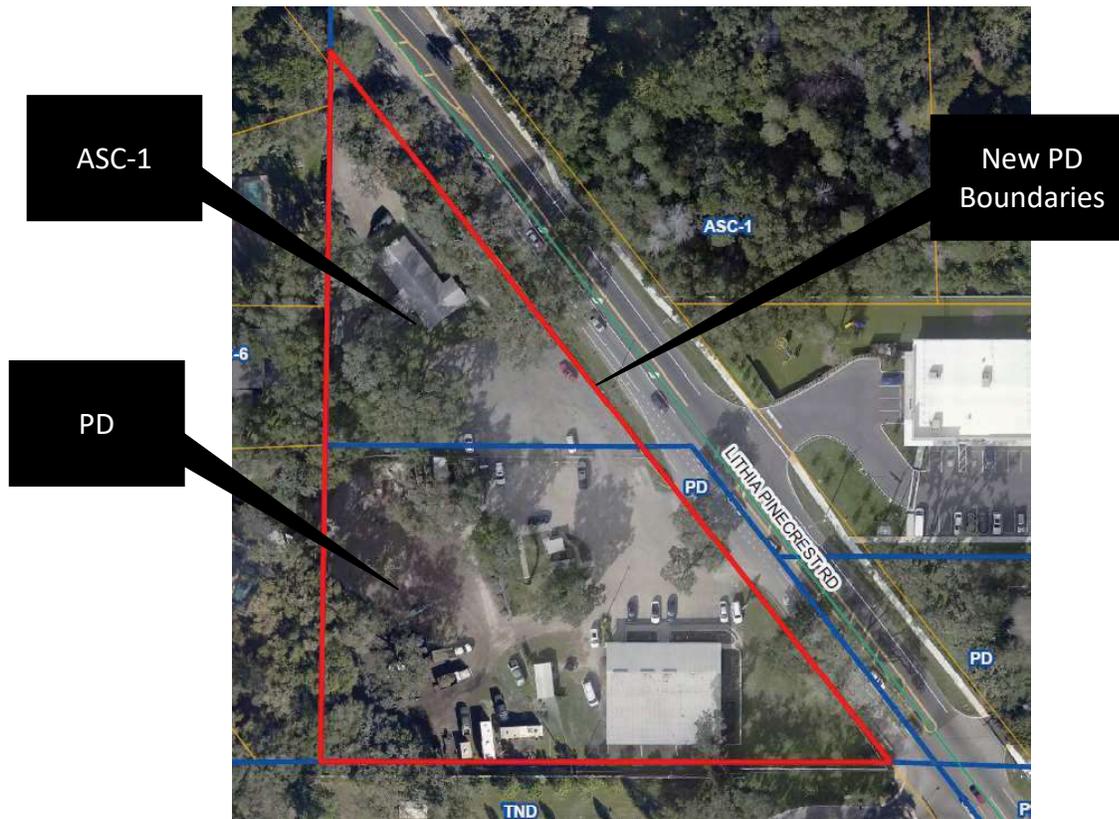


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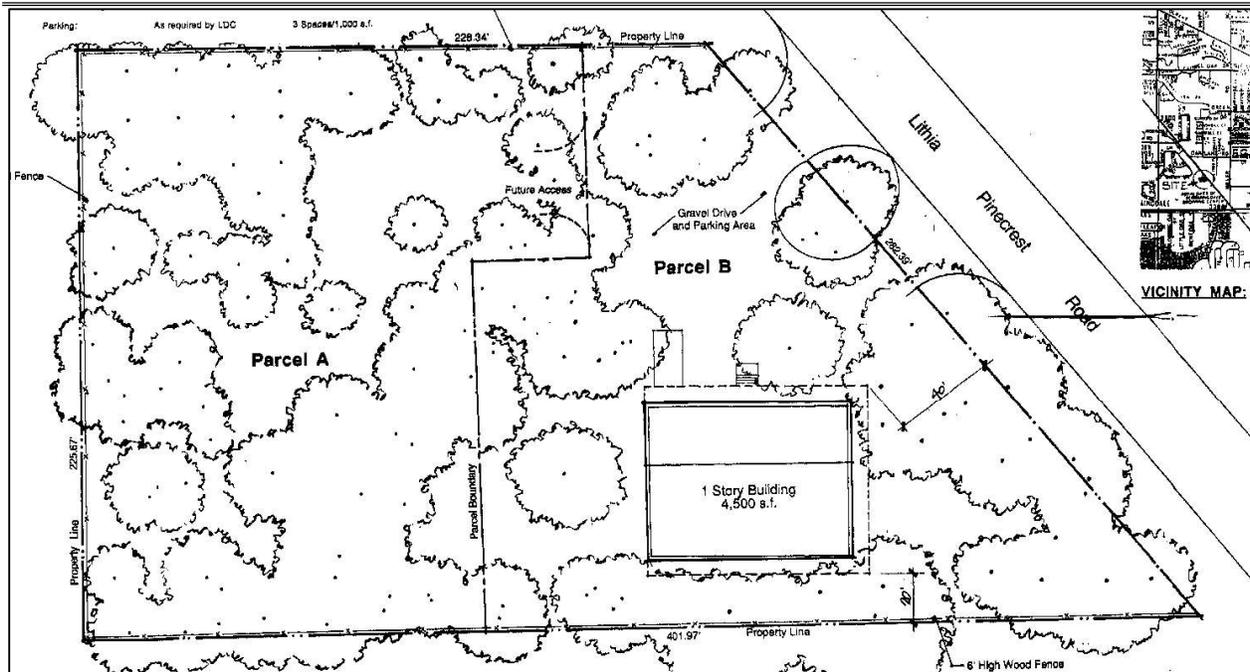


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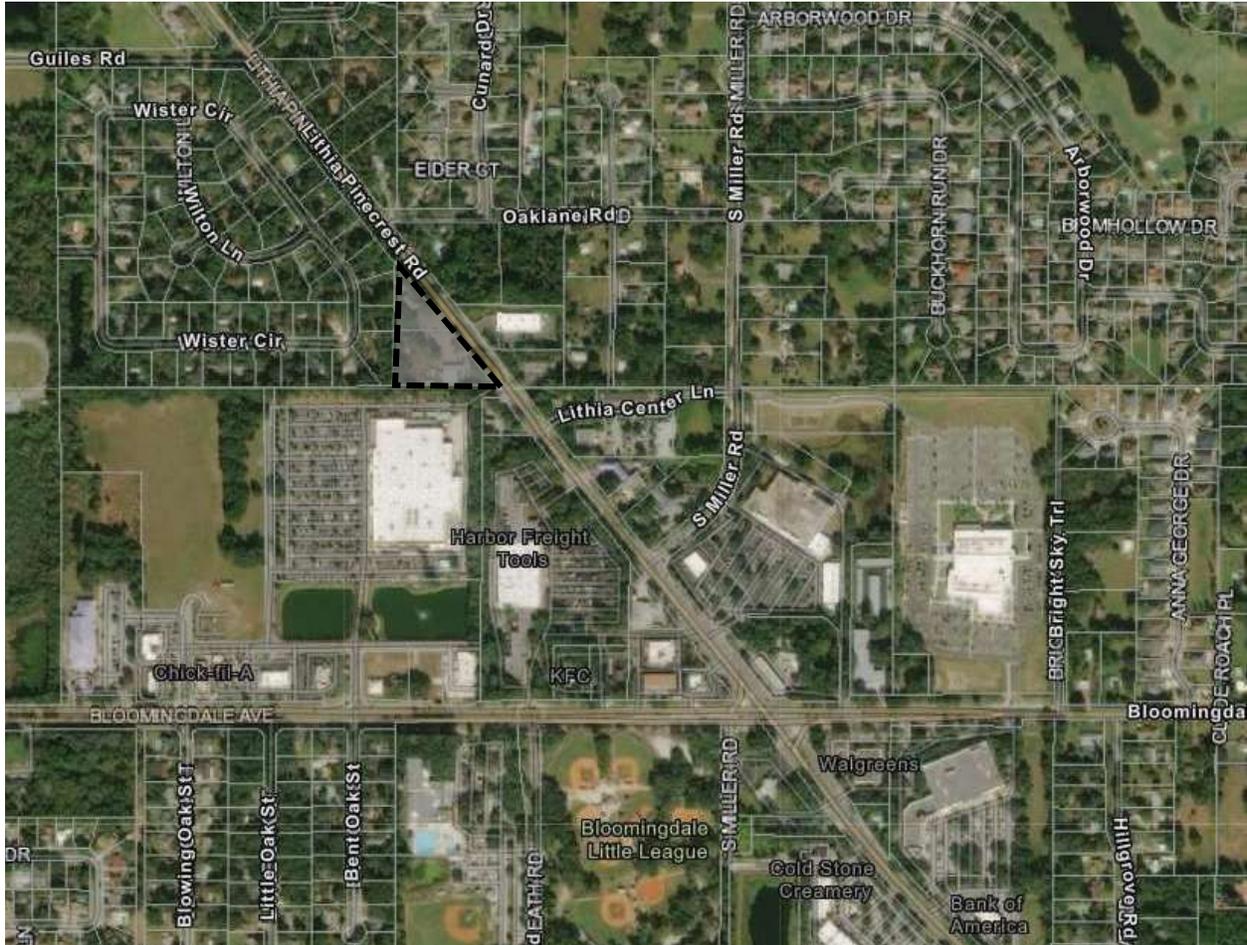


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Figure 4: Immediate Area Uses





Figure 5: View to the south of Lithia Pinecrest

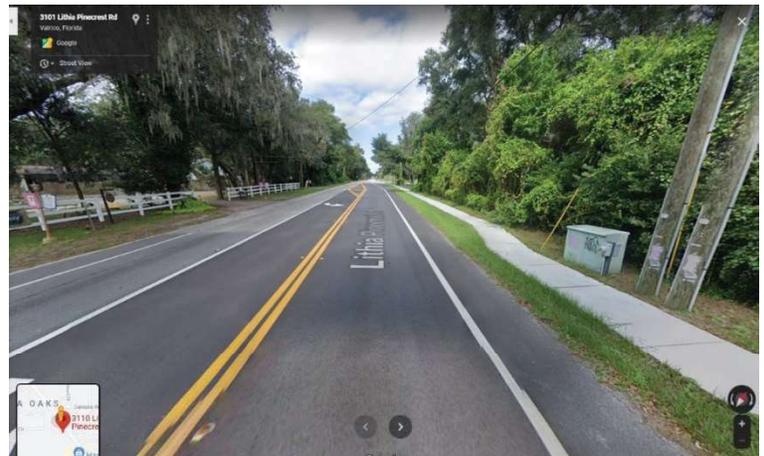


Figure 6: View to the north of Lithia Pinecrest

The subject site is located at the edge of a commercial node as the Lithia-Pinecrest Road corridor transitions northward into a residential and less intense non-residential character (see Figure 3). The site does not meet locational criteria, which emphasizes the need for this location to serve as a transition between the more developed commercial node and the surrounding community.

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Furthermore, the parcel size, proposed square footage and necessary site improvements for the proposed uses has constrained the applicant's ability to provide additional compatibility mitigation techniques (beyond building placement and height) staff feels is warranted given the site's location, and to comply the scenic corridor requirements.

Staff's Recommendation: Not supportable.

Zoning
Administrator
Sign-off:



J. Brian Grady
Tue Feb 2 2021 13:02:53

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on February 15, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. William Malloy spoke on behalf of the applicant. Mr. Molloy stated the specifics of this case are routine. He stated the project is 2.35 acres on Lithia Pinecrest, just north of the major commercial intersection with Bloomingdale in the Brandon area. Mr. Molloy stated the zoning is ASC-1 and PD with a Future Land Use designation of R-4. He stated there are existing nonconforming uses on the subject property. Mr. Malloy stated the request is to unify the two zonings into one PD that allows up to 12,425 square feet of various restricted CN uses. Mr. Molloy stated that the request could be for as much as 25,000 square feet based on an FAR of .25 in R-4, which would be the maximum FAR. He stated the applicant is requesting about half the maximum.

Mr. Molloy stated that by “highly restrictive uses,” he means the applicant has stipulated to the end uses of a hardware store as the primary use, an antique store, and a pet supply store. He stated the request is not for CN or CG, rather it is for the three uses specified.

Mr. Molloy pointed out the site’s shape and orientation present some design challenges. He described the subject property as “essentially a scalene triangle.” He stated the long end is Lithia Pinecrest, with a handful of single-family units to the west and a traditional full-scale Walmart center immediately adjacent to the south. He stated that a further complication for the site is the requirement to set aside for the public interest 12.5 feet of right-of-way for the future expansion of Lithia Pinecrest and set aside another 15-feet of right-of-way for a scenic corridor buffer. Mr. Molloy stated the area to be preserved under those two requirements equals about 16 percent of the total site.

Mr. Molloy stated the applicant is “fine with” the right-of-way preservation but has asked for a waiver for a little relief from the scenic corridor. He stated the request is to take the reservation from 15 feet to 10 feet, which is indicated on the applicant’s general site plan. He stated the applicant is requesting to “give up” 22.5 feet of property instead of 27.5 feet. He stated the applicant discussed the scenic buffer with Natural Resources staff and he understands they are “fine with it.”

Mr. Molloy stated the applicant has agreed to a planting scheme for the buffer, which is indicated on the site plan. He stated this includes four canopy trees and four understory trees every 100 feet. He stated this is in addition to the site design that places almost all the project’s retention streetwise in order to provide as much of a scenic corridor as possible on Lithia Pinecrest, between the retention and the landscape buffer.

Mr. Molloy stated the applicant has requested a second waiver that is essential to the request, which is the commercial locational criteria waiver. He stated the staff report indicates the subject property is outside the radius from the intersection of Lithia and

Bloomingtondale that would qualify for commercial development under the Planning Commission policy. Mr. Molloy displayed an aerial image depicting the surrounding area to point out the major retail elements. He pointed out the Walmart, directly adjacent to the subject property, and the Bloomingtondale and Lithia intersection. Mr. Molloy stated the applicant has been aware of the need for a locational criteria waiver since the beginning of the case. He stated the applicant has redrawn and redesigned its plan and request about half a dozen times in a very honest effort to get staff comfortable with the proposed uses and intensity. He stated the applicant “did not get there unfortunately,” and stated the applicant is “stuck at a very collegial impasse as to what constitutes an appropriate development at this location.”

Mr. Molloy stated commercial locational criteria exists to keep commercial development focused at appropriate intersectional nodes and prevent commercial sprawl from encroaching on areas with existing lower intensity development. He stated it is staff's position, as noted in the staff report, that the subject property's site should serve as a transition area from commercial to residential, and the proposed uses remain too intense despite being what they are. He stated there is residential immediately adjacent to the west. He stated the applicant acknowledges and appreciates staff's position, but very respectfully disagrees.

Mr. Molloy pointed out there is a “bonanza” of commercial uses and big box tenants at the intersection of Bloomingtondale and Lithia. He stated there is “no bigger box retailer” than Walmart, located directly adjacent, and noted it is a requirement of this rezoning that the applicant stub-out to Walmart's driveway for shared access. He stated if approved, the proposed project could potentially share a driveway with Walmart.

Mr. Molloy stated the applicant's traffic engineer, who attended the hearing, found the Walmart driveway adjacent to the subject property sees between 3,000 and 4,000 vehicular trips per day and the applicant has argued from the beginning that constitutes at least a *de facto* form of locational criteria.

Mr. Molloy stated that if approved the proposed development would create only 114 daily trips. He stated that is about as low an impact of a commercial project as can be designed in this instance. Mr. Molloy stated the proposed project would create not 4 percent of Walmart's intensity at the high end and not even 3 percent of the daily trips at the low end.

Mr. Molloy stated a “casual observer” might say the step-down intensity is almost too severe in this instance. He stated going from a highly intense, highly trafficked Walmart to an antique store, pet shop, and hardware store is not a transition, but almost a full-stop.

Mr. Molloy stated the applicant understands staff's position that the subject property is more suited for BPO uses as a transition. He stated the applicant ran some quick numbers with trips and found a doctor's office would create five more peak-hour trips than the applicant's proposed uses. He stated BPO is a transition and the applicant understands how that works “on paper,” but in this instant the applicant believes it is an unrealistic assessment of what the transition should be.

Mr. Molloy stated the applicant has redrawn the plan several times and it is almost completely upside down from where it started. He stated the applicant has made concessions including placing the buildings street-side so the site is front-loaded onto Lithia. He stated the applicant placed all parking in the rear of the site, which was challenging to draw. He stated the applicant placed attention up front as a concession both to the scenic corridor and because Planning Commission staff thought it was a more natural and helpful place for the ponds.

Mr. Molloy stated the main building, which would be the hardware store, has a minimum setback of 54 feet from the residential property to the west and that distance increases toward the south portion of the site. Mr. Molloy stated the applicant commits to maintaining a 6-foot masonry wall, not just a vinyl fence but a masonry wall, between the subject property and the residential to the west. He stated there would also be a 20-foot landscape buffer.

Mr. Molloy stated that there have been not agency objections other than Planning Commission, and he received a few phone calls about the general nature of the project but no opposition inquiries. Mr. Molloy stated the applicant set up a virtual and in-person community meeting, which garnered no interest whatsoever. He stated that in his experience the fact that no one had anything to say about the proposed project is almost an endorsement in Brandon.

Mr. Molloy introduced the applicant's planner and engineer Mr. Dave Ford of Absolute Engineering, and Mr. Steve Henry who will speak to the design exception.

Mr. Grady asked Mr. Molloy whether he would submit the proposed conditions into the record. Mr. Molloy confirmed he would.

Mr. Steve Henry stated the applicant has requested an administrative variance. He stated Lithia is considered a substandard road, although only very minor deviations from the code for this particular roadway segment. He stated the County Engineer has deemed the administrative variance approvable.

Mr. Dave Ford stated he had no presentation but was available for questions.

Development Services Department

Ms. Michelle Heinrich, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record. Ms. Heinrich state Development Services staff concurs with Planning Commission staff's finding that expansion of the more intense uses that exist south of the subject property would conflict with the planning objective to provide appropriate transitions. Ms. Heinrich stated the subject property's acreage, proposed development square footage, and necessary site improvements have constrained the applicant's ability to provide additional compatibility techniques. She stated Development Services staff does not recommend approval.

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. Ms. Lienhard stated Planning Commission staff finds the proposed Planned Development inconsistent with the Brandon Community Plan vision and the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

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 had nothing further.

Applicant Rebuttal

Mr. Molloy stated the applicant had nothing further.

The hearing officer closed the hearing on RZ PD 20-1149.

C. EVIDENCE SUBMITTED

Mr. Malloy submitted into the record at the hearing a list of draft conditions.

D. FINDINGS OF FACT

1. The subject property consists of approximately 2.35 acres located on the west side of Lithia Pinecrest Road, approximately .4 miles north of Bloomingdale Avenue.
2. The subject property is currently zoned ASC-1 (Agricultural, Single-Family Conventional-1) and Planned Development 97-0037.
3. The subject property is in the Urban Services Area and within the boundaries of the Brandon Community Plan and the community plan's Garden Estates district.
4. The subject property is designated Residential-4 on the Future Land Use Map.
5. Lithia-Pinecrest Road is a county-designated Suburban Scenic Corridor requiring a 15-foot-wide buffer with four shade tree plantings and four understory tree plantings every 100 feet.

6. The applicant is requesting to rezone the subject property to Planned Development to allow for 12,425 square feet of retail uses consisting of a hardware store, a pet supply store, and an antique store.
7. The area south of the subject property serves as the northern portion of the Bloomingdale Avenue and Lithia Pinecrest intersection commercial node. The remainder of the surrounding area is developed with office and residential uses.
8. The subject property is currently developed with an antique store in the area zoned ASC-1, and various commercial businesses in the area zoned PD 97-0037. The area zoned ASC-1 permits single-family residential and agricultural uses. The area zoned PD 97-0037 is approved for ASC-1 uses in Parcel A (western portion of the PD area) and a 4,500 square foot non-residential use for agricultural product distribution in Parcel B (eastern portion of the PD area). The existing uses are non-conforming to the subject property's current zoning.
9. Properties immediately south of the subject property are zoned PD and are developed with large-scale retail businesses and smaller commercial outparcels. Properties east and northeast, across Lithia-Pinecrest Road from the subject property, are zoned PD and ASC-1. The PD-zoned properties are developed with one-story office uses and the ASC-1 zoned properties are developed with a daycare business and single-family residence. Properties west of the subject property are zoned RSC-6 and are developed as Lithia Oaks, a residential community of single-family detached homes. The homes adjacent to the subject property are oriented to the west and are approximately 28 to 43 feet from the common property boundary.
10. The proposed rezoning to allow 12,425 square feet of Commercial Neighborhood uses for a hardware store, pet supply store, and antique store would result in the extension of commercial uses and expand the area of commercial development beyond the commercial node, which is inconsistent with the planning objective of creating appropriate transitions of lesser intense uses between residential and non-residential uses.
11. The proposed building square foot area and necessary site improvements, given the subject property's size and shape, constrain the applicant's ability to provide compatibility mitigation techniques and comply with the scenic corridor buffer requirements.
12. The proposed rezoning to allow 12,425 square feet of Commercial Neighborhood uses for a hardware store, pet supply store, and antique store would result in development that is inconsistent with the Res-4 Future Land Use category, the intent of which is to designate areas suitable for low-density residential development and non-residential development that conforms with established locational criteria for the specific land use.
13. The proposed rezoning to allow 12,425 square feet of Commercial Neighborhood uses for a hardware store, pet supply store, and antique store would result in development

that is inconsistent with Goal 6 of the Brandon Community Plan, which seeks to buffer and transition uses with the most intense uses in the area at the node or intersection and proceeding out from there.

14. The proposed rezoning to allow 12,425 square feet of Commercial Neighborhood uses for a hardware store, pet supply store, and antique store would result in development that is inconsistent with comprehensive plan Future Land Use Element Policy 16.1, which requires protection of established neighborhoods by restricting incompatible land uses through application of policies that include: locational criteria; limitation of commercial development in residential land use categories to neighborhood scale; and buffering and screening between dissimilar land uses.
15. The subject property does not meet commercial locational criteria and the applicant has requested a waiver. Planning Commission staff recommend the Board of County Commissioners not approve the commercial locational criteria waiver request.
16. The applicant has requested a variation from LDC part 6.06.00, Landscaping and Buffering Requirements, to allow a reduction of the Suburban Scenic Corridor width from 15 feet to 10 feet. LDC section 5.03.06.C.6.d. requires the Land Use Hearing Officer to include a finding whether the requested variations meet the criteria enumerated at LDC section 5.03.06.C.6.b.

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

- 1. The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.**

The requested variation does not meet this criterion. The applicant has not demonstrated the variation is necessary to achieve creative, innovative, or mixed-use development on the subject property. Rather, the evidence shows the variation is necessary because of the intensity and scale at which the applicant seeks to develop the subject property, given the property's size, shape, and location.

- 2. The variation is mitigated through enhanced design features that are proportionate to the degree of variation.**

The requested variation does not meet this criterion. The LDC at section 6.06.03.I.2.b. requires that for properties with Future Land Use Res-4 designation on Suburban Scenic Roadways, a 15-foot bufferyard with four canopy trees and four understory trees per 100 linear feet shall be provided. In addition, if street trees do not exist, the LDC requires the developer shall provide one street tree for every 50 feet. The applicant proposes reducing the bufferyard to 10-foot but otherwise complying with the LDC requirement of four canopy trees and four understory trees per 100 linear feet. The

applicant does not state whether it complies with the requirement for one street tree for every 50 feet. The site plan depicts stormwater ponds toward the street in the southern area of the site adjacent to the smaller commercial building, but not in the major portion of the site adjacent to the larger commercial building. The applicant has not demonstrated the variation is mitigated through enhanced design features proportionate to the degree of variation.

3. The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

The requested variation does not meet this criterion. The applicant's justification states the proposed variation provides a substantial and well-designed buffer from Lithia Pinecrest while allowing the site a degree of functionality. However, this is not the standard. The LDC at section 6.06.03.1.3. states "If the property has sufficient area for the scenic easement or bufferyard, no building permits shall be issued that would result in encroachment. If the property does not have sufficient area for the scenic easement or bufferyard, any use permitted in the zoning district shall be allowed to encroach into this area the minimum amount necessary to meet other setback requirements." The applicant did not present evidence demonstrating the subject property lacks sufficient area for the scenic bufferyard in the areas where permitted uses would encroach. The applicant has not demonstrated the variation is in harmony with the purpose and intent of the LDC.

4. The variation will not substantially interfere with or injure the rights of adjacent property owners.

The requested variation does meet this criterion. The variation would alter a buffer adjacent to the roadway and would not interfere with or injure the rights of adjacent property owners.

E. FINDING OF COMPLIANCE OF NON-COMPLIANCE WITH COMPREHENSIVE PLAN

The rezoning is not in compliance with, and does not further the intent of the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order... are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government."

§ 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is inconsistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

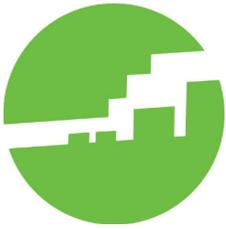
The applicant is requesting to rezone approximately 2.35 acres from ASC-1 (Agricultural, Single-Family Conventional-1) and Planned Development 97-0037 to Planned Development to allow for 12,425 square feet of retail uses consisting of a hardware store, a pet supply store, and an antique store.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **denial** of the rezoning request.


Pamela Jo Hatley, PhD, JD
Land Use Hearing Officer

March 3, 2021
Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: February 15, 2021	Petition: PD 20-1149
Report Prepared: February 5, 2021	<i>Southwest of the Oakland Road and Lithia Pinecrest Road intersection</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan:	Brandon
Requested Zoning:	Agricultural Single-Family Conventional-1 (ASC-1) and Planned Development (PD) to Planned Development (PD) allowing for 15,354 sq. ft. (0.15 FAR) of Commercial Neighborhood (CN) uses.
Parcel Size (Approx.):	2.35 +/- acres
Street Functional Classification:	Oakland Road – Major Local Lithia Pinecrest Road – Arterial
Locational Criteria	The subject property does not meet Commercial Locational Criteria; a waiver has been submitted.
Evacuation Area	The subject property is not located within an Evacuation Zone.



- The subject property is located on approximately 2.35 acres southwest of the Oakland Road and Lithia Pinecrest Road intersection. The subject property is within the Urban Service Area (USA) and within the limits of the Brandon Community Plan in the Garden Estates Character District.
- The parcel has a Future Land Use designation of Residential-4 (RES-4), with typical uses such as residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses shall meet locational criteria for the specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject property is surrounded by Residential-4 (RES-4) to the north, south, east, and west. Office Commercial-20 (OC-20) is located further to the southeast across Lithia Pinecrest Road.
- The subject site is classified as single-family and light commercial with Agricultural Single-Family Conventional-1 (ASC-1) and Planned Development (PD) zoning. Single-family residential lots are located to the north and west of the subject site with Residential Single-Family Conventional-9 (RSC-9) zoning. Light Commercial properties are located to the south with Planned Development zoning which is currently developed with commercial uses. Across Lithia Pinecrest road to the east are single-family, vacant, school, and heavy commercial lots with Agricultural Single-Family Conventional-1 (ASC-1) and Planned Development (PD) zoning.
- The applicant is proposing to rezone the subject property from Agricultural Single-Family Conventional-1 (ASC-1) and Planned Development (PD) to Planned Development (PD) allowing for 15,354 sq. ft. (0.15 FAR) of Commercial Neighborhood (CN) uses. According to the application, the applicant is willing to stipulate that the principal use will be a hardware store, while the remaining uses will be a pet supply store and an antique store.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

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

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

Neighborhood/Community Development

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

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

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

Policy 16.2: *Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, using 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*

Commercial-Locational Criteria

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

Policy 22.7: *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.*

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

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

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

Livable Communities Element: Brandon

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

5. *General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.*

Garden Estates – *Usually adjacent to "Suburban" districts or agriculturally zoned properties including a few small working farms. These areas consist predominantly of single-family homes with lot sizes of at least half-acre. They may retain agricultural zoning including related horse and farm animal ownership rights, giving the feel of a semi-rural lifestyle. Blocks may be large and the roads irregular to accommodate existing site conditions such as flag lots or large, grand oak trees. Although located within the Urban Service Area, homes may have been constructed with private wells and septic systems so that County water may or may not be available in these areas. Demand for neighborhood serving uses like Childcare and Adult Day Care is minimal. As a result, special uses should be located at intersections and would not be deemed compatible unless they meet the locational criteria for a neighborhood serving commercial use in the Land Development Code.*

Staff Analysis of Goals, Objectives, and Policies:

The subject property is located on approximately 2.35 acres southwest of the Oakland Road and Lithia Pinecrest Road intersection. The subject property is within the Urban Services Area (USA) and within the limits of the Brandon Community Plan in the Garden Estates Character District. The applicant is proposing to rezone the subject property from Agricultural Single-Family Conventional-1 (ASC-1) and Planned Development (PD) to Planned Development (PD) allowing for 15,354 sq. ft. (0.15 FAR) of Commercial Neighborhood (CN) uses. According to the application, the applicant is willing to stipulate that the principal use will be a hardware store, while the remaining uses will be a pet supply store and an antique store.

The subject property does not meet Commercial Locational Criteria. A waiver has been submitted for review. According to the waiver the project is located directly northwest of the entrance to a Walmart plaza, which itself is located just northwest of the commercial node at Lithia Pinecrest and Bloomingdale Avenue. While the Walmart entranceway is not technically eligible for consideration as a right of way for the purpose of locational criteria, there are typically between 3,000 and 4,000 cars per day which travel in and out of the Walmart driveway (please refer to the associated traffic study). This volume of traffic, coupled with the pass by traffic on Lithia Pinecrest itself, constitutes the intent, if not the technical meaning, of locational criteria in keeping commercial development limited to appropriate volume intersections.

The waiver also states that the existing Walmart center is one of the most intensive retail/commercial uses in terms of trips and traffic at nearly all hours of the day, and that the proposed development, while again not strictly located at a designated commercial node, is a more than appropriate “step down” from Walmart to the increasingly less intense uses to the north on Lithia. The waiver also states that the commercial entitlements possible under the Residential-4 (RES-4) Future Land Use category are being limited to 60% of the maximum possible, and the project has undergone significant revision in the intent of achieving the greatest compatibility possible with surrounding uses.

Planning Commission staff acknowledges that the applicant has attempted to improve the application. The applicant has increased the building setbacks. The applicant has also agreed to restrict the following uses on site: banquet and reception halls, charter schools, brew pubs, neighborhood motor vehicle repair, free-standing ER, ambulance services, convenience store w/ gas, free standing bar/nightclub, gasoline sales/service, drive through restaurant and sexually oriented business. The application states that applicant is willing to stipulate that the main or principal use will be a hardware store and the remaining uses are limited to a pet supply store and an antique store.

The applicant also proposes to locate the buildings close to the roadway and provide parking in the rear of the site. The application states that the main building is 54 feet from the western property. The applicant also proposes a 20-foot landscape buffer and 6-foot high masonry wall as additional separation from the residential uses. According to the application, A 0.17-acre pond occupies the project’s entire northern delta between Lithia and (all of and a portion of) the two northernmost adjacent lots. A 0.08-acre pond buffers the main building from the third adjacent residential lot and a 0.18-acre pond buffers the smaller proposed building to the north and east. The maximum Floor Area Ratio (FAR) allowed in the Residential-4 (RES-4) Future Land Use category is 0.25 which allows for a maximum intensity of 25,591 sq. ft. on the subject site. The applicant is requesting 15,354 sq. ft. (0.15 FAR) of Commercial Neighborhood (CN) uses. The amount of square footage requested is less than the maximum that is permitted on the subject site.

While the application has improved, the intent of the Residential-4 (RES-4) Future Land Use category is to designate areas that are suitable for low density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose and mixed use projects serving the area may be permitted subject to the Goals, Objectives, and Policies of the Land Use Element and applicable development regulations and conforming to established locational criteria for specific land use. Less than 75% of the subject site falls within 300 feet of the Oakland Road (Major Local) and Lithia Pinecrest Road (Arterial) intersection which is the closest qualifying intersection to the subject

property. The site is over 300 feet away from the Lithia Center Lane (Major Local) and Lithia Pinecrest Road (Arterial) intersection. The site is approximately 1,800 feet away from the Bloomingdale Avenue and Lithia Pinecrest Road intersection. Consequently, the subject property does not meet Commercial Locational Criteria requirements.

While the application has been revised to address compatibility concerns and has moved closer towards meeting the intent of Policies 16.2 and 16.3 (FLUE), the proposed development is not consistent with Policy 16.1 (FLUE). The policy requires that the established planned neighborhood and communities be protected by restricting incompatible land uses though utilizing locational criteria, limiting commercial development in residential land use categories to neighborhood scale and requiring buffer areas and screening devices between unlike land uses.

The subject site is located within the limits of the Brandon Community Plan. The property is located within the Garden Estates district which usually consist of single-family homes of at least half an acre. Goal 6 of the Brandon Community Plan seeks to attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. The site does not meet Commercial Locational Criteria.

The Garden Estates District also states that demand for neighborhood serving uses like Childcare and Adult Day Care is minimal. As a result, special uses should be located at intersections and would not be deemed compatible unless they meet the locational criteria for a neighborhood serving commercial use in the Land Development Code. Planning Commission staff have determined that if a daycare must meet Commercial Locational Criteria, then commercial retail uses must also comply with the requirements. Consequently, the request is not consistent with the Brandon Community Plan. Planning Commission staff recommends that the Hillsborough County Board of County Commissioners not approve the Commercial Locational Criteria Waiver.

Overall, the proposed rezoning would allow for a development that is not consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the Unincorporated Hillsborough County Comprehensive Plan. The rezoning would also undermine the provisions of the Brandon Community Plan and the Garden Estates District.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed Planned Development **INCONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

HILLSBOROUGH COUNTY 2019 AERIAL

RZ PD 20-1149

<all other values>

Rezoning's

STATUS



Tampa Service Area

Urban Service Area

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

AGRICULTURAL/MINING-1/20 (.25 FAR)

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)

AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL/RURAL-1/15 (.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/QUASI-PUBLIC

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE

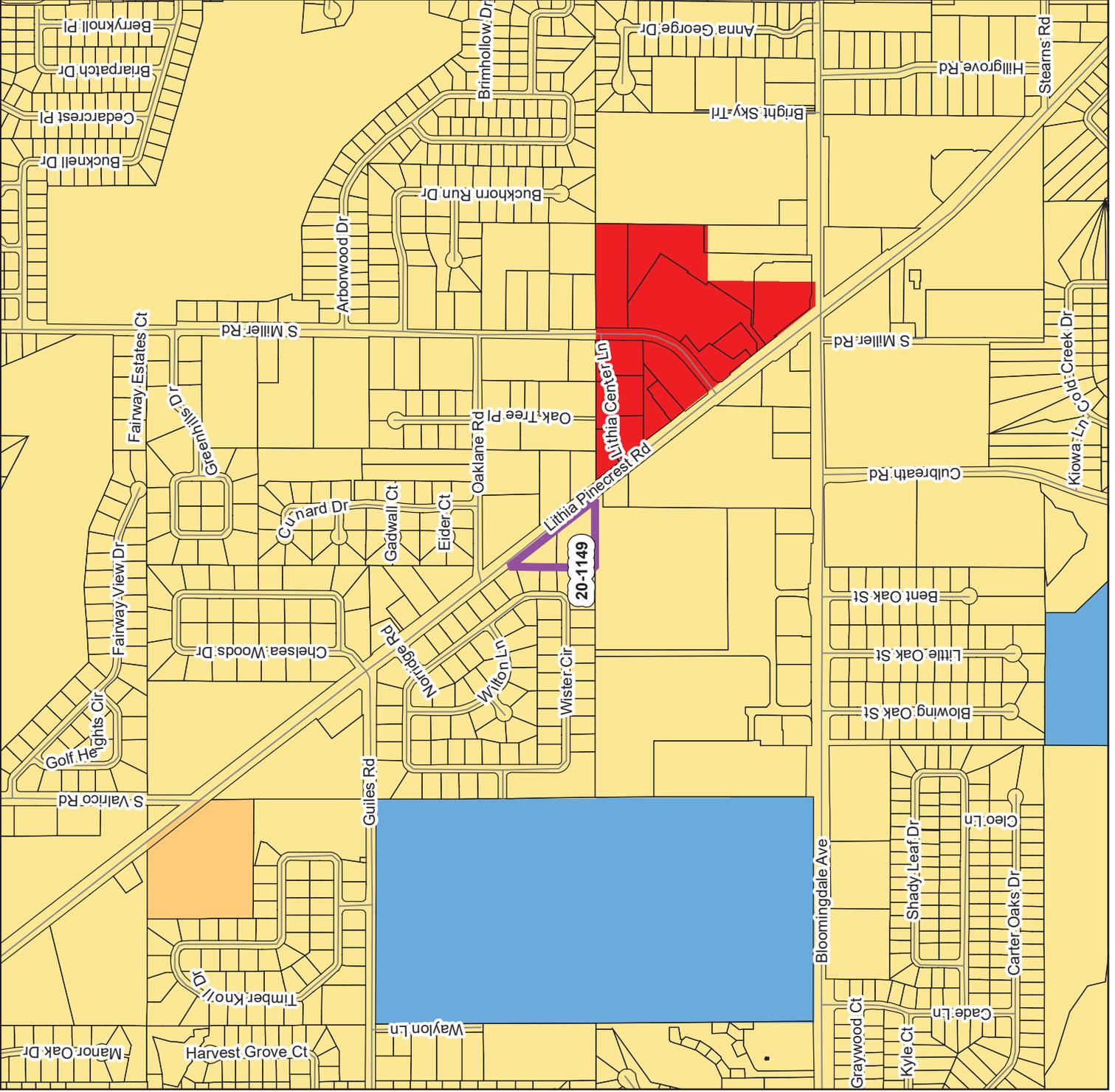
WATER

WATER



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only. It is not intended for use for any other purpose without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended to be accurate to the standards of the U.S. Federal map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, use the appropriate source.

Map Printed from Rezoning System: 9/22/2020
 Author: Beverly F. Daniels
 File: C:\Rezoning\System\Map\Projects\HIC\Reg_16\Rezoning.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name: Rhodine Road III

Zoning File: RZ-PD 20-1149 Modification: None

Atlas Page: NA Submitted: 3/18/21

To Planner for Review: 3/18/21 Date Due: 3/29/21

Contact Person: William Molloy Phone: 813-629-8752/wmolloy@mjlaw.us

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:

Application is not supported by staff; proposed site plan is approvable if approved by the BOCC

Reviewed by: Michelle Heinrich Date: 3/19/21

Date Agent/Owner notified of Disapproval:



AGENCY COMMENTS

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

PETITION NO.: PD20-1149 REVIEWED BY: Randy Rochelle DATE: 10/20/2020

FOLIO NO.: 87304.0000 & 87304.0100

This agency would (support), (conditionally support) the proposal.

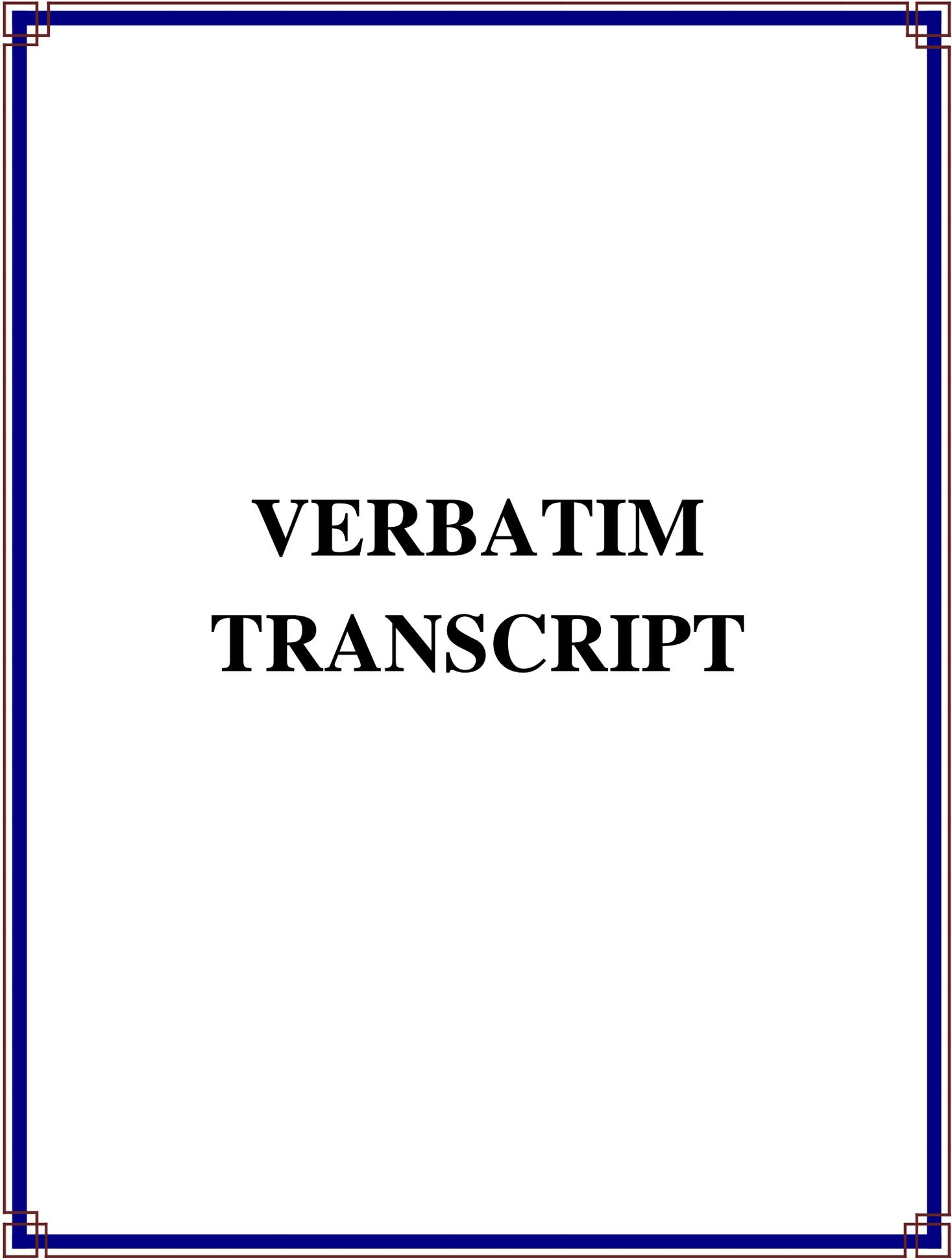
WATER

- The property lies within the Hillsborough County Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A 8 inch water main exists (adjacent to the site), (approximately 75 feet from the site) and is located within the east Right-of-Way of Lithia Pinecrest Road.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (inches), will be located (adjacent to the site), (feet from the site at). Expected completion date is .

WASTEWATER

- The property lies within the Hillsborough County Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A 4 inch wastewater force main exists (adjacent to the site), (approximately 1275 feet from the site) and is located south of the subject property within the west Right-of-Way of Lithia Pinecrest Road.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (inches), will be located (adjacent to the site), (feet from the site at). Expected completion date is .

COMMENTS: This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.



VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
February 15, 2021
ZONING HEARING MASTER: PAMELA JO HATLEY

D5:
Application Number: RZ-PD 20-1149
Applicant: Pittwood Assoc., LLC
Location: 155' Southeast of Intersection:
Lithia Pinecrest Rd., Oaklane
Rd.
Folio Number: 087304.0000 & 087304.0100
Acreage: 2.36 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: PD (97-0037) & ASC-1
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item
2 D-5, Rezoning-PD 20-1149. The applicant is
3 Pittwood Associates, LLC.

4 The request is to rezone from PD and AS-1
5 (sic) to Planned Development. Michelle Heinrich
6 will provide staff recommendation after
7 presentation by the applicant.

8 MR. MOLLOY: Good evening. William Molloy,
9 325 South Boulevard, Tampa, Florida.

10 The specifics of this case are fairly
11 routine. The project is 2.35 acres right off of
12 Lithia Pinecrest, just north of the major
13 commercial intersection with Bloomingdale and the
14 Brandon area.

15 Because zoning is ASC-1 and PD with a Future
16 Land Use of R-4, there are existing nonconforming
17 uses on the property now. The request would be to
18 unify the two zonings into one PD, which allows up
19 to 12,425 square feet of various restricted CN
20 uses.

21 I'll come back to this later, but if you
22 allowed FAR of .25 in R-4, the request could be for
23 as much as 25,000 square feet. That would be
24 maxing up the FAR. We're at about half of that
25 with this request.

1 When I mentioned highly restrictive uses, I
2 mean that we've actually stipulated to the end use
3 in this instance. In this case it would be a
4 hardware store as the primary use, an antique
5 store, and a pet supply store.

6 So just be very clear, this is not a request
7 for CN or CG. It is for those three specific uses.
8 I point out at this time the site does present some
9 design challenges by its shape and orientation.

10 It's essentially a scaling triangle. The
11 long end is Lithia Pinecrest with a handful of
12 single-family units to the west and a traditional
13 full scale Walmart center is immediately adjacent
14 to the south.

15 Further complicating the site, we're required
16 to set aside for the public interest 12 1/2 feet of
17 right-of-way for the future expansion of Lithia
18 Pinecrest; and on top of that, there's a call out
19 for another 15 feet of additional right-of-way for
20 a scenic corridor buffer.

21 I believe when we did the math originally,
22 the area simply to be preserved for those two
23 preservation areas came to about 16 percent of the
24 total site.

25 We're fine with the right-of-way

1 preservation. That is what it is, but we have
2 asked for a waiver for a little bit of relief from
3 the scenic corridor. It would take the reservation
4 from 15 feet to 10, and that's indicated on the
5 general site plan.

6 So in essence, we're giving up 27 1/2 feet of
7 property. We're asking only give up 22 1/2. We
8 discussed the direction of the scenic buffer with
9 Natural Resources, and as far as I understand,
10 they're fine with it.

11 So much so that we've also agreed to a
12 planting scheme for the buffer, which is indicated
13 on our site plan. It involves four canopy trees
14 and four understory trees every 100 feet.

15 And this in addition to the site design that
16 we set align puts almost all of the retention for
17 the project street-wise so that the goal there was
18 to on Lithia Pinecrest provide as much as a scenic
19 corridor as possible between the retention and the
20 landscape buffer.

21 Now, the second waiver that is essential to
22 this request is one to commercial locational
23 criteria and that is really the crux of this matter
24 tonight.

25 As the staff report indicates, the site is

1 outside the radius from the intersection of Lithia
2 and Bloomingdale, which would qualify for
3 commercial development under Planning Commission
4 policy.

5 I'm just going to put this up here which
6 shows the major retail elements which are
7 surrounding our site. So this is north. This is
8 our site in yellow. This is the Walmart directly
9 adjacent. This is Bloomingdale and Lithia.

10 MR. GRADY: Could you move the graphic down
11 a little bit?

12 MR. MOLLOY: Yep. Of course.

13 MR. GRADY: South. Yeah.

14 MR. MOLLOY: Oh, down. There we go.

15 MR. GRADY: That's it. That's good.

16 MR. MOLLOY: We've been aware of the need
17 for this waiver since the beginning of this case,
18 and you'll see in the zoning record that we've
19 redrawn and redesigned our plan and request about
20 half a dozen times in a very honest effort to get
21 staff comfortable with the uses and intensity we're
22 proposing.

23 We didn't get there unfortunately, and we're
24 stuck at a very collegial impasse as to what
25 constitutes an appropriate development at this

1 location. Commercial locational criteria exists to
2 keep commercial development focused at appropriate
3 intersectional nodes and prevent commercial sprawl
4 from encroaching upon areas with existing lower
5 intensity development.

6 In this instance, it's the position of staff
7 as noted in their report that this site should
8 serve as a transition area from commercial to
9 residential. We do have residential immediately
10 adjacent to the west here.

11 And our proposed uses remain too intense
12 despite being what they are. We acknowledge and we
13 appreciate staff's position but very respectfully
14 disagree.

15 As you'll see here, this intersection of
16 Bloomingdale and Lithia is a bonanza of commercial
17 uses and big box tenants.

18 There's no bigger box retailer than Walmart,
19 again, directly adjacent and, in fact, it's a
20 requirement of this rezoning that we provide a
21 stub-out to Walmart's driveway for shared access.
22 So potentially if approved, this project could
23 share a driveway with Walmart.

24 I do not have an exact number, but per my
25 traffic engineer who is here this evening, that

1 driveway that we're adjacent to sees between 3,000
2 and 4,000 vehicular trips per day, and it's been
3 argued from the beginning that that in itself
4 constitutes at least a de facto forum of locational
5 criteria.

6 Our proposal if approved -- and this is for
7 the county transportation report -- would create
8 only 114 daily trips. That's about as low impact
9 of a commercial project as you can design in this
10 instance.

11 So to be very clear in regards to those
12 numbers, this project would create not 4 percent of
13 Walmart's intensity at the high end, not even
14 3 percent of the daily trips at the low end.

15 A casual observer I think might save the
16 step-down intensity is almost too severe in this
17 instance. We're going from a highly intense, you
18 know, highly trafficked Walmart to an antique store
19 and a pet stop (sic) and a hardware store. That's
20 not a transition. That's a full stop almost.

21 We also understand staff's position that this
22 site is more suited for BPO uses as a transition.
23 We did some quick number running with trips, and a
24 doctor's office would actually create five more
25 peak-hour trips than our proposed uses in this

1 instance.

2 So BPO is a transition. We understand how
3 that works on paper, but in this instance, we feel
4 like it's unrealistic assessment of what the
5 transition should be.

6 Just a few more notes as to our efforts
7 towards compatibility, as I said, we've redrawn
8 this plan several times. It's almost completely
9 upside down from where we started.

10 The concessions we've made in an attempt to
11 offset any adverse impacts would be to place the
12 building street side so the site is front loaded
13 onto Lithia. We put all the parking in the rear of
14 the site which was challenging to draw but we did
15 it.

16 We put all their attention up front as a
17 concession booth to the scenic corridor and because
18 Planning Commission staff in discussions felt like
19 that was a more natural and helpful place for the
20 ponds.

21 The main building, which would be the
22 hardware store, has a minimum setback from the
23 western residential property of 54 feet, and that
24 distance only increases as you go south down the
25 site.

1 And then we've committed to maintaining a
2 6-foot masonry wall, not just a vinyl fence but a
3 masonry wall between us and the residential to the
4 west and that would be also followed by a 20-foot
5 landscape buffer.

6 Based on all that and the fact that we have
7 no agency comments other than the Planning
8 Commission, obviously, objects, I have received no
9 opposition testimony -- not testimony or inquiries,
10 just a few phone calls about the general nature of
11 the project.

12 We set up a virtual and in-person community
13 meeting which garnered no interest whatsoever. And
14 in my experience, if I could speak to it, that's
15 almost an endorsement when you're in Brandon, the
16 fact that no one had anything to say about it.

17 And with that, I am happy to answer any of
18 your questions. I would like to introduce Mr. Dave
19 Ford of Absolute Engineering, who is our planner,
20 our engineer on the team, and Mr. Steve Henry, who
21 can speak to the one -- that design exception that
22 we need your request this evening. Thank you.

23 HEARING MASTER HATLEY: Thank you.

24 MR. GRADY: Mr. Molloy, will you be
25 submitting those conditions into the record?

1 MR. MOLLOY: Yes. I have them in my hand.

2 MR. GRADY: All right. Thank you.

3 MR. HENRY: Good evening. Steve Henry,
4 Lincks & Associates, 5023 West Laurel, Tampa,
5 33607.

6 We have actually -- we have submitted an
7 administrative variance for the property. Lithia
8 is considered to be a substandard road, although
9 only very minor deviations from the Code for this
10 particular roadway segment, and it has been deemed
11 approvable by the county engineer.

12 I'll be glad to answer any specific
13 questions you may have about it.

14 HEARING MASTER HATLEY: I don't have any for
15 you.

16 MR. HENRY: Thank you.

17 HEARING MASTER HATLEY: Mr. Henry -- is that
18 all of your presentation, Mr. Molloy? Did you say
19 you had someone else? I'm sorry? Did you say you
20 had another speaker? Mr. Ford? Thank you.

21 MR. FORD: Good evening. I'm Dave Ford with
22 Absolute Engineering, Inc. We're located at 1000
23 North Ashley Drive, Suite 925, Tampa, 33611.

24 I really don't have a presentation, but I'll
25 answer any questions you may have.

1 HEARING MASTER HATLEY: No, sir. I don't
2 have any for you right now. Thank you. Please see
3 the clerk and sign in now. Thank you.

4 Development Services.

5 MS. HEINRICH: Hi, good evening. Michelle
6 Heinrich, Development Services.

7 This is a rezoning request for 2.35 acres
8 from AS-1 and PD to PD to allow for 12,425 square
9 feet for a hardware store, pet supply store, and
10 antique store.

11 The ASC-1 zoned area is devolved currently
12 with an antique store, which is not a permitted
13 use. The PD zoned area is approved for ASC-1 zoned
14 uses on the west side and a 4,500-square-foot
15 agricultural product distribution use on the east.

16 Various uses are currently developed on the
17 property which do not conform. The site is located
18 in the RES-4 Future Land Use category and is
19 subject to meeting locational criteria policies of
20 the Comprehensive Plan.

21 A PD variation is included in the rezoning
22 request, which is to reduce the suburban scenic
23 corridor along Lithia Pinecrest from 15 feet to
24 10 feet in width.

25 The applicant has provided responses to the

1 PD variation criteria, which notes that compliance
2 cannot be achieved due to the parcel's irregular
3 shape, the parcel size, the required right-of-way
4 dedication necessary, and the necessary site
5 improvements for the uses and square footage
6 preponderance of the evidence.

7 The project is located along the west side of
8 Lithia Pinecrest Road, which is a two-lane
9 undivided substandard roadway.

10 As Mr. Henry noted, the applicant has
11 requested and administered a variance seeking
12 relief from improving the roadway to County
13 standards. That request has been found to be
14 approvable by the county engineer.

15 Also, the segment of Lithia Pinecrest is on
16 the corridor preservation plan and, therefore,
17 right-of-way preservation is required.

18 The site is located almost a half a mile
19 north of the site is located and Bloomingdale
20 Avenue intersection. More intense uses are found
21 generally to the south as envisioned by the
22 Comprehensive Plan.

23 Residential, residential support, and office
24 uses are found to the west, east, and north of the
25 site. Therefore, the location serves as an area to

1 provide transition along the corridor.

2 Property to the immediate west is developed
3 with a single-family neighborhood while properties
4 to the east are developed with day care and office
5 uses. The site does not meet locational criteria
6 and a waiver has been requested.

7 Planning Commission staff does not support
8 the waiver request and has found the proposal to be
9 inconsistent with the Comprehensive Plan.

10 Development Services staff concurs with
11 Planning Commission's finding noting that expansion
12 of the more intense uses found southward would be
13 in conflict with the planning objectives, provide
14 appropriate transitions at locations such as these.

15 Additionally, the project's acreage proposed
16 square footage and necessary site improvements have
17 constrained the applicant's ability to provide any
18 additional compatibility techniques.

19 Therefore, staff does not recommend approval,
20 and I'm available if you have any questions. Thank
21 you.

22 HEARING MASTER HATLEY: Thank you.

23 Planning Commission.

24 MS. LIENHARD: Thank you. Melissa Lienhard,
25 Planning Commission staff.

1 The subject property is located in the
2 Residential-4 Future Land Use category. It is in
3 the Urban Service Area, and the subject property is
4 located within the limits of the Brandon Community
5 Plan.

6 Planning Commission staff acknowledges that
7 the applicant has attempted to improve the
8 application since originally submitted. The
9 applicant has increased the building setbacks, and
10 the applicant has also agreed to restrict the uses
11 on the site.

12 The application states that the applicant is
13 willing to stipulate that the main or principal use
14 will be a hardware store, and the remaining uses
15 are limited to a pet supply store and an antique
16 store.

17 The applicant also proposes to locate the
18 buildings close to the roadway and provide parking
19 in the rear of the site. The application states
20 that the main building is 54 feet from the western
21 property line.

22 The application also proposes a 20-foot
23 landscape buffer and a 6-foot-high masonry wall as
24 additional separation from the residential uses
25 that are existing adjacent to the site.

1 The maximum floor area ratio allowed in the
2 Residential-4 Future Land Use category is .25 which
3 allows for a maximum intensity of 25,591 square
4 feet on the subject site.

5 The applicant is requesting 15,354 square
6 feet of Commercial Neighborhood uses which is less
7 than the maximum that is permitted on the subject
8 site and consistent with the Residential-4 Future
9 Land Use category.

10 While the application has approved, the
11 intent of the Residential-4 Future Land Use
12 category is to designate areas that are suitable
13 for low density residential development.

14 In addition, suburban scale, neighborhood
15 commercial, office, multipurpose, and mixed-use
16 projects serving the area may be permitted subject
17 to the goals, objectives, and policies of the
18 Comprehensive Plan.

19 Less than 75 percent of the subject site
20 falls within 300 feet of the Oaklane Road, which is
21 a major local road, and Lithia Pinecrest Road,
22 which is an arterial intersection, which is the
23 closest qualifying intersection to the subject
24 property.

25 The site is over 300 feet away from the

1 Lithia Center Lane, which is a major local street
2 and the Lithia Pinecrest Road are arterial
3 intersection.

4 The site is approximately 1,800 feet away
5 from Bloomingdale Avenue and Lithia Pinecrest Road
6 intersection. Consequently, the subject -- the
7 subject property does not meet commercial
8 locational criteria, and while a waiver -- waiver
9 request has been submitted, Planning Commission
10 staff does not support the waiver based on
11 compatibility concerns.

12 While the application has been revised to
13 address some compatibility concerns and has moved
14 closer toward meeting the intents of the policy
15 direction regarding compatibility, the proposed
16 development is not consistent with Future Land Use
17 Policy 16.1.

18 This policy requires that the established
19 plan neighborhood and communities be protected by
20 restricting incompatible land uses through
21 utilizing locational criteria limiting commercial
22 development and residential Land Use categories to
23 neighborhood scale and requiring buffer areas and
24 screening devices between unlike uses.

25 The subject site is located within the limits

1 of the Brandon Community Plan. The property is
2 located within the Garden Estates district which
3 usually consists of single-family homes of at least
4 a half of an acre.

5 Goal 6 of the Brandon Community Plan seeks to
6 attempt to buffer and transition uses in concentric
7 circles where possible with the most intense uses
8 in the area at the node or intersection and
9 proceeding out from there.

10 The site does not meet commercial locational
11 criteria and is, therefore, inconsistent with this
12 community plan vision.

13 The Garden Estates district also states the
14 demand for neighborhood-serving uses like childcare
15 and adult day care is minimal. As a result,
16 Special Uses should be located at intersections
17 that would not be deemed compatible unless they
18 meet locational criteria or neighborhood survey
19 commercial use in the Land Development Code.

20 Planning Commission staff has determined that
21 if a day care use -- a day care must meet
22 commercial locational criteria, then commercial
23 retail uses must also comply with these
24 requirements.

25 Consequently, the request is not consistent

1 with the Brandon Community Plan. Planning
2 Commission staff recommends that the Hillsborough
3 County Board of County Commissioners not approve
4 the commercial locational criteria waiver request.

5 Based upon those considerations, Planning
6 Commission staff finds the proposed Planned
7 Development inconsistent with the Future of
8 Hillsborough Comprehensive Plan for unincorporated
9 Hillsborough County. Thank you.

10 HEARING MASTER HATLEY: Thank you.

11 Is there anyone here or online who wishes to
12 speak in support of this request? Okay.

13 Is there anyone here or online who wishes to
14 speak in opposition to this request? Okay.

15 Seeing none, Development Services have any
16 further comments?

17 MR. GRADY: Nothing further.

18 HEARING MASTER HATLEY: Okay. Applicant?

19 All right. So this will close the hearing
20 on PD 20-1149.

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1 staff to the February 15th Zoning Hearing Master
2 Hearing beginning at 6:00 p.m.

3 The next item is item D-1, Rezoning-PD
4 20-0382. This item is also being continued by
5 staff to the February 15th Zoning Hearing Master
6 Hearing beginning at 6:00 p.m.

7 The next item then is item D-2, Rezoning-PD
8 20-0394. This application is being continued by
9 staff to the February 15th Zoning Hearing Master
10 Hearing beginning at 6:00 p.m.

11 Then item D-3, Rezoning-PD 20-0985. This
12 application is being continued by staff to the
13 February 15th Zoning Hearing Master Hearing
14 beginning at 6:00 p.m.

15 Item D-4, Rezoning-PD 20-1149. This
16 application is being continued by staff to the
17 February 15th Zoning Hearing Master Hearing
18 beginning at 6:00 p.m.

19 And item D-5, Rezoning-PD 20-1248. This
20 item is being continued by staff to the
21 February 15th Zoning Hearing Master Hearing
22 beginning at 6:00 p.m.

23 And then item D-6, Major Mod Application
24 20-1258. This is being continued by staff to the
25 February 15 Zoning Hearing Master Hearing beginning

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P R O C E E D I N G S

HEARING MASTER HATLEY: Good evening. I'm Pamela Jo Hatley. I'll be serving as the Zoning Hearing Officer this evening. If you will all stand as you're able, please, and we'll recite the Pledge of Allegiance.

(Pledge of Allegiance.)

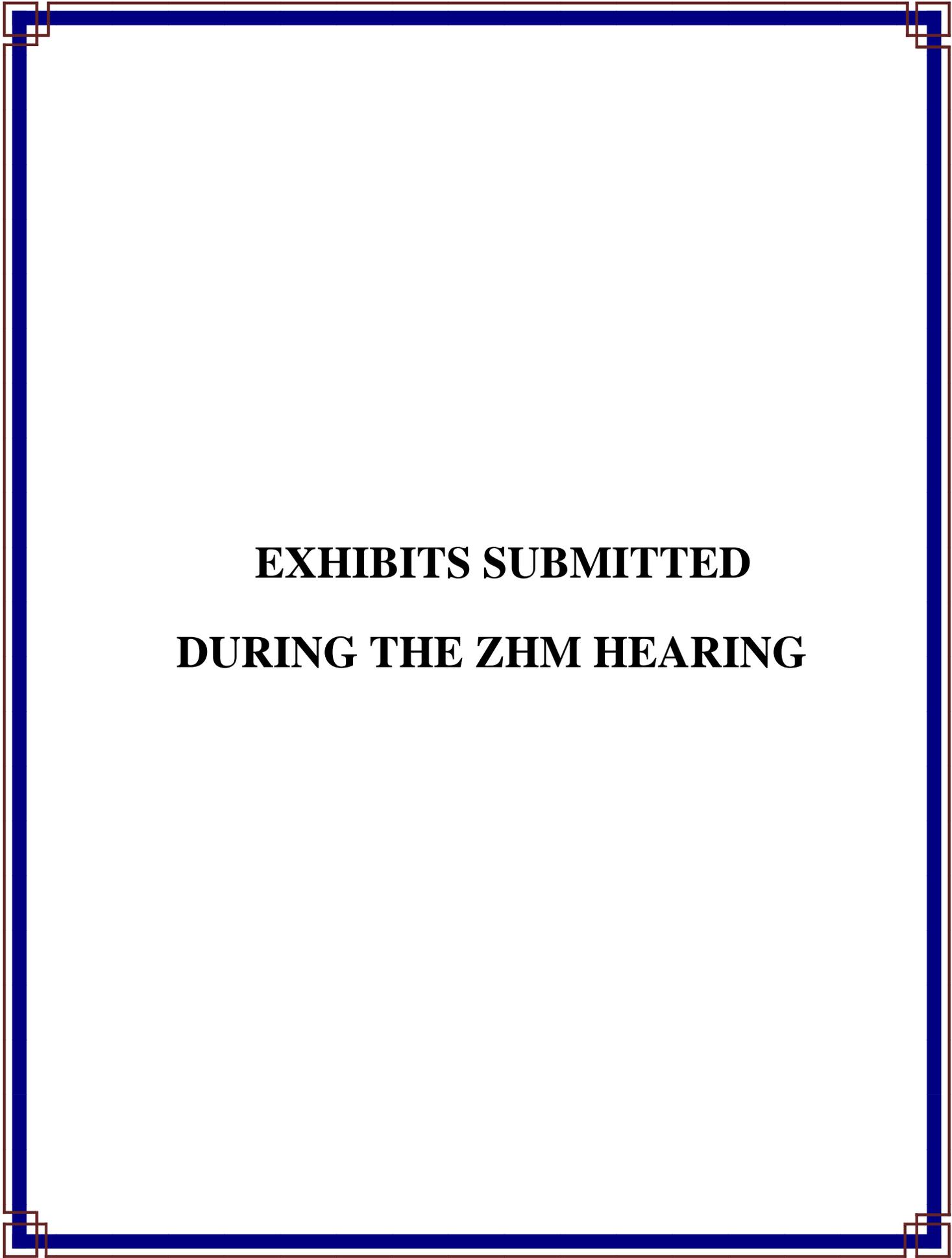
HEARING MASTER HATLEY: Again, I'm Pamela Jo Hatley, and I'll be serving as the Hearing Officer this evening. Before we get started with any -- with the agenda, I'm going to pass the meeting to Brian Grady with the Development Services Department to introduce the agenda changes, withdrawals and continuances.

MR. GRADY: Good evening, Madam Hearing Officer. Brian Grady, Development Services.

We do have two changes on tonight's agenda. The first change is on page 7 of the agenda, item D-4, the Rezoning Application PD 20-1149. The applicant's requesting a continuance to the January 19th, 2021, Zoning Hearing Master Hearing.

The applicant is present to explain the reasons for the request.

HEARING MASTER HATLEY: All right. Applicant.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 2/15/21 6:00 PM HEARING MASTER: Pamela Jo Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 20-0985	PLEASE PRINT NAME MICHAEL LAWRENCE MAILING ADDRESS 8806 Eagle Watch Dr CITY Riverview STATE FL ZIP 33578 PHONE 813-625-2899
APPLICATION # RZ 20-0985	PLEASE PRINT NAME Dennis McConak MAILING ADDRESS 8819 Stillwaters Landing Dr CITY Riverview STATE FL ZIP 33578 PHONE 813-728-3240
APPLICATION # RZ 20-1149	PLEASE PRINT NAME William Molley MAILING ADDRESS 305 S Blvd CITY Tampa STATE FL ZIP 33606 PHONE
APPLICATION # RZ - 20-1149	PLEASE PRINT NAME STEVE HENRY MAILING ADDRESS 5023 W. LAUREL ST CITY TPA STATE FL ZIP 33607 PHONE 813-289-0039
APPLICATION # RZ 20-1149	PLEASE PRINT NAME DAVID W. FORD MAILING ADDRESS 1000 N. Ashley Dr. Suite 925 CITY TAMPA STATE FL ZIP 33611 PHONE 813-245-9186
APPLICATION # RZ 20-1248	PLEASE PRINT NAME William Molley MAILING ADDRESS 305 S. Blvd CITY Tampa STATE FL ZIP 33606 PHONE

Application No. R 2 20-1149
Name: William Mollat
Entered at Public Hearing: ZHA
Exhibit # 1 Date: 2/13/21

DRAFT CONDITIONS PD 20-1149

1. The project shall be limited to 12, 425 square feet of the following uses:
 - Hardware store
 - Antique store
 - Pet supply store
2. The project shall have one full access onto Lithia Pinecrest
3. Cross access shall be provided to the south.
4. 12.5' of right of way shall be preserved per the Corridor Preservation Plan.
5. 10' of right of way shall be preserved as a scenic corridor buffer.
6. Parking shall be per the LDC.
7. A 6' masonry wall shall be maintained on the western boundary of the project
8. A 6' landscape buffer shall be constructed and maintained on the western boundary of the project.
9. The project shall connect to public water and wastewater.
10. If PD 20-1149 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated December 9, 2020 and submitted on December 15, 2020), which was found approvable on January 7, 2021. Approval of this Administrative Variance will waive substandard roadway requirement to improve Lithia Pinecrest Road, between Miller Road and the project access, to current County standards for a TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM).
11. As Lithia Pinecrest Road is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway, the developer shall preserve up to +/-12.5 feet of right-of-way along its Lithia Pinecrest Road frontage for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right- of- way. Building setbacks shall be calculated from the future right-of-way line.
12. The right-of-way preservation area should be shown on all site plans as "12.5 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG LITHIA PINECREST ROAD PER HILLSBOUROUGH COUNTY CORRIDOR PRESERVATION PLAN ".

DRAFT CONDITIONS PD 20-1149

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DRAFT CONDITIONS PD 20-1149

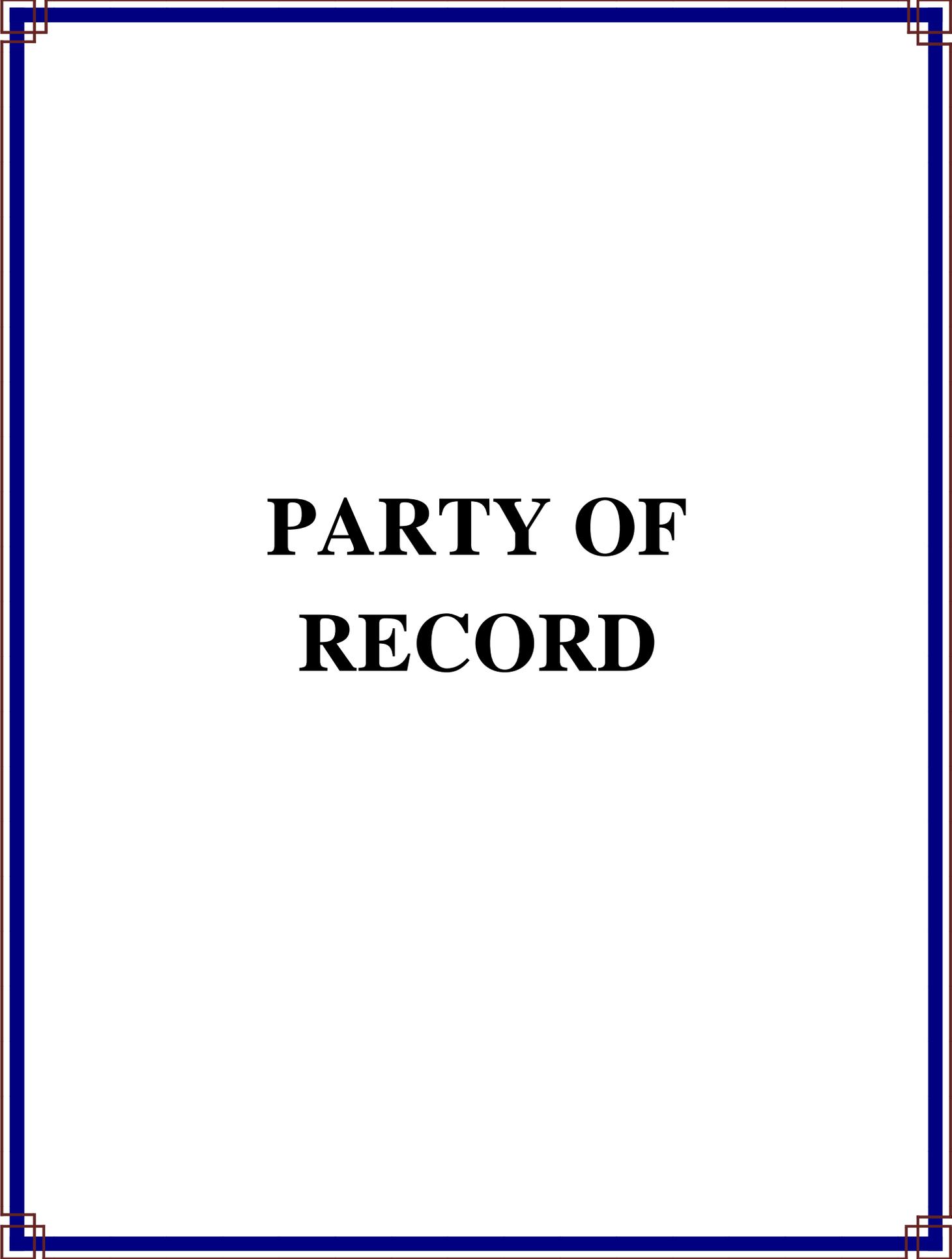
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4. 12.5' of right of way shall be preserved per the Corridor Preservation Plan.
5. 10' of right of way shall be preserved as a scenic corridor buffer.
6. Parking shall be per the LDC.
7. A 6' masonry wall shall be maintained on the western boundary of the project
8. A 6' landscape buffer shall be constructed and maintained on the western boundary of the project.
9. The project shall connect to public water and wastewater.
10. If PD 20-1149 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated December 9, 2020 and submitted on December 15, 2020), which was found approvable on January 7, 2021. Approval of this Administrative Variance will waive substandard roadway requirement to improve Lithia Pinecrest Road, between Miller Road and the project access, to current County standards for a TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM).
11. As Lithia Pinecrest Road is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway, the developer shall preserve up to +/-12.5 feet of right-of-way along its Lithia Pinecrest Road frontage for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right- of- way. Building setbacks shall be calculated from the future right-of-way line.
12. The right-of-way preservation area should be shown on all site plans as "12.5 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG LITHIA PINECREST ROAD PER HILLSBOUROUGH COUNTY CORRIDOR PRESERVATION PLAN ".

DRAFT CONDITIONS PD 20-1149

1. The project shall be limited to 12, 425 square feet of the following uses:
 - Hardware store
 - Antique store
 - Pet supply store
2. The project shall have one full access onto Lithia Pinecrest
3. Cross access shall be provided to the south.
4. 12.5' of right of way shall be preserved per the Corridor Preservation Plan.
5. 10' of right of way shall be preserved as a scenic corridor buffer.
6. Parking shall be per the LDC.
7. A 6' masonry wall shall be maintained on the western boundary of the project
8. A 6' landscape buffer shall be constructed and maintained on the western boundary of the project.
9. The project shall connect to public water and wastewater.
10. If PD 20-1149 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated December 9, 2020 and submitted on December 15, 2020), which was found approvable on January 7, 2021. Approval of this Administrative Variance will waive substandard roadway requirement to improve Lithia Pinecrest Road, between Miller Road and the project access, to current County standards for a TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM).
11. As Lithia Pinecrest Road is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway, the developer shall preserve up to +/-12.5 feet of right-of-way along its Lithia Pinecrest Road frontage for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right- of- way. Building setbacks shall be calculated from the future right-of-way line.
12. The right-of-way preservation area should be shown on all site plans as "12.5 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG LITHIA PINECREST ROAD PER HILLSBOUROUGH COUNTY CORRIDOR PRESERVATION PLAN ".

DRAFT CONDITIONS PD 20-1149

1. The project shall be limited to 12, 425 square feet of the following uses:
 - Hardware store
 - Antique store
 - Pet supply store
2. The project shall have one full access onto Lithia Pinecrest
3. Cross access shall be provided to the south.
4. 12.5' of right of way shall be preserved per the Corridor Preservation Plan.
5. 10' of right of way shall be preserved as a scenic corridor buffer.
6. Parking shall be per the LDC.
7. A 6' masonry wall shall be maintained on the western boundary of the project
8. A 6' landscape buffer shall be constructed and maintained on the western boundary of the project.
9. The project shall connect to public water and wastewater.
10. If PD 20-1149 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (dated December 9, 2020 and submitted on December 15, 2020), which was found approvable on January 7, 2021. Approval of this Administrative Variance will waive substandard roadway requirement to improve Lithia Pinecrest Road, between Miller Road and the project access, to current County standards for a TS-7 Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM).
11. As Lithia Pinecrest Road is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway, the developer shall preserve up to +/-12.5 feet of right-of-way along its Lithia Pinecrest Road frontage for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right- of- way. Building setbacks shall be calculated from the future right-of-way line.
12. The right-of-way preservation area should be shown on all site plans as "12.5 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG LITHIA PINECREST ROAD PER HILLSBOUROUGH COUNTY CORRIDOR PRESERVATION PLAN " .



**PARTY OF
RECORD**

NONE