

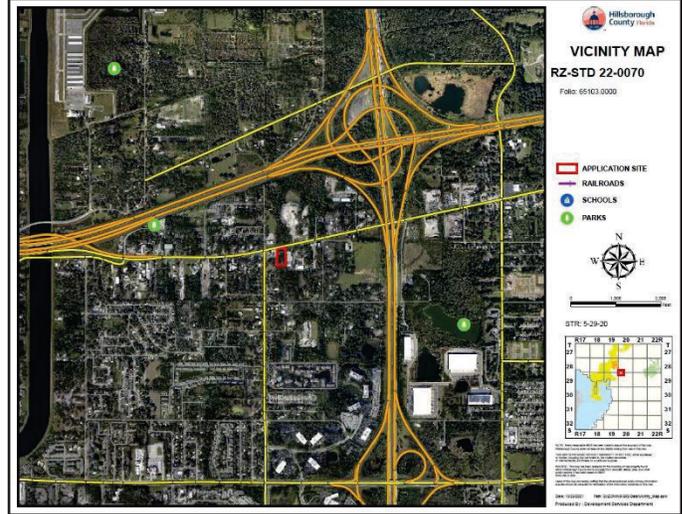
Rezoning Application: 22-0070
Zoning Hearing Master Date: December 13, 2021
BOCC Land Use Meeting Date: February 8, 2022



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Joseph L. Lancaster
FLU: Urban Mixed-Use 20 (UMU-20)
Category:
Service Area: Urban
Site Acreage: 1.66
Community Plan Area: East Lake/Orient Park
Overlay: None
Request: Rezone from **Commercial General (CG)** to **Commercial Intensive Restricted (CI-R)**.



Request Summary:

The request is to rezone from the existing from Commercial General (CG) to Commercial Intensive Restricted (CI-R) zoning district. The proposed zoning for CI-R permits Intensive Commercial, Office and Personal Services development on lots containing a minimum of 20, 000 square feet.

Zoning:

Uses	Current CG Zoning	Proposed CI-R Zoning
	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.66 +/-	1.66 +/-
Density / Intensity	Floor Area Ratio (F.A.R.) 0.27	F.A.R. 0.30
Mathematical Maximum*	19,524 square feet (sf)	21,693 sf

* *Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.*

Development Standards:

	Current CG Zoning	Proposed CI-R Zoning
Density / Intensity	0.27 F.A.R	0.30 F.A.R
Lot Size / Lot Width	10,000 (sf) / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' - Front 20' w/ Type B Buffering – Rear 0' - Sides	30' - Front 20' w/ Type B Buffering – Rear 0' - Sides
Height	50'	50'

Additional Information:

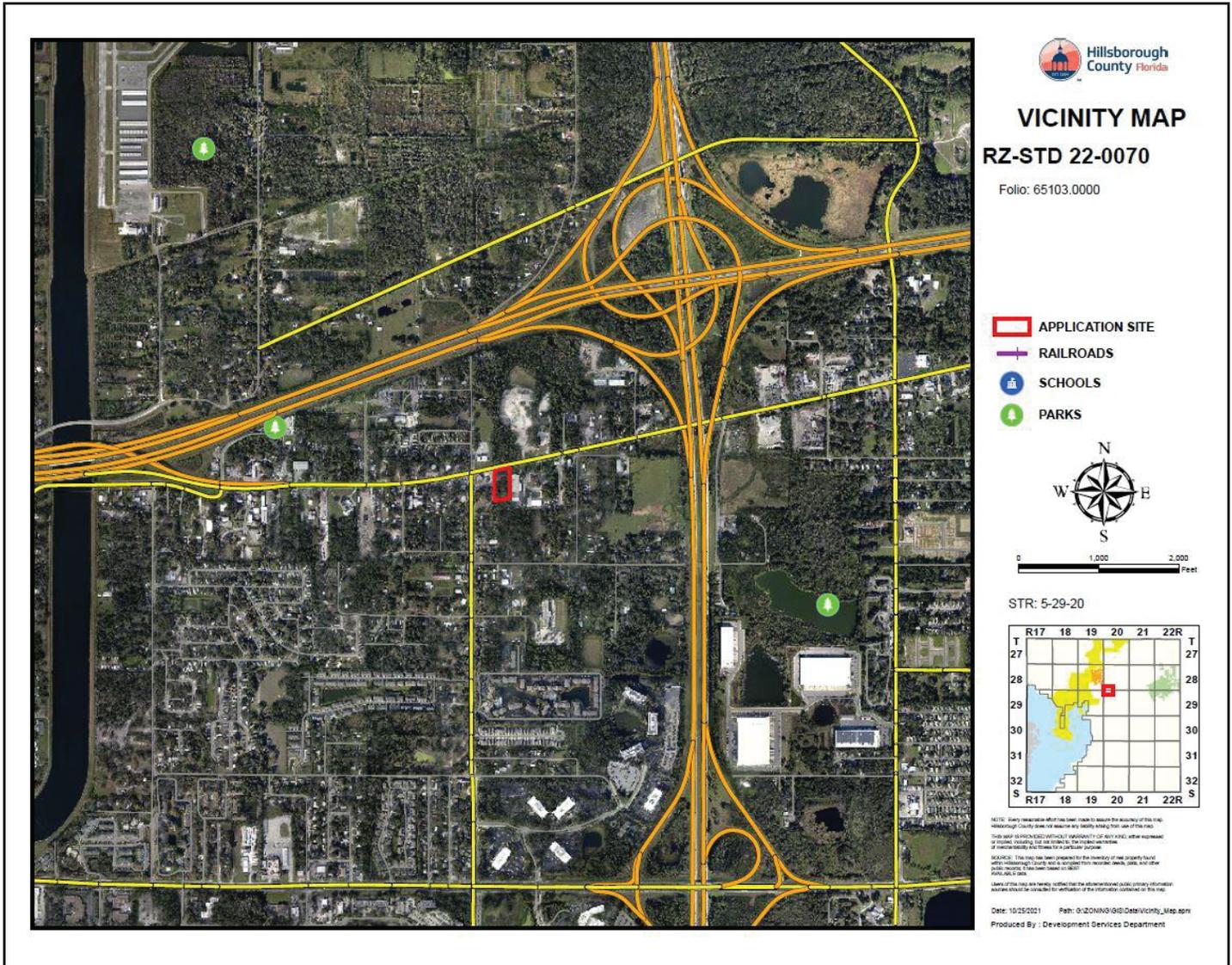
PD Variations	N/A
Waiver(s) to the Land Development Code	None

Additional Information:

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable with Restrictions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

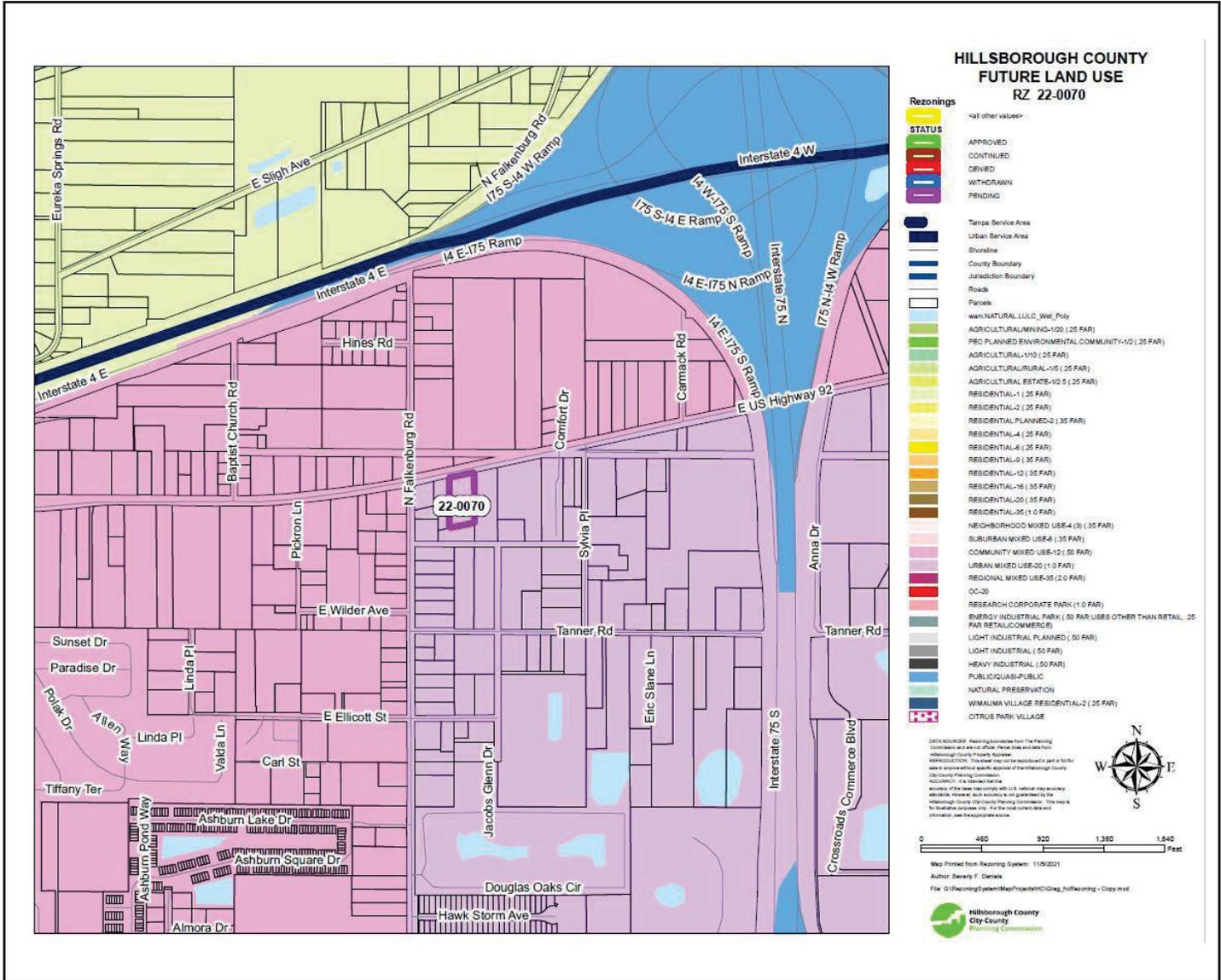


Context of Surrounding Area:

The site is located in an area comprised of light industrial, mixed and commercial uses and rural-agricultural. A majority of the area to the North, east and west of the subject site is within the CMU-12 and UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses. The site is adjacent to commercial and industrial type use properties. The adjacent properties are zoned IPD-2 90-121 & CG (to the north), CG (west), AR (south) and IPD-2 78-0303(east).

2.0 LAND USE MAP SET AND SUMMARY DATA

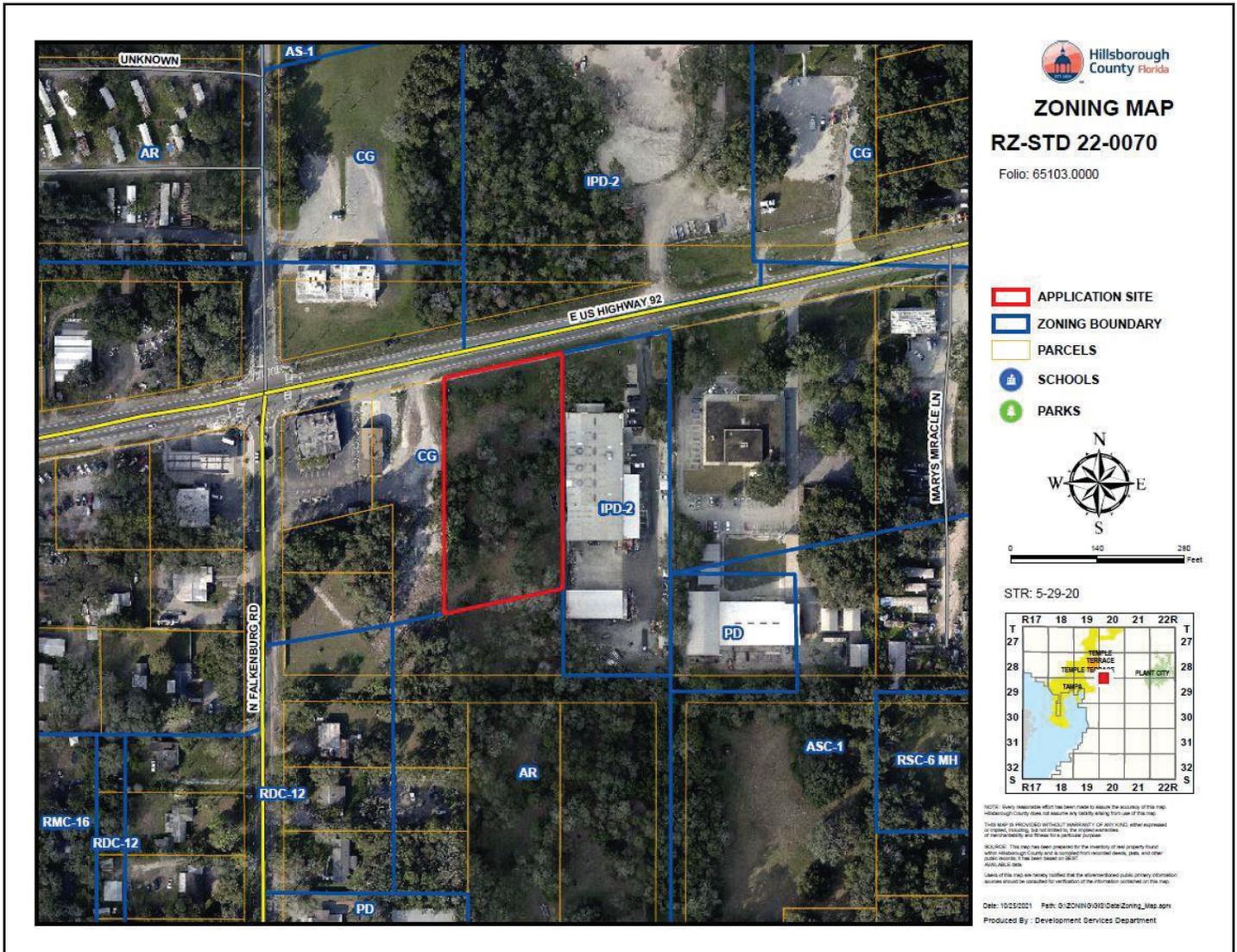
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Urban Mixed-Use 20 (UMU-20)
Maximum Density/F.A.R.:	20 dwelling unit per Gross Acre (ga)/ 1.0 F.A.R.
Typical Uses:	Residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

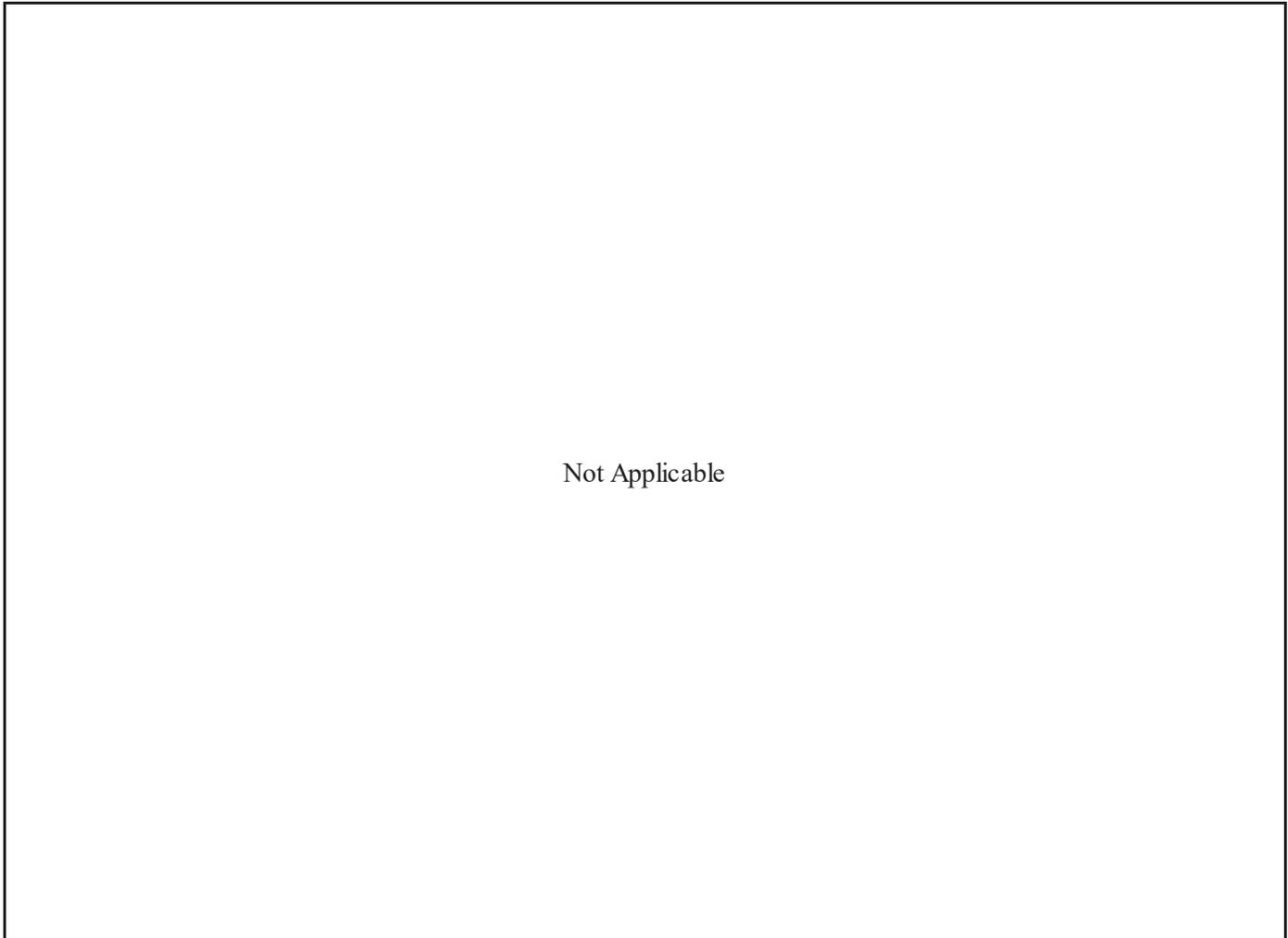
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	IPD-2 90-0121	F.A.R. 0.27	Per PD 90-0121 Agricultural, Open Storage, Contractors Office, Office, Warehouse Facilities	Warehouse
	CG	F.A.R. 0.27	General Commercial, Office and Personal Services	Clubhouse
South	AR	1 du/ 5 acres	AR: Agricultural and related uses and permit single-family conventional and mobile home.	Vacant

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	IPD-2 78-0303	F.A.R. 0.30	General Commercial, Office and Personal Services	Ironworkers Union /Warehouse
West	CG	F.A.R. 0.27	General Commercial, Office and Personal Services	Restaurant

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: RZ STD 22-0070

ZHM HEARING DATE: December 13, 2021

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
US Hwy 92	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	3,903	168	158
Proposed	4,143	174	162
Difference (+/-)	+240	+6	+4

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Choose an item.
South		None	None	Choose an item.
East		None	None	Choose an item.
West		None	None	Choose an item.
Notes:				

Design Exception/Administrative Variance Not applicable for this request

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input 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:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No comments provided
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comment
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" 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"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of light industrial, mixed and commercial uses and rural-agricultural. A majority of the area to the North, east and west of the subject site is within the CMU-12 and UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses.

The site is adjacent to commercial and industrial type use properties. The adjacent properties are zoned IPD-2 90-121 & CG (to the north), CG (west), AR (south) and IPD-2 78-0303(east). Therefore, from a compatibility perspective the most potentially impacted parcel would be the AR zoned parcel to the south. Staff notes along half the common boundary on the residential parcel between the two parcels is occupied by a pool serving the adjacent residential community, with remaining half consisting of four townhome units which are currently setback over 20 feet from the common boundary. Per the LDC, a 20-foot buffer with a six-foot solid screen and 10-foot evergreen trees planted on 20-foot centers is required between the two uses along southern boundary. Furthermore, any structures on the subject parcel over 20 feet in height would be required to be set back an additional 2 feet for 1 foot of structure height over 20 feet. The applicant’s proposed use restrictions include the following: All operations will be conducted within an enclosed building(s), Building eight restricted to one-story 25 feet, and Permitted uses shall be limited to Minor Industry with no open storage. Therefore, given the adjacent zoning/development pattern, staff finds the site characteristics, required buffering/screening/setbacks and the proposed use restrictions provide appropriate mitigation for any potential impacts of the proposed rezoning.

The size and depth of the subject parcel in relation to other adjacent commercial uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the commercial uses/zoning districts in the area.

The site is located within the Hillsborough County Urban Service Area and the City of Tampa Service Area. Therefore, the subject property would be served by the Hillsborough County Urban Service Area- Wastewater, and the City of Tampa Service Area – Water.

The site is located in an area comprised of low, mid and high density urban residential and commercial/office uses. A majority of the area on the south-side of W Waters Ave has FLU category of mid and high density urban residential and office commercial. The FLU categories mentioned can be potentially permit commercial, office, and multi-purpose uses that meet the locational criteria. The overall area is also within the Urban Service Area with publicly owned and operated potable water and wastewater facilities available.

5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following restrictions:

1. All operations will be conducted within an enclosed building(s),
2. Building height restricted to one-story 25 feet, and
3. Permitted uses shall be limited to Minor Industry with no open storage

6.0 PROPOSED CONDITIONS:

N/A

Zoning Administrator Sign Off:	 J. Brian Grady Fri Dec 3 2021 15:28:37
---------------------------------------	--

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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)**AGENCY REVIEW COMMENT SHEET**

TO: Zoning Technician, Development Services Department
 REVIEWER: Alex Steady, Senior Planner
 PLANNING AREA/SECTOR: East Lake Orient Park/Northeast

DATE: 11/30/2021
 AGENCY/DEPT: Transportation
 PETITION NO.: STD 22-0070

<input type="checkbox"/>	This agency has no comments.
<input checked="" type="checkbox"/>	This agency has no objection.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 240 average daily trips, 6 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.67 ac parcel from Commercial General (CG) to Commercial Intensive- Restricted (CI-R). The site is located +/- 300 feet east of the intersection of US Hwy 92 and Falkenberg Rd. The Future Land Use designation of the site is Urban Mixed Use - 20 (UMU-20).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 9,600 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,048	37	99
CG, 5,000 sf Fast-Food Restaurant with Drive Though Window (ITE code 934)	2,355	201	163
CG, 5,000 5,000 sf Bank with drive thru (ITE Code 912)	500	48	102
<i>Subtotal:</i>	3903	286	364
<i>Less Internal Capture:</i>	<i>Not Available</i>	8	78
<i>Passerby Trips:</i>	<i>Not Available</i>	110	128
<i>Net External Trips:</i>	3,903	168	158

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, 11,800 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,288	45	121
CI-R, 5,000 sf Fast-Food Restaurant with Drive Though Window (ITE code 934)	2,355	201	163
CI-R, 5,000 sf Bank with drive thru (ITE Code 912)	500	48	102
<i>Subtotal:</i>	4,143	294	386
<i>Less Internal Capture:</i>	<i>Not Available</i>	10	94
<i>Passerby Trips:</i>	<i>Not Available</i>	110	130
<i>Net External Trips:</i>	4,143	174	162

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference:	+240	+6	+4

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 240 average daily trips, 6 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on US HWY 92. US HWY 92 is a 2-lane, undivided, FDOT maintained, Principal Arterial roadway. Along the project frontage, the roadway lies within a +/- 93-foot wide right-of-way. There are +/- 5-foot wide sidewalks on only the south side of US HWY 92 and bike lanes on both sides of the road in the vicinity of the proposed project.

US HWY 92 is included as a 6-lane roadway in the Hillsborough County Corridor Preservation Plan.

SITE ACCESS

It is anticipated the site will have access to US HWY 92. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	US HWY 301	WILLIAMS RD.	D	C

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

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 22-0070
DATE OF HEARING:	December 13, 2021
APPLICANT:	Joseph Lancaster
PETITION REQUEST:	The request is to rezone a parcel of land from CG to C-R
LOCATION:	10105 E. 92 Highway
SIZE OF PROPERTY:	1.67 acres m.o.l.
EXISTING ZONING DISTRICT:	CG
FUTURE LAND USE CATEGORY:	UMU-20
SERVICE AREA:	Urban

DEVELOPMENT REVIEW STAFF REPORT*

***Please note that formatting errors prevented the entire staff report from being included in the Hearing Master’s Recommendation. Please refer to the Hillsborough County Development Services Department website for the complete staff report.**

1.0 APPLICATION SUMMARY

Applicant: Joseph L. Lancaster

FLU Category: Urban Mixed-Use 20 (UMU-20)

Service Area: Urban

Site Acreage: 1.66

Community Plan Area: East Lake/Orient Park

Overlay: Request: None

Rezone from **Commercial General (CG)** to **Commercial Intensive Restricted (CI-R)**.

Request Summary:		
The request is to rezone from the existing from Commercial General (CG) to Commercial Intensive Restricted (CI-R) zoning district. The proposed zoning for CI-R permits Intensive Commercial, Office and Personal Services development on lots containing a minimum of 20, 000 square feet.		
Zoning:		
Uses	Current CG Zoning	Proposed CI-R Zoning
	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.66 +/-	1.66 +/-
Density / Intensity	Floor Area Ratio (F.A.R.) 0.27	F.A.R. 0.30
Mathematical Maximum*	19,524 square feet (sf)	21,693 sf
<i>* Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.</i>		
Zoning:		
	Current CG Zoning	Proposed CI-R Zoning
Density / Intensity	0.27 F.A.R	0.30 F.A.R

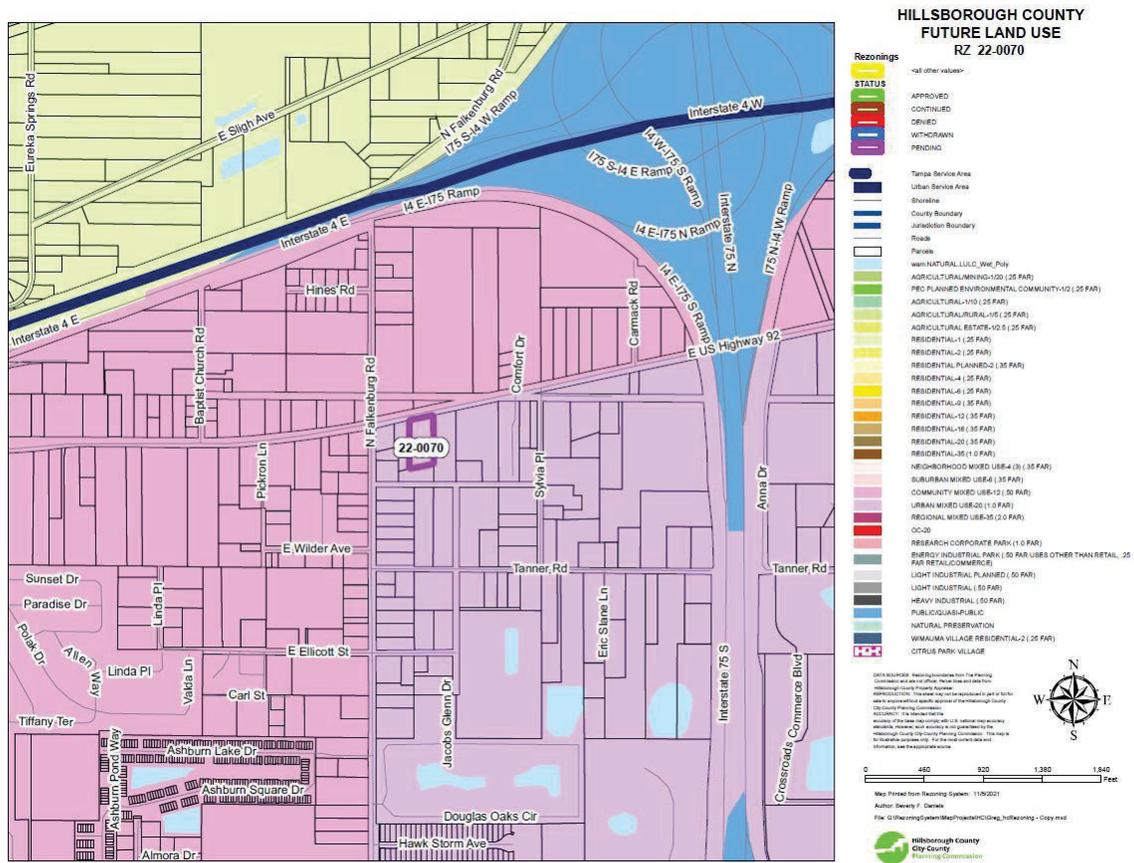
Lot Size / Lot Width	10,000 (sf) / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' - Front 20' w/ Type B Buffering – Rear 0' - Sides	30' - Front 20' w/ Type B Buffering – Rear 0' - Sides
Height	50'	50'
Additional Information:		
PD Variations	N/A	
Waiver(s) to the Land Development Code	None	

Additional Information:	
Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable with Restrictions

2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map

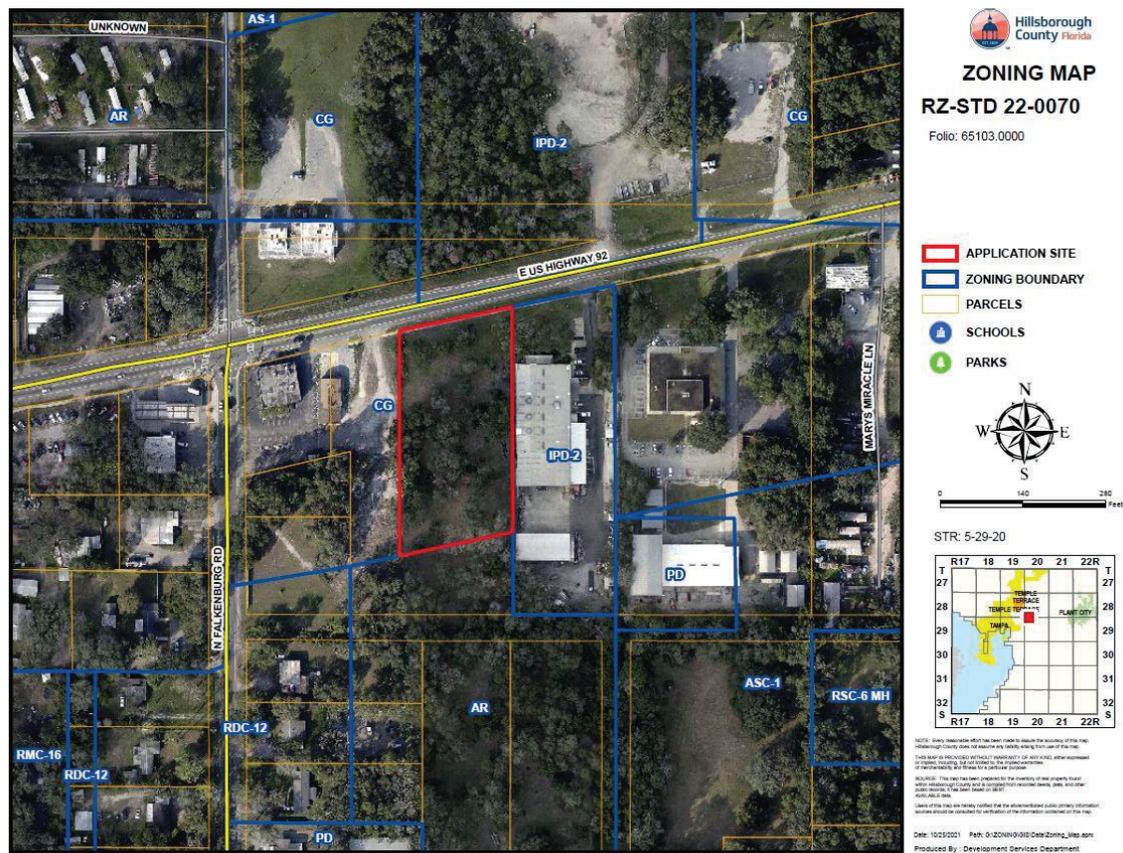
Context of Surrounding Area:

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



Subject Site Future Land Use Category:	Urban Mixed-Use 20 (UMU-20)
Maximum Density/F.A.R.:	20 dwelling unit per Gross Acre (ga)/ 1.0 F.A.R.
Typical Uses:	Residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi- purpose and clustered residential and/or mixed-use projects at appropriate locations. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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



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)

Not Applicable

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
US Hwy 92	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements

			<input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
--	--	--	---

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	3,903	168	158
Proposed	4,143	174	162
Difference (+/-)	+240	+6	+4

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Choose an item.
South		None	None	Choose an item.
East		None	None	Choose an item.
West		None	None	Choose an item.

Notes:



Design Exception/Administrative Variance Not applicable for this request

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

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input 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:	Objections	Conditions Requested	Additional Information/Comments
Transportation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	

<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A			
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No comments provided
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comment
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" 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"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Density Bonus Requested Consistent Inconsistent

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of light industrial, mixed and commercial uses and rural-agricultural. A majority of the area to the North, east and west of the subject site is within the CMU-12 and UMU-20 FLU category which has the potential to permit light industrial, commercial, office and multi-purpose uses.

The site is adjacent to commercial and industrial type use properties. The adjacent properties are zoned IPD-2 90-121 & CG (to the north), CG (west), AR (south) and IPD-2 78-0303(east). Therefore, from a compatibility perspective the most potentially impacted parcel would be the AR zoned parcel to the south.

Staff notes along half the common boundary on the residential parcel between the two parcels is occupied by a pool serving the adjacent residential community, with remaining half consisting of four townhome units which are currently setback over 20 feet from the common boundary. Per the LDC, a 20-foot buffer with a six-foot solid screen and 10-foot evergreen trees planted on 20-foot centers is required between the two uses along southern boundary. Furthermore, any structures on the subject parcel over 20 feet in height would be required to be set back an additional 2 feet for 1 foot of structure height over 20 feet. The applicant's proposed use restrictions include the following: All operations will be conducted within an enclosed building(s), Building height restricted to one-story 25 feet, and Permitted uses shall be limited to Minor Industry with no open storage. Therefore, given the adjacent zoning/development pattern, staff finds the site characteristics, required buffering/screening/setbacks and the proposed use restrictions provide appropriate mitigation for any potential impacts of the proposed rezoning.

The size and depth of the subject parcel in relation to other adjacent commercial uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the commercial uses/zoning districts in the area.

The site is located within the Hillsborough County Urban Service Area and the City of Tampa Service Area. Therefore, the subject property would be served by the Hillsborough County Urban Service Area- Wastewater, and the City of Tampa Service Area – Water.

The site is located in an area comprised of low, mid and high density urban residential and commercial/office uses. A majority of the area on the south-side of W Waters Ave has FLU category of mid and high density urban residential and office commercial. The FLU categories mentioned can be potentially permit commercial, office, and multi-purpose uses that meet the locational criteria. The overall area is also within the Urban Service Area with publicly owned and operated potable water and wastewater facilities available.

5.2 Recommendation

Based on the above considerations, staff finds the request approvable, with the following restrictions:

1. All operations will be conducted within an enclosed building(s),
2. Building height restricted to one-story 25 feet, and
3. Permitted uses shall be limited to Minor Industry with no open storage

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on December 13, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Michael Horner, 14502 North Dale Mabry Highway Tampa testified on behalf of Joe Lancaster of Rollercoat Industries. Mr. Horner identified the location of the property and stated that it is currently zoned CG and located in the UMU-20 land use category. The request is to rezone to the CI-Restricted zoning district. The request has unanimous recommendations for approval. He described the property's proximity to the US 92 commercial corridor and stated that the property to the east is owned by his client and uses include 15,000 square feet of Manufacturing with repair facilities and open storage in the rear of the site. The subject property proposes Minor Industry uses with less than 30,000 square feet and four to five employees. The subject property will not have open storage. Mr. Horner referenced the proposed hours of operation and stated that the use will be a very clean high tech operation. He concluded his presentation by stating that his client has agreed to the Restrictions.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone the property from Commercial General to Commercial Intensive with Restrictions. She described the location of the property and the surrounding zoning districts. The area is comprised of light industrial as well as commercial and agricultural land uses. Ms. Brown testified that the proposed zoning is compatible with the subject area and that the applicant has agreed to Restrictions that state that all operations will be conducted within an enclosed building and that the maximum building height will be 25 feet. Land uses will be limited to Minor Industry with no open storage.

Ms. Yeneka Mills, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Mills stated that the subject property is within the Urban Mixed Use-20 Future Land Use classification, the Urban Service Area and the East Lake Orient Community Planning Area. Ms. Mills testified that the request meets Policy 1.4 regarding compatibility with the surrounding area. She added that a concrete recycling facility is located to the north and northeast and that a polyurethane manufacturing facility is located to the east and southeast. The request meets Objective 8 and Policies 8.1 and 8.2. Ms. Mills described the rezoning's consistency with the Economic Development Objectives of the East Lake Orient Park Community Plan and that the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. None replied.

Hearing Master Finch asked for members of the audience in opposition to the

application. None replied.

County staff did not have additional comments.

Mr. Horner clarified that the applicant has agreed to the 25 foot height maximum.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Horner submitted a site plan for an adjacent property and correspondence and information regarding the Minor Industry use of the property into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject property is 1.67 acres in size and is currently zoned Commercial General (CG) and is designated Urban Mixed Use-20 (UMU-20) by the Comprehensive Plan. The property is located within the Urban Service Area and the East Lake Orient Community Plan.
2. The applicant is requesting a rezoning to the Commercial Intensive-Restricted (CI-R) zoning district. The intent of the rezoning is to permit Minor Industry land uses with no open storage.
3. The proposed Restrictions to the Commercial Intensive zoning district require that all operations be conducted within an enclosed building, that building height be limited to a maximum of 25 feet and that uses are limited to Minor Industry with no open storage.
4. The Planning Commission staff supports the request and found that the request is consistent with Policy 1.4 regarding compatibility with the surrounding area. The rezoning request meets the intent of Objective 8 and Policies 8.1 and 8.2 regarding consistency with the Future Land Use Map. The Planning Commission staff found that the proposed rezoning is consistent with the Economic Development Objectives of the East Lake Orient Park Community Plan as well as the Future of Hillsborough Comprehensive Plan.
5. The applicant's representative testified that the property owners also own the property to the east which is developed with 15,000 square

feet of Manufacturing with repair facilities and open storage in the rear of the site. The surrounding properties include a warehouse to the north, a restaurant to the west and vacant property to the south.

6. No waivers are requested as a part of the rezoning application.
7. No testimony in opposition was provided at the Zoning Hearing Master hearing.
8. The request for the CI-R zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

The applicant is requesting a rezoning to the CI-R zoning district. The property is 1.67 acres in size and is currently zoned CG and designated UMU-20 by the Comprehensive Plan. The property is located in the Urban Service Area and the East Lake Orient Community Plan.

The property owner also owns the property to the east which is currently zoned Interstate Planned Development and developed with 15,000 square feet of Manufacturing with repair facilities and open storage in the rear of the site.

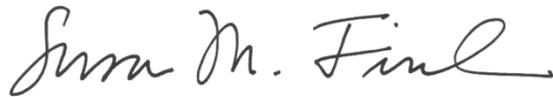
The applicant has agreed to Restrictions to the CI zoning district which require that all operations be conducted within an enclosed building, that building height be limited to a maximum of 25 feet and that uses are limited to Minor Industry with no open storage.

The Planning Commission found the request compatible with the surrounding area given the agreed upon Restrictions and consistent with the Comprehensive Plan.

The request for the CI-R zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

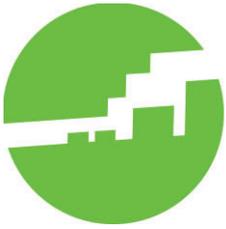
RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the CI-R rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

A handwritten signature in black ink that reads "Susan M. Finch". The signature is written in a cursive, flowing style.

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

Date January 05, 2022



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: December 13, 2021	Petition: 22-0070
Report Prepared: December 3, 2021	10105 East US Highway 92 South of East US Highway 92 (Hillsborough Avenue) and east of Falkenburg Road North
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Urban Mixed Use-20 (20 du/ac, 1.0 FAR)
Service Area	Urban
Community Plan:	East Lake Orient Park
Requested Zoning:	Commercial General (CG) to Commercial Intensive-Restricted (CI-R)
Parcel Size (Approx.):	1.66 +/- acres (72,309.6 square feet)
Street Functional Classification:	E Hillsborough Avenue– State Principal Arterial Falkenburg Road N – County Collector
Locational Criteria	N/A
Evacuation Zone	None



Context

- The 1.66 acre subject site is located at 10105 East US Highway 92. It is located south of East US Highway 92 (Hillsborough Avenue) and east of Falkenburg Road North.
- The applicant is requesting a rezoning from Commercial General (CG) to Commercial Intensive/Restricted (CI-R) to allow for a fully enclosed manufacturing facility with assembly and fabrication operations.
- The subject site is located in the Urban Service Area and is within the limits of the East Lake Orient Park Community Planning.
- The property has Urban Mixed Use-20 (UMU-20) Future Land Use designation. The subject property abuts Commercial Mixed Use-12 (CMU-12) to the north, northeast, and northwest and abuts Urban Mixed Use-20 (UMU-20) Future Land Use designation to the east, west, south, southeast, and southwest.
- The subject site is currently vacant unimproved commercial land. To the west and northwest is CG Zoning district with light commercial use and public, quasi-public institutions. An International Brotherhood of Electrical Workers (IBEW) # 108 Office currently exists in the northwest section, a banquet hall and unoccupied restaurant exists to the west. To the north, east, southeast and northeast is Interstate Planned Development-2 (IPD-2) zoning district which has light industrial uses. A concrete recycling facility is located to the north and northeast and a polyurethane manufacturing facility is located to the east and southeast. To the south and southwest is the Agricultural Zoning district which is vacant.
- The applicant is proposing manufacturing. Manufacturing as a major use is not an allowed use in the CI District per the Land Development Code Section 2.02.02. However, the applicant indicates that the manufacturing use qualifies as a minor industry and is defined as a non-intensive, relatively small-scale, light manufacturing operation in which the final product is crafted predominately from previously prepared materials.
- The property is within the Interstate-75 Transit Corridor and is found within a three mile radius of the Vanderburg airport.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

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

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

Land Use Categories

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

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

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

Relationship to Land Development Regulations

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

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

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

Policy 9.6: *Development must meet or exceed all airport zoning regulations, as established by the Land Development Code and by the Aviation Authority, unless such requirements are waived through established procedures.*

Provision of Public Facilities-Transportation

Objective 12: *All new development and redevelopment shall be serviced with transportation systems that meet or exceed the adopted levels of service established by Hillsborough County.*

Policy 12.3: Restrict direct access to arterial roadways from development projects when access can be provided via a collector or local facility.

Policy 12.5: Land use planning efforts shall make a distinction between the land uses that may be considered within land areas adjacent to limited access highways but not directly accessible to an interchange, and those land areas that are directly accessible to an interchange. These distinctions shall include, but not be limited to, compatibility of the land use with the interstate highway system, effect of the land use on highway system levels of service, and availability of the county collector and arterial systems to serve the proposed land use.

Neighborhood/Community Development

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

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

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

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

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

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.

Economic Development: Industrial and Heavy Commercial Uses, Research Corporate Parks and Tourist/Leisure Industries

A healthy, stable economy contributes to the economic well-being of all Hillsborough County residents and makes possible a sound tax base sufficient to achieve the County’s Comprehensive Plan. Desirable economic growth will contribute to, and be characterized by: full, productive, stable employment; high economic returns (wages and benefits) on individual labor effort; a minimal rate of poverty; and cost containment of basic living expenses for all residents.

Strategies that generally enhance desirable economic growth include:

- *encouraging the retention, expansion or attraction of export-base businesses—firms that provide goods or services to markets beyond the Tampa Bay metropolitan area. These traditionally include many manufacturers, but may also include services, such as, financial service firms, universities, certain health services and tourism. Universities represent an ideal export-based firm—they not only sell four-year degrees to students from outside the metropolitan area, but they require their customers to purchase four years of food, lodging and other living expenses. This strategy may extend to key members of a significant industry cluster.*
- *stimulating the development of import-substitution businesses—often smaller, sometimes home-based, firms that may fill an important “missing link” in the local economy, or may help lower costs by providing a less expensive, or more accessible, neighborhood supplier.*
- *providing better educational and work-force training to optimize the opportunities and productivity of the local work force.*
- *offering more affordable options for transportation, day care, medical, housing and energy to low income communities, thereby improving their economic well-being, while creating a more reliable workforce and a greater consumer base.*

To maximize Hillsborough County’s economic potential while minimizing land use conflicts, it is advisable to identify specific, strategic geographic areas best suited to accommodate businesses chosen for their contribution to desirable economic growth and then provide incentives to encourage such businesses in these “economic development areas”.

Objective 26: *The County shall identify specific target industry clusters, target industries, and target businesses; shall establish corresponding “economic development areas” and shall provide incentives for the location of desirable economic growth in these areas.*

Policy 26.1: *Economic development areas shall be any area with a land use designation, including mixed use categories, consistent with the targeted business or industry associated with desirable economic growth.*

Policy 26.2: *Economic development areas should be within designated transit corridors, accessible to economically disadvantaged populations, and within the County’s Urban Service Area.*

Policy 26.5: *Non-industrial land uses shall be restricted or prohibited in the industrial land use categories, and economic development areas will be preserved for employment centers, except as provided in Policy 26.6.*

Policy 26.6: *In industrial land use categories, up to twenty percent (20%) of the project land area, when part of larger industrial developments (those industrial and/or office parks greater than 300,000 square feet total) may be considered for certain retail, service and tourist-related uses; generally, the amount of commercial uses permitted in this type of development will not exceed the maximum square footage shown in the chart with locational criteria. Retail activities may also be considered in industrial areas as freestanding uses if it is demonstrated to serve the greater industrial area, pursuant to the provisions of the suburban-scale Locational Criteria.*

Interstate 75 Corridor Development

Objective 34: Plan categories for the Interstate 75 corridor shall permit urban level intensities that will encourage mixed use patterns of development.

Policy 34.3: Access to high density/intensity development shall be encouraged to be located onto the county arterial and collector system rather than the state highway system in the I-75 Corridor. This will be accomplished through the promotion of clustering of highest intensity uses with access to the county arterial system, through the review of access points by Florida Department Of Transportation (FDOT) and the requirement that new developments provide sufficient right-of-way for a future county parallel arterial system to serve I-75 Corridor development.

Objective 35: Incentive programs and design sensitive regulations shall be developed and implemented that will promote high quality private and public development, and to assure creative and responsive approaches to the review of development within the I-75 mixed use categories.

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

Livable Communities Element: East Lake-Orient Park Community Plan

Goals: To ensure the implementation of the plan formulated by the residents of the East Lake-Orient Park community, the following goals and strategies will guide future growth and redevelopment within its boundaries. The plan's vision is supported by the following eight goals with accompanying strategies (all listed in priority order):

Economic Development – Provide opportunities for business growth and jobs in the East Lake-Orient Park community.

- *Establish higher density mixed use employment/activity center as identified along Harney Road adjacent to Davis Road and US 301.*
- *Establish design guidelines and protection of adjacent residential uses prior to granting higher densities in mixed use employment/activity centers.*
- *Business uses are encouraged along US 301 from the Tampa By-Pass Canal to Hillsborough Avenue. Appropriate land use and zoning changes should be allowed to accomplish this strategy.*
- *Create a commercial redevelopment area along 56th Street from the Temple Terrace boundary to Harney Road and along Hillsborough Avenue from 56th Street to Orient Road.*
- *Existing industrial uses and employment should be preserved and protected.*

- Create a commercial/mixed-use district along Orient Road from Hillsborough Avenue to Columbus Drive.

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the subject site from Commercial General (CG) to Commercial Intensive-Restricted (CI-R). The property is found in the Urban Mixed Use-20 (UMU-20) Future Land Use category and within the limits of the East Lake-Orient Park Community Plan. The applicant is proposing a CI-R rezoning for manufacturing operations that are classified as a minor industry. Minor Industry is defined as a non-intensive, relatively small-scale, light manufacturing operation in which the final product is crafted predominately from previously prepared materials. The operation may involve minor processing, assembly, treatment, packaging, incidental storage, sales and distribution of products, but excludes basic industrial processing. Examples are cigar making; small unit products such as electronic equipment and fishing tackle and smoking pipe manufacture; and forms of craftsmanship, such as cabinet-making which does not include milling. Similar uses exist to the north, northeast, east and southeast.

The proposed rezoning meets the intent of Objective 1 of the Future Land Use Element of the Comprehensive Plan by providing growth in the Urban Service Area. The proposed rezoning also meets the intent of Policy 1.4 as it is compatible with the surrounding area that has several manufacturing uses in proximity to the subject site. A concrete recycling facility is located to the north and northeast and a polyurethane manufacturing facility is located to the east and southeast. According to Policy 1.4 *“Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.”* In this case, a rezoning from CG to CI-R would maintain the non-residential character of the and align with the transit corridor Objectives 34 and 35 and Compatibility Objective 16.

The proposed rezoning meets the intent of Objective 8 and Policies 8.1 and 8.2 that require proposed land uses to meet the intent of the Future Land Use Map designations and the goals objectives and policies of the Comprehensive Plan. The subject site’s Future Land Use category is Urban Mixed Use-20 (UMU-20) and the proposed zoning district is CI-R. As mentioned above manufacturing is a permitted use as long as it is considered a minor industry. Objective 9 and Policy 9.2 require that all developments be consistent with the Plan and meet all Land Development Regulations in Hillsborough County.

All uses conforming to the CI-R standards will be permitted as per the direction of the Development Services Department of Hillsborough County. The manufacturing uses that are permitted in this FLU category are those that fall within the Land Development Code Article XII. If at site development it is determined by Development Services staff that certain uses fall within the parameters of a major manufacturing use as defined by the Land Development Code, those uses will not be permitted. The subject site will require a height restriction due to the proximity to the Vanderburg Airport Zone. The applicant has agreed to a limitation of 25 feet in height as stated in the applicant’s narrative.

The subject site meets the intent of Objective 16, Policies 16.2, 16.3, 16.10 and 17.7 regarding the protection of adjacent land uses through various buffering and mitigation measures. The applicant states that they will be committing to 30,000 sq. ft. maximum of building, a maximum of 100 employees. Furthermore, confirmation and documentation of having no negative impacts relative to Lighting, Sound emissions, Dust emanation,

Airborne discharges, Vibrations, etc. will be provided as outlined under Land Development Code (LDC) Section 6.11.61 and Sections 6.09.02 thru 6.09.07.

The Community Design Component (CDC) in the FLUE also contains policy direction about designing developments that relate to the predominant character of the surrounding area (*CDC Goal 12*). It further states that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area (*CDC Objective 12-1*).

As previously mentioned, the immediate area is non-residential with manufacturing uses abutting the property. The abutting manufacturing uses were approved during a Interstate Planned Development (IPD) and since then new IPD are no longer allowed. The proposed request is also consistent with Objective 34 and 35, which provides development guidelines for properties in the interstate-75 Corridor. The subject site will be reviewed in detail at the permitting stage for compliance with site design standards.

The request is consistent with the Economic Development Objectives of the East Lake-Orient Park Community Plan and meets the intent of Objective 26 and Policy 26.5 that seeks to incentivize non-residential properties to help provide industrial and employment areas for securing longer term economic development. The proposed use will help provide new jobs to the area.

Overall, the proposed rezoning would allow for development that is consistent with 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.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 22-0070

Rezonings
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

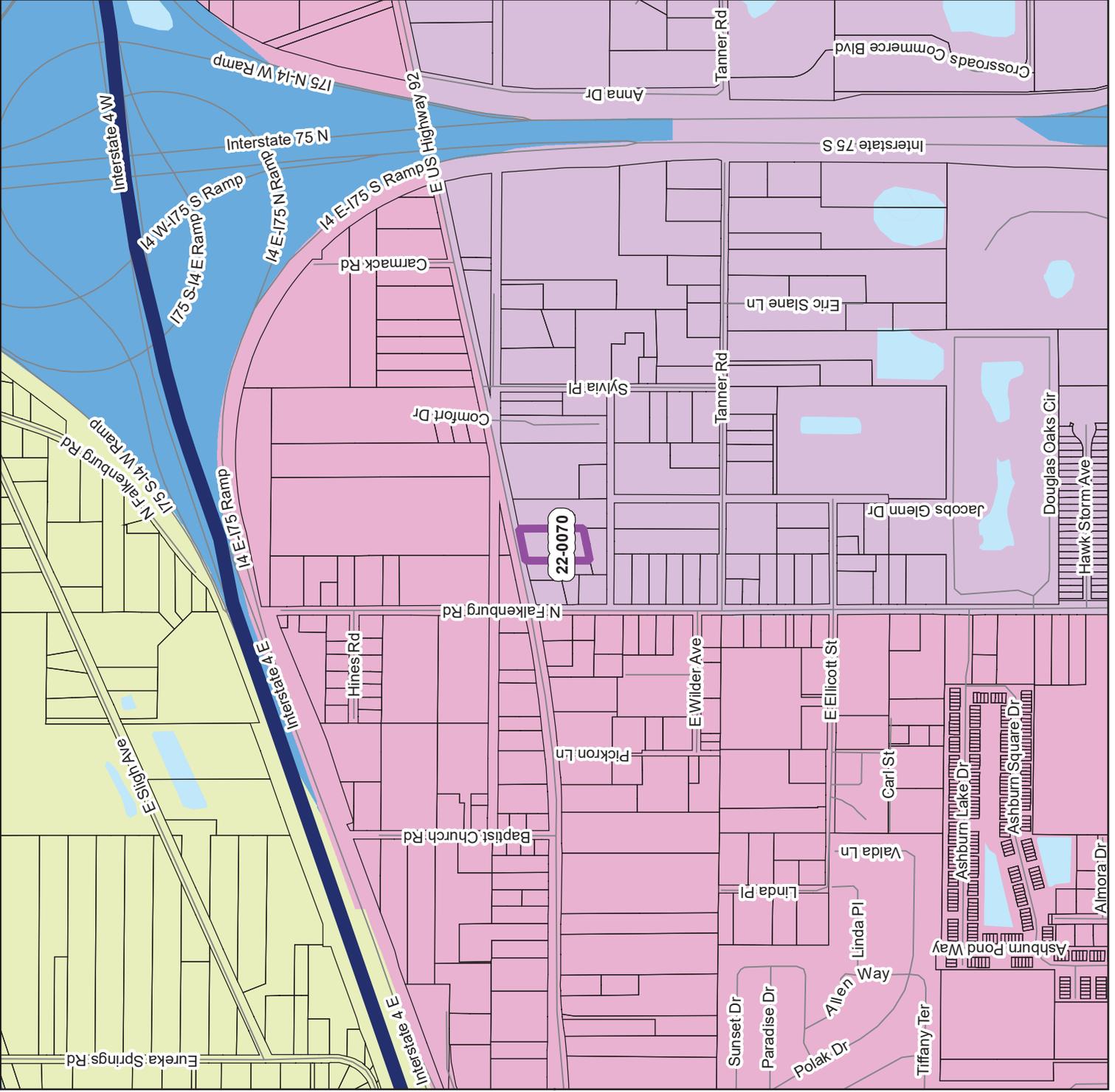
- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

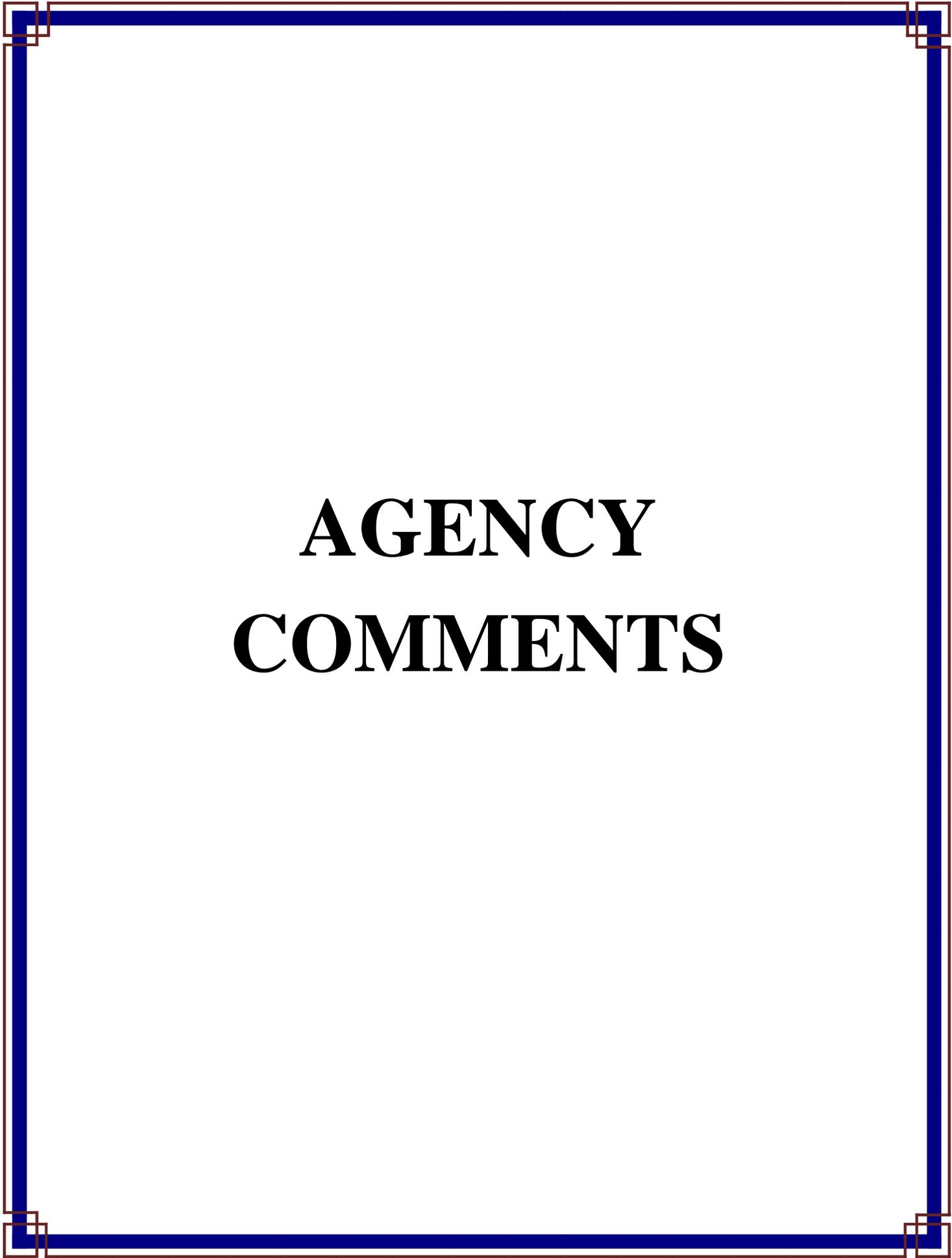
- WATER NATURAL LULC, Wet Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- 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: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the user seek to approve without specific approval of the Hillsborough County City/County Planning Commission. ACCURACY: It is intended that the user seek to approve without specific approval of the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 11/15/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Gen_H\Rezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: East Lake Orient Park/Northeast

DATE: 11/30/2021
AGENCY/DEPT: Transportation
PETITION NO.: STD 22-0070

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | This agency has no comments. |
| <input checked="" type="checkbox"/> | This agency has no objection. |
| <input type="checkbox"/> | This agency objects for the reasons set forth below. |

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 240 average daily trips, 6 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.67 ac parcel from Commercial General (CG) to Commercial Intensive- Restricted (CI-R). The site is located +/- 300 feet east of the intersection of US Hwy 92 and Falkenberg Rd. The Future Land Use designation of the site is Urban Mixed Use - 20 (UMU-20).

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 9,600 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,048	37	99
CG, 5,000 sf Fast-Food Restaurant with Drive Though Window (ITE code 934)	2,355	201	163
CG, 5,000 5,000 sf Bank with drive thru (ITE Code 912)	500	48	102
<i>Subtotal:</i>	3903	286	364
<i>Less Internal Capture:</i>	<i>Not Available</i>	8	78
<i>Passerby Trips:</i>	<i>Not Available</i>	110	128
<i>Net External Trips:</i>	3,903	168	158

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, 11,800 sf Pharmacy /Drugstore with Drive-Through Window (ITE Code 881)	1,288	45	121
CI-R, 5,000 sf Fast-Food Restaurant with Drive Though Window (ITE code 934)	2,355	201	163
CI-R, 5,000 sf Bank with drive thru (ITE Code 912)	500	48	102
<i>Subtotal:</i>	4,143	294	386
<i>Less Internal Capture:</i>	<i>Not Available</i>	10	94
<i>Passerby Trips:</i>	<i>Not Available</i>	110	130
<i>Net External Trips:</i>	4,143	174	162

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference:	+240	+6	+4

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 240 average daily trips, 6 trips in the a.m. peak hour, and 4 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on US HWY 92. US HWY 92 is a 2-lane, undivided, FDOT maintained, Principal Arterial roadway. Along the project frontage, the roadway lies within a +/- 93-foot wide right-of-way. There are +/- 5-foot wide sidewalks on only the south side of US HWY 92 and bike lanes on both sides of the road in the vicinity of the proposed project.

US HWY 92 is included as a 6-lane roadway in the Hillsborough County Corridor Preservation Plan.

SITE ACCESS

It is anticipated the site will have access to US HWY 92. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	US HWY 301	WILLIAMS RD.	D	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US Hwy 92	FDOT Principal Arterial - Rural	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	3,903	168	158
Proposed	4,143	174	162
Difference (+/-)	+240	+6	+4

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

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

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

4.0 Additional Site Information & Agency Comments Summary

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



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 N. McKinley Drive
Tampa, FL 33612

KEVIN J. THIBAUT
SECRETARY

MEMORANDUM

DATE: October 28, 2021

TO: Rosa Timoteo, Hillsborough County

FROM: Lindsey Mineer, FDOT

COPIES: Richard Perez, Hillsborough County
Daniel Santos, FDOT
Joel Provenzano, FDOT
Mecale' Roth, FDOT
Michael D Horner, AICP

SUBJECT: PRS 22-0070, 10105 E 92 Hwy

This project is on a state road, US 92.

The applicant is advised that permits for access to state highways are required, and approval is not guaranteed. The applicant is reminded that zoning application and site development plan approvals by the local government do not guarantee acceptance of external project driveway location(s) on state roads.

It is recommended that the applicant meet with FDOT before zoning approval. Pre-application meetings, virtual or in person, may be made through Ms. Mecale' Roth at the District Seven Tampa Operations offices of the Florida Department of Transportation.

Contact info:
Mecale' Roth
Mecale.Roth@dot.state.fl.us
813-612-3237

Thank you for the opportunity to comment.

END OF MEMO

www.fdot.gov

COMMISSION

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



DIRECTORS

Janet L. Dougherty 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	
<p>HEARING DATE: 12/13/2021</p> <p>PETITION NO.: 22-0070</p> <p>EPC REVIEWER: Sarah Hartshorn</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1237</p> <p>EMAIL: hartshorns@epchc.org</p>	<p>COMMENT DATE: 11/18/2021</p> <p>PROPERTY ADDRESS: 10105 E 92 Hwy, Tampa</p> <p>FOLIO #: 065103-0000</p> <p>STR: 05-29S-20E</p>
<p>REQUESTED ZONING: CG to CI Restricted</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>NO</p>
<p>SITE INSPECTION DATE</p>	<p>10/29/2021</p>
<p>WETLAND LINE VALIDITY</p>	<p>NA</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>No wetlands per site inspection</p>
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Sjh/mst

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 27 Oct 2021

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

APPLICANT: Michael Horner

PETITION NO: RZ-STD 22-0070

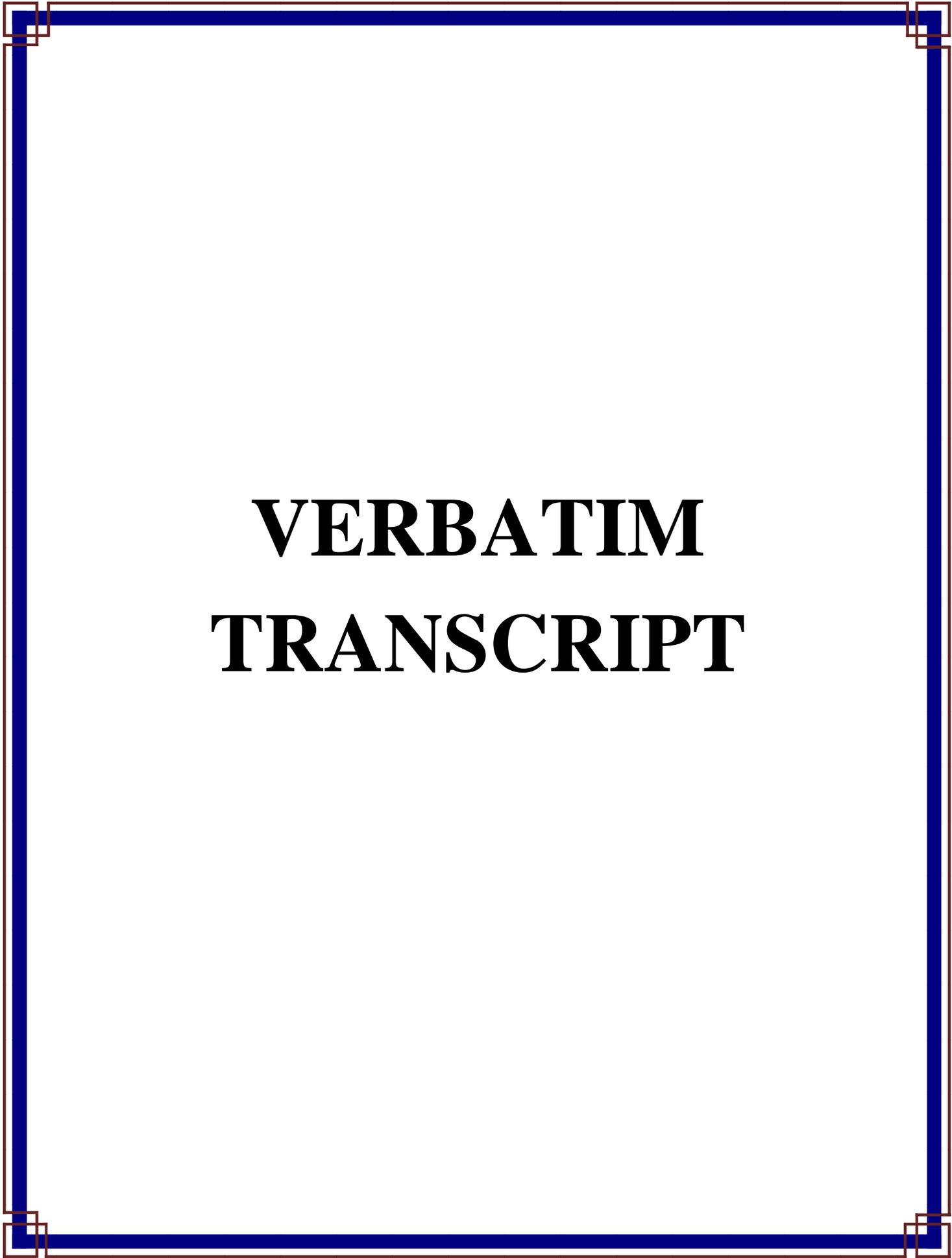
LOCATION: 10135 E. 92 HWY, Tampa, FL 33610

FOLIO NO: 65103.0000

SEC: 05 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
December 13, 2021
ZONING HEARING MASTER: SUSAN FINCH

C4:
Application Number: RZ-STD 22-0070
Applicant: Joseph L. Lancaster
Location: 10105 E. 92 Hwy
Folio Number: 065103.0000
Acreage: 1.67 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Existing Zoning: CG
Request: Rezone to CI-R

**Note: Words in brackets [...] are a suggestion only
for what the speaker may have incorrectly
stated.

1 MR. GRADY: The next item is C-4,
2 Rezoning-Standard 22-0070. The applicant is Joseph
3 L. Lancaster. The request is to rezone from
4 Commercial General to Commercial Intensive with
5 Restrictions.

6 Isis Brown will provide staff recommendation
7 after presentation by the applicant.

8 HEARING MASTER FINCH: Good evening again.

9 MR. HORNER: Good evening, Ms. Finch. The
10 last one. Michael Horner for the record, 14502
11 North Dale Mabry Highway, Tampa, 33618. I'm
12 representing Joe Lancaster, Rollercoat Industries.

13 This is regarding 105 East U.S. 92,
14 Ms. Finch, south of U.S. 92, just east of
15 Falkenburg Road. It's 1.6 acres. It's currently
16 zoned CG and it's in the UMU-20 plan sector and
17 Urban Service Area.

18 We're seeking CI-Restricted. This comes to
19 you with unanimous recommendations of approval.
20 Findings of consistency from the Planning
21 Commission. We have no objections from any review
22 agencies. There are no wetlands on-site.

23 We appreciate staff working with us. We had
24 some recent amendments that I'll go into in just a
25 moment. This is a major commercial corridor as you

1 know. U.S. Highway 92, Falkenburg 92 intersection.
2 It's a major intersection. Commercial uses
3 throughout.

4 We also have a number of IPD uses and
5 districts in that area, including the immediate use
6 in parcel to the east, which lies here, which is
7 the current operation of our client. They receive
8 that IPD-2 approval back in 1991.

9 I'm going to file a copy of the site plan in
10 the record for you. That was for a number of uses,
11 including 15,000 square feet of Manufacturing.
12 They also have repair facilities, a little bit of
13 open storage in the back area covered. That is not
14 changing.

15 There's also an IPD-2 through directly
16 across U.S. 92. It also has approval for similar
17 uses. We have reviewed and agreed with all the
18 operations and conditions noted. Staff approached
19 us and indicated they want to make sure that this
20 was a operation that fit in the CG district --
21 excuse me, CI district.

22 We have agreed after researching further.
23 We hereby document consistency with 6.11.61, which
24 is Minor Industry under the LDC. That is a
25 conditional use in the CI district. That's why we

1 need the CI zoning in place.

2 Two criteria in Minor Industry
3 classification require no greater than
4 30,000 square feet and no greater than 100
5 employees, which is pretty substantial.

6 This will only have four to five employees
7 and will be less than 30,000 square feet. Unlike
8 the abutting IPD -- IPD-2 to the east, that was
9 approved for 15,000 square feet of repair service,
10 another 12,000 square feet of storage warehousing.

11 This parcel will have no open storage.
12 Again, only four employees and high-end specialized
13 automated machines.

14 We amended our transmittal memorandum,
15 Ms. Finch, and I'll file a copy because it is in
16 conflict. I should say clarifies the initial
17 narrative on the type of uses. So I will file that
18 in the record. It's already in the record because
19 we amended it a couple of weeks ago.

20 The hours of operations are Monday through
21 Friday 6:00 to 6:30. Shipping and receiving to
22 5:00 p.m. only. No weekend activities. Again, no
23 evenings. This also relays and parlays into the
24 LDC section under that conditional use review from
25 Minor Industry.

1 Also, Section 6.09.02 and .09, which
2 addresses dust emission, noise, vibration,
3 chemicals, storage. All those items that our
4 client has to demonstrate to the County, which we
5 have no problem doing. This is a very clean,
6 high-tech operation.

7 So we have no wetlands on-site. We have a
8 copy of that 91 plan for your review to the east.
9 I'm not aware of any objections. We're seeking no
10 waivers. We're seeking no variances.

11 In fact, Ms. Finch, this is the 91 site
12 plan. So this is the subject site. This is the
13 approved IPD-2 to the east, and you'll note on our
14 subject site it actually truncates much further
15 north than the south extent of this IPD.

16 This is the iron workers union, storage hall
17 behind. This is the intersection of Falkenburg, a
18 number of commercial uses. This area is heavily
19 vegetated and quite dense. So we don't have any
20 buffering, screening issues.

21 Staff has indicated they support. We agreed
22 to those restrictions, and I'm happy to answer any
23 questions.

24 HEARING MASTER FINCH: No questions at this
25 time.

1 MR. HORNER: Thank you very much.

2 HEARING MASTER FINCH: Development Services.

3 MS. BROWN: Good evening. Isis Brown,
4 Development Services.

5 Can you hear me and see my presentation?

6 HEARING MASTER FINCH: Yes.

7 MS. BROWN: Okay. All right. Reporting
8 case -- all right. The applicant is requesting a
9 rezone from Commercial General, CG, zoning district
10 to the proposed Commercial Intensive with
11 Restrictions zoning district.

12 The proposed zoning district for CI-R
13 permits intensive commercial, office, and personal
14 services development on lots containing a minimum
15 of 20,000 square feet.

16 The site is located 10105 East Highway 92 in
17 Tampa, Florida, also a/k/a East Hillsborough
18 Avenue. It's approximately 265 feet east of the
19 intersection of Falkenburg Road and north -- I'm
20 sorry, east 92nd Highway.

21 It's located in the Urban Service Area, and
22 it's located in the East Lake Orient Park Community
23 Plan area.

24 The Future Land Use designation on here, it's
25 Urban Mixed-Use-20. Immediately to the north, it's

1 UMU-12. To the south, east, and west is also the
2 UMU-20. Current density is 20 dwelling units per
3 gross acre or one point -- 1.0 FAR. The proposed
4 density is approximately -- is 0.30, approximately
5 21,693 square feet.

6 The zonings immediately to the north, which
7 is actually the highway, is IPD-2, 90-121, and CG.
8 The -- the PD 91-0121 is warehouse and the
9 commercial aspect is a clubhouse. To the --
10 immediately to the south is zoned AR and that's
11 vacant. To the east, IPD 78-0303. (Audio out.)

12 All right. The site is located in an area
13 comprised of light industrial, mixed, and
14 commercial uses and rural agricultural. Majority
15 of the area to the north, east, and west of subject
16 property is within the CMU-12 and UMU-20 FLU
17 category, which has the potential to permit light
18 industrial, commercial, office, and multipurpose
19 uses.

20 All right. The site is adjacent to
21 Commercial Industrial-type use properties. The
22 adjacent properties are zoned IPD-2, 90-121 and CG
23 to the north, CG to the west, AR to the south, and
24 IPD-2 78-0303 to the east.

25 Therefore, from a compatibility perspective,

1 the most potential impacted property would be to
2 the -- the AR zoned to the south. Per the LDC, a
3 20-foot buffer with a 6-foot solid screen and a
4 10-foot evergreen planted on 20-foot centered is
5 required along the southern border.

6 Furthermore, any structure subject parcel
7 over 20 feet in height will be required to set back
8 of an additional 2 feet for 1-foot of structure
9 high over 20 feet.

10 The applicant proposes -- proposed use
11 restrictions include the following: All operations
12 will be conducted within an enclosed building.
13 Building height restricted to one-story of 25 feet
14 and permitted uses shall be limited to Minor
15 Industry with no open storage.

16 Therefore, given the adjacent zoning
17 development patterns, staff finds that the site
18 characteristics, required buffering, screening and
19 setbacks, and the proposed use restrictions provide
20 appropriate mitigation for the potential impacts of
21 the proposed rezoning.

22 The applicant is proposing a rezone from CG
23 to CI-R. Based on the above considerations, staff
24 finds that the request is approvable with the
25 following restrictions as stated before. All

1 operations will be conducted within the enclosed
2 building. Building height restrictions to one
3 story of 25 feet, and permitted uses shall be
4 limited to Minor Industry with no open storage.

5 This ends my presentation and I'm available
6 for any questions.

7 HEARING MASTER FINCH: No questions at this
8 time, but thank you for your presentation.

9 Planning Commission, please.

10 MS. MILLS: Yeneka Mills, Planning
11 Commission staff.

12 The subject property is located within the
13 Urban Mixed-Use-20 Future Land Use category. It's
14 also located within the Urban Service Area and the
15 East Lake Orient Park Community Planning Area.

16 The proposed rezoning meets the intent of
17 Policy 1.4 as it's compatible with surrounding area
18 that has several Manufacturing uses in proximity to
19 the subject site.

20 Concrete recycling facility is located to
21 the north and northeast and a polyurethane
22 manufacturing facility is located to the east and
23 southeast.

24 The proposed rezoning meets the intent of
25 Objective 8, Policy 8.1 and 8.2 that require

1 proposed land uses to meet the intent of the Future
2 Land Use Map designation and the goals, objectives,
3 and policies of the Comprehensive Plan.

4 The subject site is Future Land Use Category
5 of Urban Mixed-Use-20, either the zoning district
6 of CI-R as mentioned above, Manufacturing is
7 permitted as long as it's considered a Minor
8 Industry.

9 The Community Design Component of the Future
10 Land Use Element also contains policy direction
11 about designing developments that relate to the
12 predominant character of the surrounding area, and
13 that's Community Development Goal 12.

14 It further states that new development
15 should recognize the existing community and be
16 designed in a way that's compatible with the
17 established character of the area, and that's
18 Objective 12-1.

19 The request is consistent with the Economic
20 Development Objectives of the East Lake Orient Park
21 Community Plan. It meets the intent of
22 Objective 26 and Policy 26.5 that seeks to
23 incentivize nonessential properties to help provide
24 industrial and employment areas for securing longer
25 term economic development.

1 The proposed use will help provide new jobs
2 to the area. And based on those considerations,
3 the Planning Commission staff finds the proposed
4 rezoning consistent with the Hillsborough
5 Comprehensive Plan for unincorporated Hillsborough
6 County subject to conditions proposed by
7 Development Services Department. Thank you.

8 HEARING MASTER FINCH: Thank you.

9 All right. Is there anyone in the room or
10 online that would like to speak in favor of this
11 application?

12 All right. Seeing no one, anyone in
13 opposition that would like to speak? No one
14 online.

15 All right. Mr. Grady, anything else?

16 MR. GRADY: Nothing further.

17 HEARING MASTER FINCH: Mr. Horner, you have
18 five minutes for rebuttal.

19 MR. HORNER: Thank you. Don't need it.
20 Michael Horner.

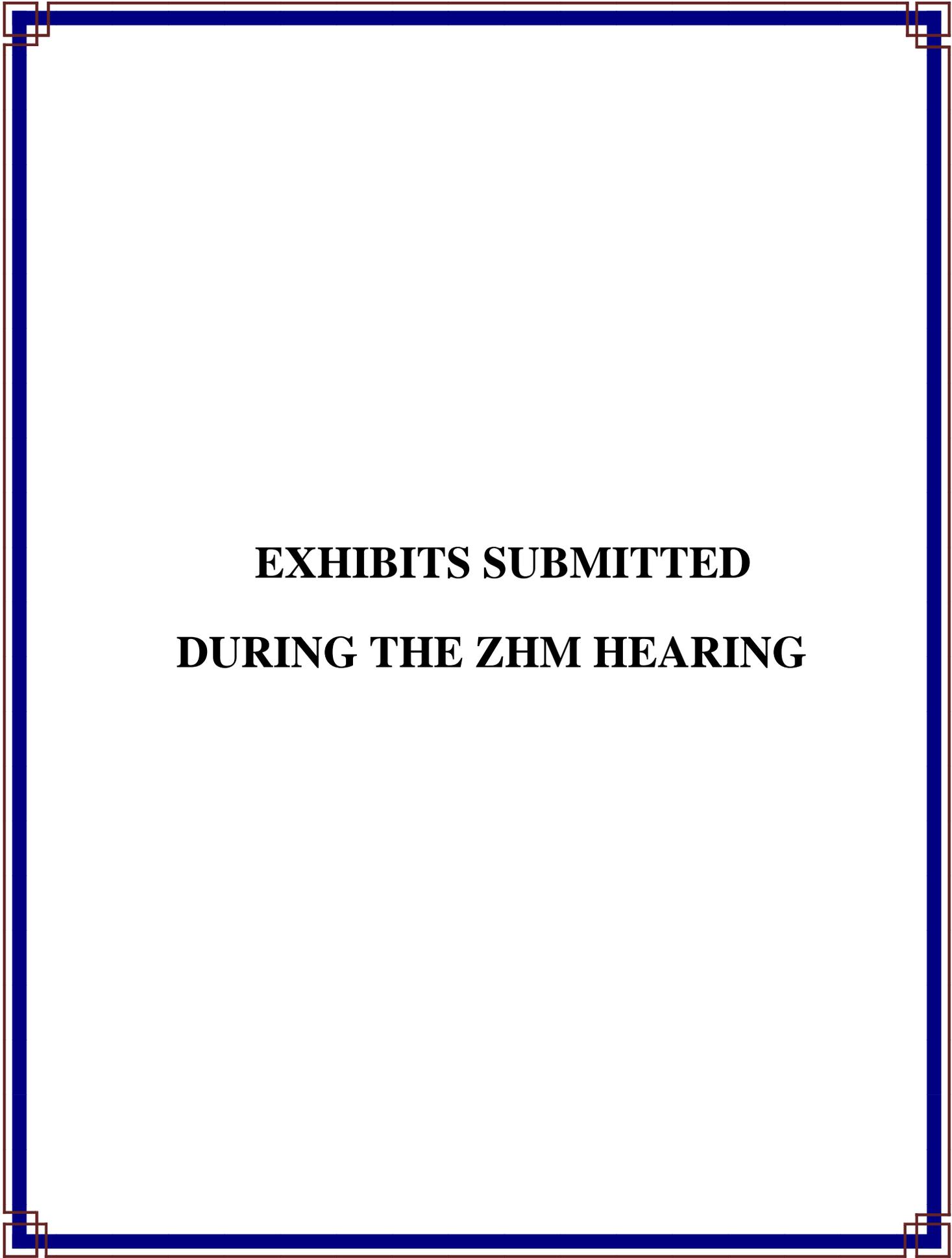
21 I just wanted to clarify. We agree to the
22 25-foot maximum height. I forgot to mention that.
23 And I may have confused or misrepresented the
24 petition number on that eastern IPD. Staff has it
25 at 78-303. We had it, I think, 90-121.

1 But I can attest to the site plan we filed
2 was the correct site plan for that PD. So I'll
3 stand corrected if our representation is not
4 accurate.

5 HEARING MASTER FINCH: All right. Thank you
6 so much.

7 We'll close Rezoning 22-0070 and go to the
8 next case.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

APPLICATION # RZ 21-0222	PLEASE PRINT NAME <u>M.D. FORNER</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

APPLICATION # RZ 21-0222	PLEASE PRINT NAME <u>MICHAEL YATES</u>
	MAILING ADDRESS <u>PAUL TRAFFIC 400 N Tampa St, 15th FL</u>
	CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-359-8341</u>

APPLICATION # RZ 21-0222 VS	PLEASE PRINT NAME <u>Rebecca Williams</u>
	MAILING ADDRESS <u>5321 Watson Rd</u>
	CITY <u>Riverview</u> STATE <u>FL</u> ZIP <u>33578</u> PHONE _____

APPLICATION # RZ 21-1208	PLEASE PRINT NAME <u>William Molloy</u>
	MAILING ADDRESS <u>325 S Blvd</u>
	CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33206</u> PHONE <u>813-251-7157</u>

APPLICATION # RZ 22-0069	PLEASE PRINT NAME <u>M.D. FORNER</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

APPLICATION # RZ 22-0070	PLEASE PRINT NAME <u>M.D. FORNER, AICF</u>
	MAILING ADDRESS <u>14500 N. LACE MARY AVE.</u>
	CITY <u>T</u> STATE <u>FL</u> ZIP <u>33618</u> PHONE <u>90-3575</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 2 OF 4

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION # RZ 21-0626</p>	<p>PLEASE PRINT NAME <u>FRANCISCO D. OTERO-BRISO</u></p> <p>MAILING ADDRESS <u>13014 N. DALE MARY HWY #602</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33613</u> PHONE <u>813-517-6828</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>John Grandoff</u></p> <p>MAILING ADDRESS <u>3700 Bayly Avenue Area</u></p> <p>CITY <u>Tam</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>227-8445</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>Maia L. Alvarez-Garcia</u></p> <p>MAILING ADDRESS <u>6920 Silver Sage Cr.</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>813 743-5620</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>HUNG PHAM</u></p> <p>MAILING ADDRESS <u>6929 SILVER SAGE CIR</u></p> <p>CITY <u>TPA</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>727-336-9056</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>MARHERRIN PORTER</u></p> <p>MAILING ADDRESS <u>6906 Silver Sage Cir</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>814-592-5849</u></p>
<p>APPLICATION # MM 21-0884</p>	<p>PLEASE PRINT NAME <u>Maulik. Patel</u></p> <p>MAILING ADDRESS <u>6902- Silver Sage Cir</u></p> <p>CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>927-698-0097</u></p>

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>Bhadrash Pater</u> MAILING ADDRESS <u>6916 Silver Sage Cir</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>570 220-4687</u></p>
<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>Hong Nhung Pham</u> MAILING ADDRESS <u>6929 Silver Sage Circle</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33634</u> PHONE <u>(803) 873-4754</u></p>
<p>APPLICATION # <u>MM 21-0884</u></p>	<p>PLEASE PRINT NAME <u>maleia Storum</u> MAILING ADDRESS <u>1410 N. Westshore Blvd</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33607</u> PHONE <u>813-642-4924</u></p>
<p>APPLICATION # <u>MM 21-1090</u></p>	<p>PLEASE PRINT NAME <u>Michael Brooks</u> MAILING ADDRESS <u>400 N. Tampa St. Unit 1910</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____</p>
<p>APPLICATION # <u>RZ 21-1092</u></p>	<p>PLEASE PRINT NAME <u>TYLER HUDSON</u> MAILING ADDRESS <u>400 N. Ashley Dr. #1100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>21-9600</u></p>
<p>APPLICATION # <u>RZ 21-1196</u></p>	<p>PLEASE PRINT NAME <u>Brian Angst</u> MAILING ADDRESS <u>625 Court St. CLW, pa</u> CITY <u>CLW</u> STATE <u>FL</u> ZIP <u>33756</u> PHONE <u>727 491-8966</u></p>

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

DATE/TIME: 12/13/2021

HEARING MASTER: Susan Finch

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

<p>APPLICATION #</p> <p><u>RZ 21-1235</u></p>	<p>PLEASE PRINT NAME <u>MICHAEL W. HOFFMAN</u></p> <p>MAILING ADDRESS <u>2651 NARMEA WAY UNIT 102</u></p> <p>CITY <u>LAND O LAKES</u> STATE <u>FL</u> ZIP <u>34638</u> PHONE <u>321-794-6465</u></p>
<p>APPLICATION #</p> <p><u>RZ 21-1341</u></p>	<p>PLEASE PRINT NAME <u>J.D. ALSABBAGH</u></p> <p>MAILING ADDRESS <u>8370 W. HILLSBOROUGH AVE #205</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33615</u> PHONE <u>813 924-1704</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____</p> <p>MAILING ADDRESS _____</p> <p>CITY _____ STATE _____ ZIP _____ PHONE _____</p>

DECEMBER 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 13, 2021, at 6:00 p.m., held virtually.

📄 Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

📄 Brian Grady, Development Services, reviews changes/withdrawals/continuances.

C.5. RZ 22-0077

📄 Susan Finch, ZHM, announces continuation date for C.5.

📄 Brian Grady, Development Services, continues changes/withdrawals/continuances.

📄 Susan Finch, ZHM, overview of ZHM process.

📄 Mary Dorman, Senior Assistant County Attorney, overview of oral argument/ZHM process.

📄 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 21-0222

📄 Brian Grady, Development Services, calls RZ 21-0222.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 Michael Yates and 📄 Michael Horner, applicant reps, answer ZHM questions and continue testimony.

📄 Steve Beachy, Development Services, staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Susan Finch, ZHM, questions Development Services.

MONDAY, DECEMBER 13, 2021

- James Ratliff, Development Services Transportation, answers ZHM.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Rebecca Williams, opponent, presents testimony.
- Susan Finch, ZHM, overview of ZHM process.
- Rebecca Williams, opponent, continues testimony.
- Susan Finch, ZHM, calls Development Services.
- James Ratliff, Development Services Transportation, answers ZHM.
- Susan Finch, ZHM, calls applicant rebuttal.
- Michael Horner and Michael Yates, applicant reps, provide rebuttal.
- Susan Finch, ZHM, closes RZ 21-0222.

C. REZONING STANDARD (RZ-STD) :

C.1. RZ 21-1208

- Brian Grady, Development Services, calls RZ 21-1208.
- William Molloy, applicant rep, presents testimony.
- Sam Ball, Development Services, staff report.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Susan Finch, ZHM, questions Development Services/Planning Commission.
- Sam Ball, Development Services, answers ZHM.
- Brian Grady, Development Services, statement for record.
- Yeneka Mills, Planning Commission, answers ZHM.
- Brian Grady, Development Services, answers ZHM.

DECEMBER 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 13, 2021, at 6:00 p.m., held virtually.

📄 Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

📄 Brian Grady, Development Services, reviews changes/withdrawals/continuances.

C.5. RZ 22-0077

📄 Susan Finch, ZHM, announces continuation date for C.5.

📄 Brian Grady, Development Services, continues changes/withdrawals/continuances.

📄 Susan Finch, ZHM, overview of ZHM process.

📄 Mary Dorman, Senior Assistant County Attorney, overview of oral argument/ZHM process.

📄 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 21-0222

📄 Brian Grady, Development Services, calls RZ 21-0222.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 Michael Yates and 📄 Michael Horner, applicant reps, answer ZHM questions and continue testimony.

📄 Steve Beachy, Development Services, staff report.

📄 James Ratliff, Development Services Transportation, staff report.

📄 Susan Finch, ZHM, questions Development Services.

MONDAY, DECEMBER 13, 2021

- James Ratliff, Development Services Transportation, answers ZHM.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Rebecca Williams, opponent, presents testimony.
- Susan Finch, ZHM, overview of ZHM process.
- Rebecca Williams, opponent, continues testimony.
- Susan Finch, ZHM, calls Development Services.
- James Ratliff, Development Services Transportation, answers ZHM.
- Susan Finch, ZHM, calls applicant rebuttal.
- Michael Horner and Michael Yates, applicant reps, provide rebuttal.
- Susan Finch, ZHM, closes RZ 21-0222.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 21-1208

- Brian Grady, Development Services, calls RZ 21-1208.
- William Molloy, applicant rep, presents testimony.
- Sam Ball, Development Services, staff report.
- Yeneka Mills, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Susan Finch, ZHM, questions Development Services/Planning Commission.
- Sam Ball, Development Services, answers ZHM.
- Brian Grady, Development Services, statement for record.
- Yeneka Mills, Planning Commission, answers ZHM.
- Brian Grady, Development Services, answers ZHM.

MONDAY, DECEMBER 13, 2021

📄 Susan Finch, ZHM, calls applicant rebuttal.

📄 William Molloy, applicant representative, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 21-1208.

C.2. RZ 22-0025

📄 Brian Grady, Development Services, calls RZ 22-0025.

📄 Susan Finch, ZHM, calls for applicant.

📄 Brian Grady, Development Services, statement for record.

📄 Susan Finch, ZHM, calls for next case.

📄 Brian Grady, Development Services, announces continuation date.

C.3. RZ 22-0069

📄 Brian Grady, Development Services, calls RZ 22-0069.

📄 Michael Horner, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant representative.

📄 Michael Horner, applicant rep, answers ZHM.

📄 Chris Grandlienard, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 22-0069.

C.4. RZ 22-0070

📄 Brian Grady, Development Services, calls RZ 22-0070.

📄 Michael Horner, applicant rep, presents testimony.

📄 Isis Brown, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

MONDAY, DECEMBER 13, 2021

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Michael Horner, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 22-0070.

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

D.1. RZ 21-0626

📄 Brian Grady, Development Services, calls RZ 21-0626.

📄 Francisco J. Otero-Cossio, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Francisco J. Otero-Cossio, applicant rep, answers ZHM.

📄 Michelle Heinrich, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Francisco J. Otero-Cossio, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, closes RZ 21-0626.

📄 Susan Finch, ZHM, breaks.

📄 Susan Finch, ZHM, resumes meeting.

D.2. MM 21-0884

📄 Brian Grady, Development Services, calls MM 21-0884 and statement for record.

📄 John Grandoff, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions to applicant rep.

📄 John Grandoff, applicant rep, answers ZHM questions and continues testimony.

MONDAY, DECEMBER 13, 2021

- 📄 Tania C. Chapela, Development Services, staff report.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 Brian Grady, Development Services, answers ZHM.
- 📄 Susan Finch, ZHM, questions applicant.
- 📄 John Grandoff, applicant rep, answers ZHM.
- 📄 Tania C. Chapela, Development Services, continues staff report.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 Tania C. Chapela, Development Services, answers ZHM.
- 📄 Brian Grady, Development Services, answers ZHM.
- 📄 Yeneka Mills, Planning Commission, staff report.
- 📄 Susan Finch, ZHM, calls proponents/opponents.
- 📄 Maria L. Alvarez-Garcia, opponent, presents testimony.
- 📄 Hung Pham, opponent, presents testimony.
- 📄 Mahendra Patel, opponent, presents testimony.
- 📄 Maulik Patel, opponent, presents testimony.
- 📄 Bhadresh Patel, opponent, presents testimony.
- 📄 Hong Nhung Pham, opponent, presents testimony.
- 📄 Susan Finch, ZHM, calls Development Services.
- 📄 Brian Grady, Development Services, statement for record.
- 📄 Susan Finch, ZHM, questions Development Services.
- 📄 James Ratliff, Development Services Transportation, answers ZHM.
- 📄 John Grandoff, applicant rep, provides rebuttal and questions Development Services.

MONDAY, DECEMBER 13, 2021

📄 Brian Grady, Development Services, answers applicant rep.

📄 John Grandoff, applicant rep, continues rebuttal.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Maleia Storum, applicant rep, answers ZHM.

📄 Brian Grady, Development Services, statement for record.

📄 Susan Finch, ZHM, closes MM 21-0884.

D.3. MM 21-1090

📄 Brian Grady, Development Services, calls MM 21-1090.

📄 Michael Brooks, applicant rep, presents testimony.

📄 Michelle Heinrich, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

📄 Michael Brooks, applicant rep, provides rebuttal.

📄 Susan Finch, ZHM, calls applicant rep/closes MM 21-1090.

D.4. RZ 21-1092

📄 Brian Grady, Development Services, calls RZ 21-1092.

📄 Tyler Hudson, applicant rep, presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 Tyler Hudson, applicant rep, answers ZHM.

📄 Tania C. Chapela, Development Services, staff report.

📄 Susan Finch, ZHM, questions Development Services.

📄 Tania C. Chapela, Development Services, answers ZHM.

MONDAY, DECEMBER 13, 2021

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal.

Tyler Hudson, applicant rep, provides rebuttal.

Susan Finch, ZHM, questions applicant rep.

Tyler Hudson, applicant rep, answers ZHM and continues rebuttal.

Susan Finch, ZHM, closes RZ 21-1092.

D.5. MM 21-1196

Brian Grady, Development Services, calls MM 21-1196.

Brian Aungst, applicant rep, presents testimony.

Tania C. Chapela, Development Services, staff report.

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes MM 21-1196.

D.6. RZ 21-1235

Brian Grady, Development Services, calls RZ 21-1235.

Michael Hoffman, applicant rep, presents testimony.

Susan Finch, ZHM, questions applicant rep.

Michael Hoffman, applicant rep, answers ZHM and continues testimony.

Michelle Heinrich, Development Services, staff report.

Yeneka Mills, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-1235.

MONDAY, DECEMBER 13, 2021

D.7. RZ 21-1341

📄 Brian Grady, Development Services, calls RZ 21-1341 and statement for record.

📄 J.D. Alsabbagh, applicant rep, Oath and presents testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 J.D. Alsabbagh, applicant rep, answers ZHM and continues testimony.

📄 Susan Finch, ZHM, questions applicant rep.

📄 J.D. Alsabbagh, applicant rep, answers ZHM.

📄 Sam Ball, Development Services, staff report.

📄 Yeneka Mills, Planning Commission, staff report.

📄 Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rebuttal/closes RZ 21-1341.

ADJOURNMENT

📄 Susan Finch, ZHM, adjourns meeting.

MICHAEL D. HORNER, AICP Zoning/Land Use Consultant
14502 N. Dale Mabry Highway / Suite 200 / Tampa, FL 33618
Ph. (813) 962-2395 FAX: (813) 265-4559
Email: Mdhorner.aicp@gmail.com

TRANSMITTAL MEMORANDUM

TO: Mr. Joe Moreda, AICP/ Executive Director/Develop. Services

FROM: Michael D. Horner, AICP

Subject: 10105 Highway 92 / Rezoning to CI / Restricted

DATE: October 14, 2021 (Revised 12/1/21) 

Attached please find required applications, exhibits, information sheet, property ownership report, filing fee and other documents as required for this proposed C-I Restricted rezoning filing. This 1.67 acre property is located at 10105 Highway 92 East, just east of Falkenburg Road and south of Highway 92. This parcel is currently vacant and is abutting to an existing manufacturing business directly to the east which was approved under 91-0019 to IPD for 15,000 s.f. of repair service, manufacturing etc with an additional 12,000 s.f. of repair service and warehouse to the south which extends well beyond the subject parcel. The property to the north of Highway 92 is similarly approved to IPD 2 for similar uses plus open storage and was approved in 1990 (90 0121). This corridor is essentially a commercial corridor with CG being the predominate zoning with CI zoning existing further northeast of this property and the intersection of Highway 92 and Falkenburg Road being signalized with commercial uses and expanded commercial zoning on all quadrants including convenience stores, gas stations etc. The south parcel is well buffered by existing trees and is severed to the south by a platted 50' right of way.

This parcel and entire southeast quadrant of this intersection lies within the UMU 20 Plan sector and is in the Urban Development Area of the Urban Service Area. This Plan sector permits densities up to 20 units/acre and intensities up to a 1.0 FAR which is one the highest intensities permitted in Hillsborough County. The other quadrants to the NE, SW and NW are currently designed CMU 12 which further permits higher intensities and densities up 12 units/acre and an FAR up to .5. While Commercial Locational Criteria is not required for parcels within the UMU plan sector, this parcel lies within 300 feet of this intersection and abuts more intensive zoning to the east and north.

This update is filed for the specific use of Minor Industry as defined and permitted in the CI zoning district under the LDC permitted use list and definitions section. Specifically, this use is defined as the following per Article XII:

Minor Industry: A non-intensive, relatively small-scale, light manufacturing operation in which the final product is crafted predominately from previously prepared materials. The operation may involve minor processing, assembly, treatment, packaging, incidental storage, sales and distribution of products, but excludes basic industrial processing. Examples are cigar-making; small unit products such as electronic equipment and fishing tackle and smoking pipe manufacture; and forms of craftsmanship, such as cabinet-making which does not include milling.

Recent discussions with Planning Commission staff sought to clarify consistency with this proposed use and the applicant hereby agrees with all operational elements of this definition for their intended use including consistency with all Conditional compliance requirements of having no greater than 30,000 s.f. , a maximum of 100 employees and confirmation/documentation of having no negative impacts relative to Lighting, Sound emissions, Dust emanation, Airborne discharges, Vibrations, etc as outlined under LDC Section 6.11.61 and Sections 6.09.02 thru 6.09.07 under Conditional Use review criteria which this proposed use will be in full compliance with. As noted prior in staff discussions and applicant, this proposed use involves a similar processing procedure as the example provided in Minor Industry for a 'cigar making facility' in which tobacco is trucked in from a supplier, rolled by hand or with a machine and placed in packages for shipping. This facility essentially conducts a similar operation bringing in rubber from a supplier, wrapping the rubber from a supplier, wrapping the rubber around a covered aluminum core from a machine to ensure perfectly round specifications, then place the finished product in packaging to be shipped out. This process has minimal employees and is a very clean operation and certainly emits no noise, vibrations, odors or toxic fumes.

The applicant is filing for the Restricted CI zoning district to permit a fully enclosed manufacturing, assembly and fabrication operations similar to the eastern parcel, however they are willing to commit to no open storage outside of the building with all operations being enclosed similar to a CG compliant warehouse use. Additionally, the applicant agrees to restrict the height to one story/25' height vs the permitted 50 foot maximum height allowed in CI including compliance with all Conditional review requirements for Minor Industry use per the LDC. The intended use will have relatively low traffic, minimal peak hour impacts and low turnover given the limited size permitted and restrictions offered.

While no conceptual site plan has been submitted for illustrative purposes, this site will be subject to Site Review and all other regulatory requirements of the CI zoning district including landscaping, buffer/screening, setbacks, stormwater management, tree protections, parking and access improvements, etc with an existing driveway /culvert existing on US 92 East.

This rezoning is consistent with both land use and zoning development trends as well as infill locational criteria policies given a more intensive use to the east and north and major intersection just to the west. No waivers are being requested and all development standards in the CI district will be adhered to. This request is consistent with FLUE Goals, Objectives and Policies including Policies 16.1, 16.2 and 16.3 which effectively recognizes office uses as transitional areas abutting similar developments and commercial zoning at major intersections. The CI zoning district caps development to only a .30 FAR coverage of the site and a 75% Impervious Surface Ratio (ISR) cap. Further restrictions may be agreed to if deemed necessary and applicable. The UMU 20 Plan sector encourages mixed use development and the proposed uses are consistent with this FLU classification criteria.

We believe this request is both appropriate and compatible with existing land uses and development trends near the Highway 92 corridor and urban development area and we respectfully request your favorable consideration. Please contact my office with any questions you may have.



Michael Horner <mdhorner.aicp@gmail.com>

Minor Industry

1 message

Michael Horner <mdhorner.aicp@gmail.com>
To: Michael Horner <mdhorner.aicp@gmail.com>

Mon, Dec 13, 2021 at 10:51 AM

Minor Industry: A non-intensive, relatively small-scale, light manufacturing operation in which the final product is crafted predominately from previously prepared materials. The operation may involve minor processing, assembly, treatment, packaging, incidental storage, sales and distribution of products, but excludes basic industrial processing. Examples are cigar-making; small unit products such as electronic equipment and fishing tackle and smoking pipe manufacture; and forms of craftsmanship, such as cabinet-making which does not include milling.

Michael D. Horner, AICP
14502 North Dale Mabry Highway
Suite 200
Tampa, FL 33618

Phone: (813) 962-2395
Fax: (813) 488-4196



Michael Horner <mdhorner.aicp@gmail.com>

RE: Staff concerns.. industrial

1 message

Mark Lancaster <mlancaster@rollercoat.com>

Mon, Nov 29, 2021 at 11:58 AM

To: Michael Horner <mdhorner.aicp@gmail.com>, Rollercoat <joe@rollercoat.com>, Jerry Hoffman <jhoffm10@tampabay.rr.com>

Hello Michael

I think Minor Industry would be fine for what we do.

From: Michael Horner [mailto:mdhorner.aicp@gmail.com]

Sent: Monday, November 29, 2021 9:44 AM

To: Mark Lancaster; Rollercoat; Jerry Hoffman

Subject: Re: Staff concerns.. industrial

And here are the Conditional requirements, fairly general, for Minor Industry uses.

Maximum of 30,000 s.f. and 100 employees, typical restrictions on noise, odor, fumes, dust and smoke/vibration, which I don't see as an issue.(see bottom)

Sec. 6.11.61. - Minor Industries

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

A.

All activity except storage as provided in C below shall be conducted in a building. Overhead doors are permitted.

- B. The activity shall meet the performance standards in 6.09.00. The performance standards indicate the restrictions which shall be met for noise, odor, fumes, dust, smoke and vibration.
- C. Accessory open storage shall be permitted provided that it meets the screening requirements of 6.06.06.C.7, Screening of Open Storage.
- D. In C-I and SPI-AP districts, the building involved in the minor industry shall be a maximum of 30,000 square feet.
- E. In C-I and SPI-AP districts, the minor industry operation shall employ not more than 100 employees

Specific regs relative to impacts:

- **Sec. 6.09.01. - Generally**

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

Manufacturing, processing and assembly operations shall observe the following performance standards. Proof shall be provided that all required permits for particular discharges can be met. Since zoning compliance does not substitute for requirements of other agencies, all necessary environmental permits shall be obtained.

• **Sec. 6.09.02. - Lighting**

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

Lighting shall be in accordance with Part 6.10.00 of this Code.

(Ord. No. 04-27, § 2, 6-10-04)

• **Sec. 6.09.03. - Sound**

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

A.

Receiving Use: Residential

Sound levels shall not exceed the following standards if the receiving use is residential:

Between 7:00 A.M. and 10:00 P.M.60 dBA

Between 10:00 P.M. and 7:00 A.M.55 dBA

B. Receiving Use: Commercial

Sound levels shall not exceed the following standards if the receiving use is commercial:

Between 7:00 A.M. and 10:00 P.M.65 dBA

Between 10:00 P.M. and 7:00 A.M.60 dBA

C. Receiving Use: Industrial

Sound levels shall not exceed the following standards if the receiving use is industrial:

Anytime75 dBA

- **Sec. 6.09.04. - Vibration**

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

Vibration levels shall not exceed the following standards:

Maximum Peak Particle Velocity

steady state0.02 inches/second

impact0.04 inches/second

Note: The maximum particle velocity shall be the maximum displacement vector sums of three mutually perpendicular components, recorded simultaneously, multiplied by the frequency in cycles per second. For purposes of this Code, steady-state vibrations are vibrations which are continuous, or vibrating in discrete impulses more frequent than 60 per minute. Discrete impulses which do not exceed 60 per minute, shall be considered impact vibrations.

- **Sec. 6.09.05. - Airborne Discharges**

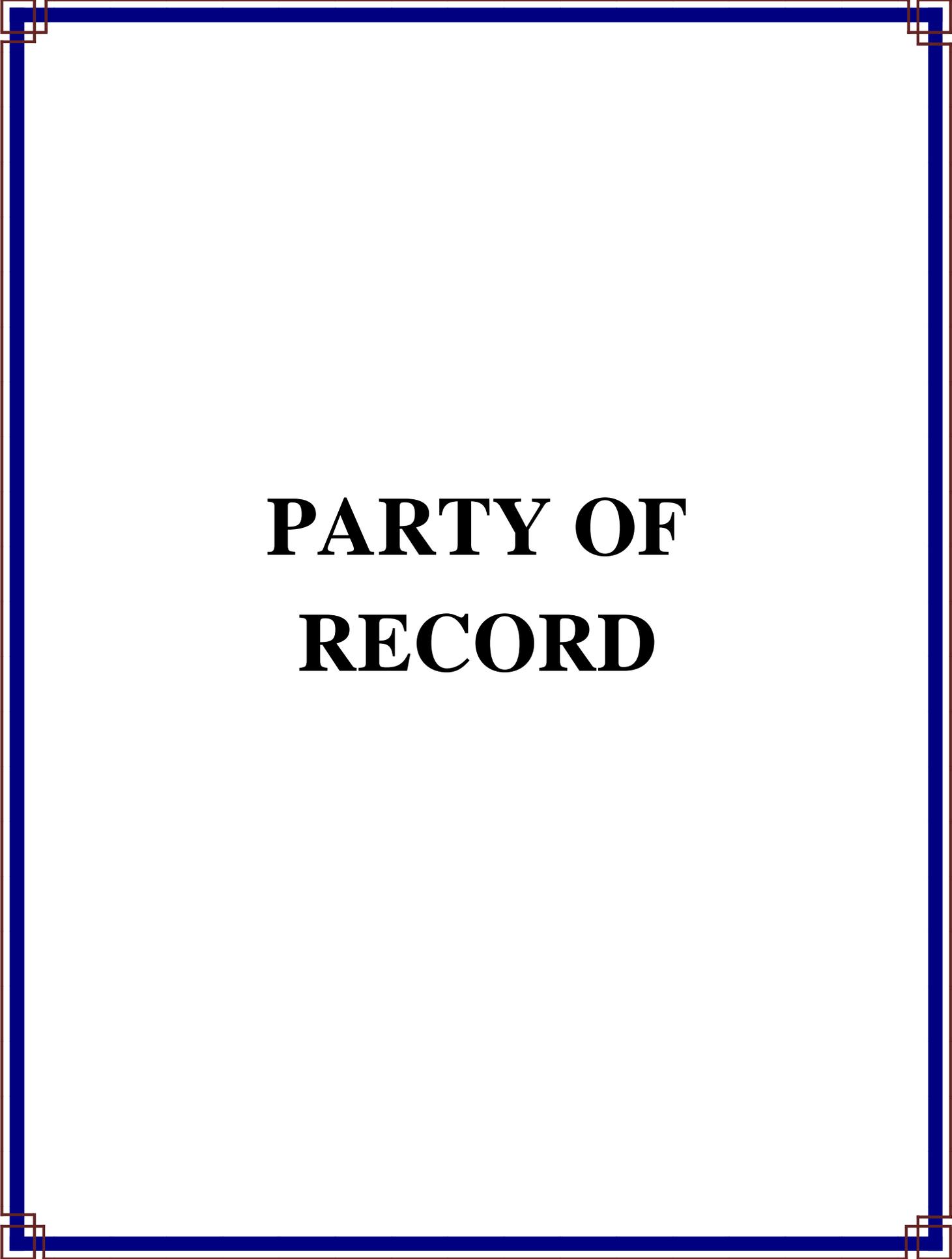
SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

Airborne discharges shall be minimized so as to not cause or contribute to an objectionable odor off the operator's property. For the purpose of this Code, objectionable odor shall be defined as the property of a substance which materially offends the sense of smell of a considerable number of persons of the public.

- **Sec. 6.09.06. - Dust**

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

Dust discharges from the operator's property shall be minimized by taking reasonable precautions to include but not limited to: paving and maintenance of roads, parking areas and yards; periodic application of water or chemicals to unpaved roadways and open stock piles; landscaping of yards; use of hoods, fans, filters, and other similar equipment to capture the dust; and use of wet abrasive blasting equipment (when possible) where abrasive blasting is necessary.



**PARTY OF
RECORD**

NONE