

PD Modification Application: MM 24-1141

Zoning Hearing Master Date: February 18, 2025

BOCC Land Use Meeting Date: April 8, 2025



Hillsborough
County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman

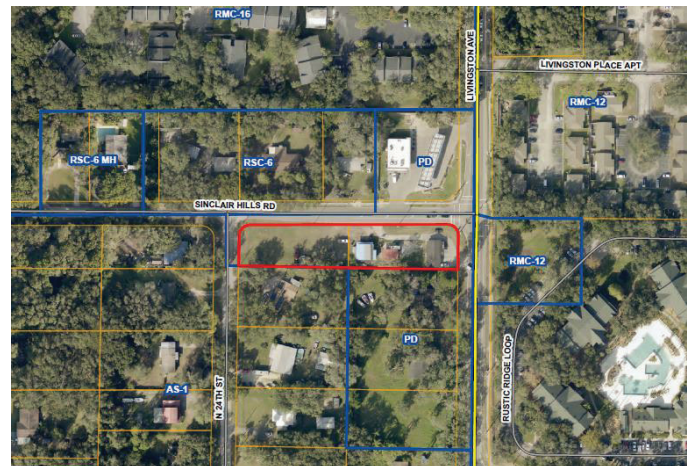
FLU Category: Residential-6

Service Area: Urban

Site Acreage: 0.9 MOL

Community
Plan Area: None

Overlay: None



Introduction Summary:

This application consists of two parcels totaling .90 acres within PD 06-1564. The applicant requests a modification of the use to allow two options, 1) 2 food trucks and a 1,236-sf commercial building with use exclusions. 2) Maximum of 6,328 sf commercial building with the same use exclusions. The proposed commercial uses for both options include all CG and CN uses, except the following excluded uses for both options: any/all vehicular sales or rentals, adult uses, convenience stores with or without gas pumps, neighborhood, minor, or major vehicle service and/or repair, all restaurants with or without drive-through facilities, pharmacy with drive-through facilities, coffee/donut shop with drive-through facilities, bank/credit union, billiard and pool parlors, bars, taverns, or night clubs, marijuana dispensary, gun stores, liquor stores, service stations, vehicle parts sales, bus terminal, banquet and reception halls, car wash facilities, gasoline sales and service, shopping centers, wedding chapel, public, private, or charter schools, child care center, church/synagogue, hotels and motels, and public parks. The remaining three parcels of PD 06-1564 will have no changes to their entitlements.

Existing Approval(s):

3,500 square-foot dry cleaners use

Proposed Modification(s):

Add two options: 1) 2 food trucks and 1,236-sf of limited CN and CG zoning district uses 2) Maximum of 6,328 sf of limited CN and CG zoning district uses

Additional Information:

PD Variation(s):

LDC Part 6.06.00 (Landscaping/Buffering)

Waiver(s) to the Land Development Code:

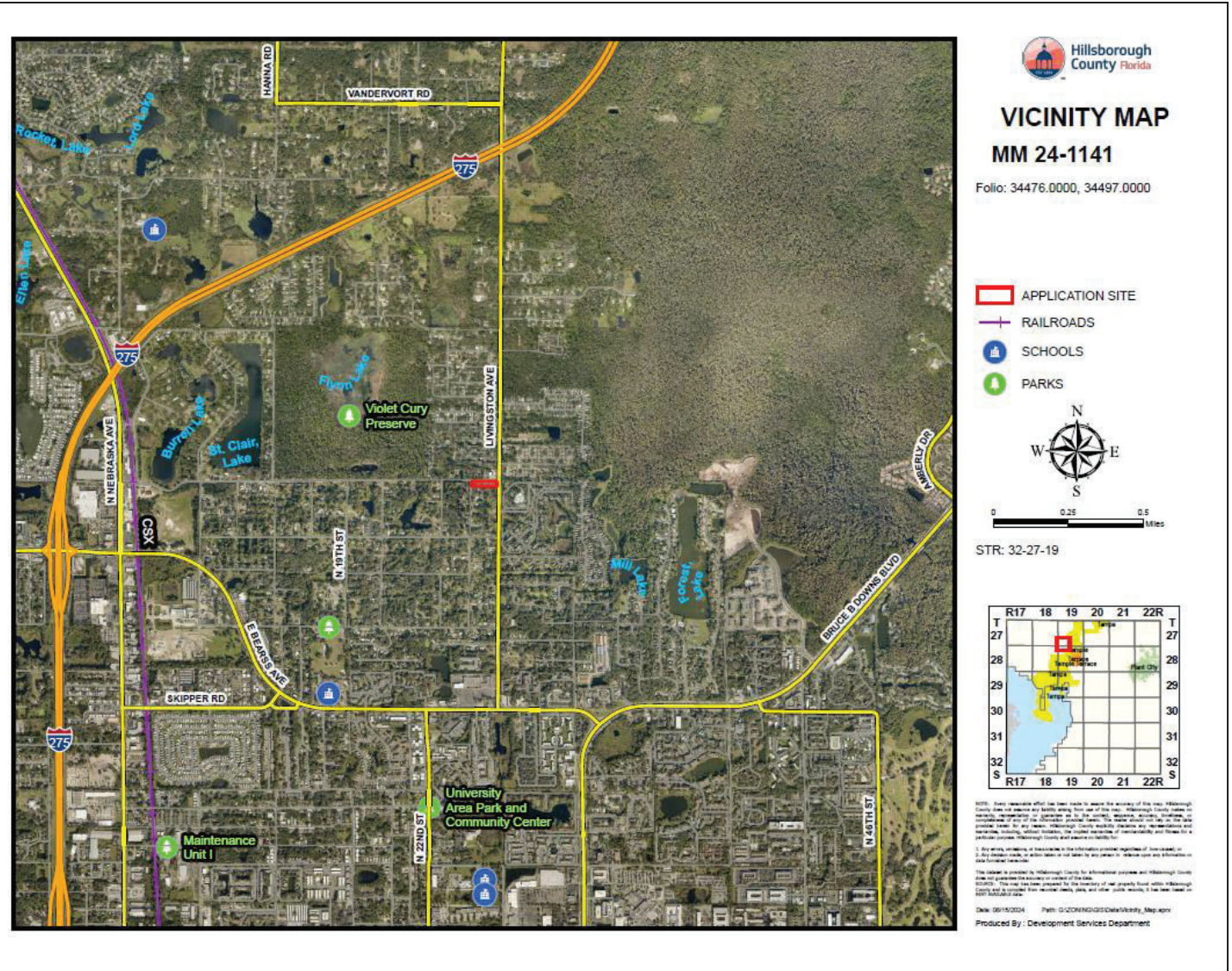
None Requested as part of this application

Planning Commission Recommendation:
Inconsistent

Development Services Recommendation:
Not Supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

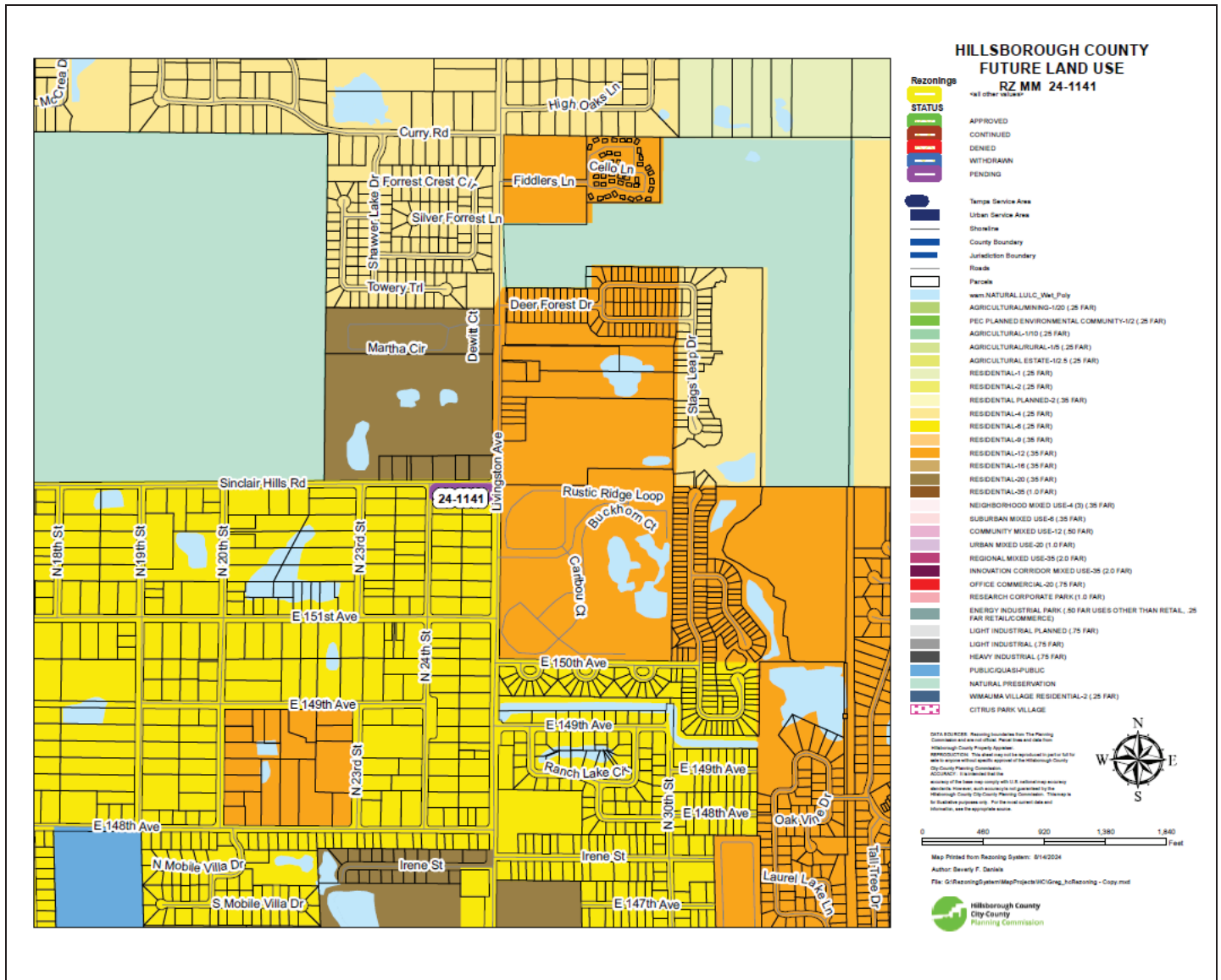


Context of Surrounding Area:

The 0.9-acre property is comprised of two parcels and is generally located at the southwest corner of Livingston Avenue and Sinclair Hills Road. The property is in the Urban Service Area and is not within the limits of any community plan. The surrounding area is predominantly a mixture of single-family and multi-family residential and commercial. To the north across Sinclair Hills Road is single-family residential and a gas station with convenience store. Adjacent to the south is single-family residential. To the east across Livingston Avenue is multi-family residential. To the west across North 24th Street is single-family residential.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



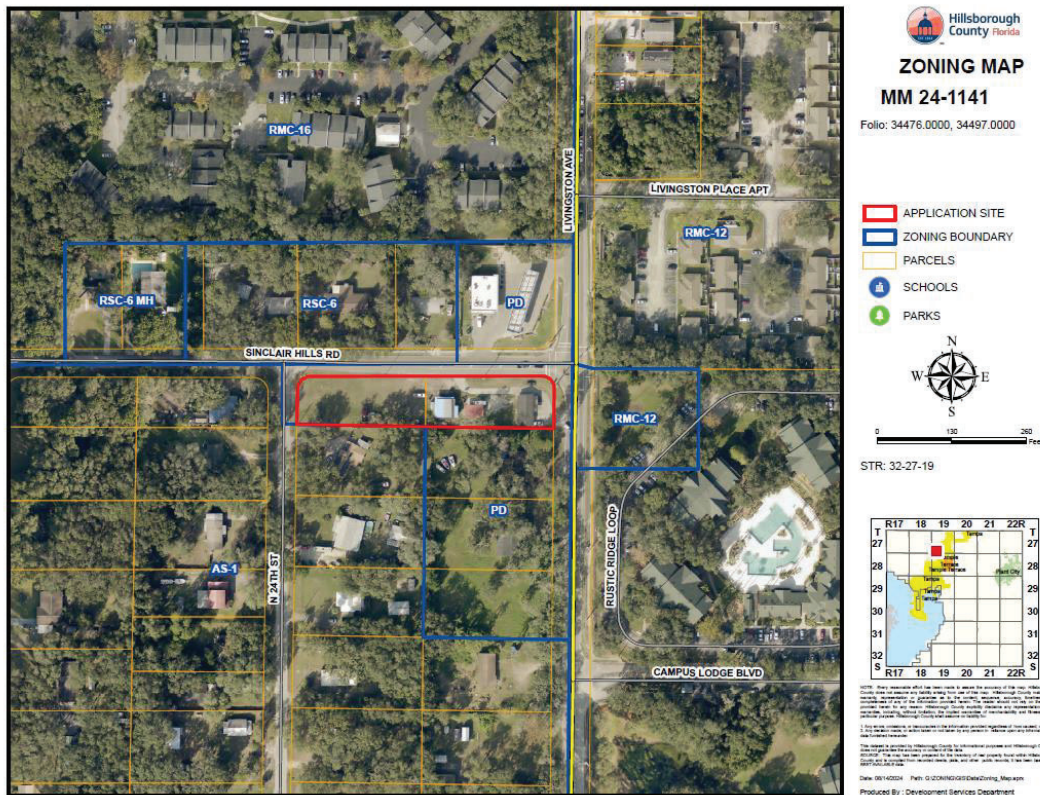
Subject Site Future Land Use Category: Residential-6 (RES-6)

Maximum Density/F.A.R.: 6 du/ga; 0.25 F.A.R.

Typical Uses: Agricultural, residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use development.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

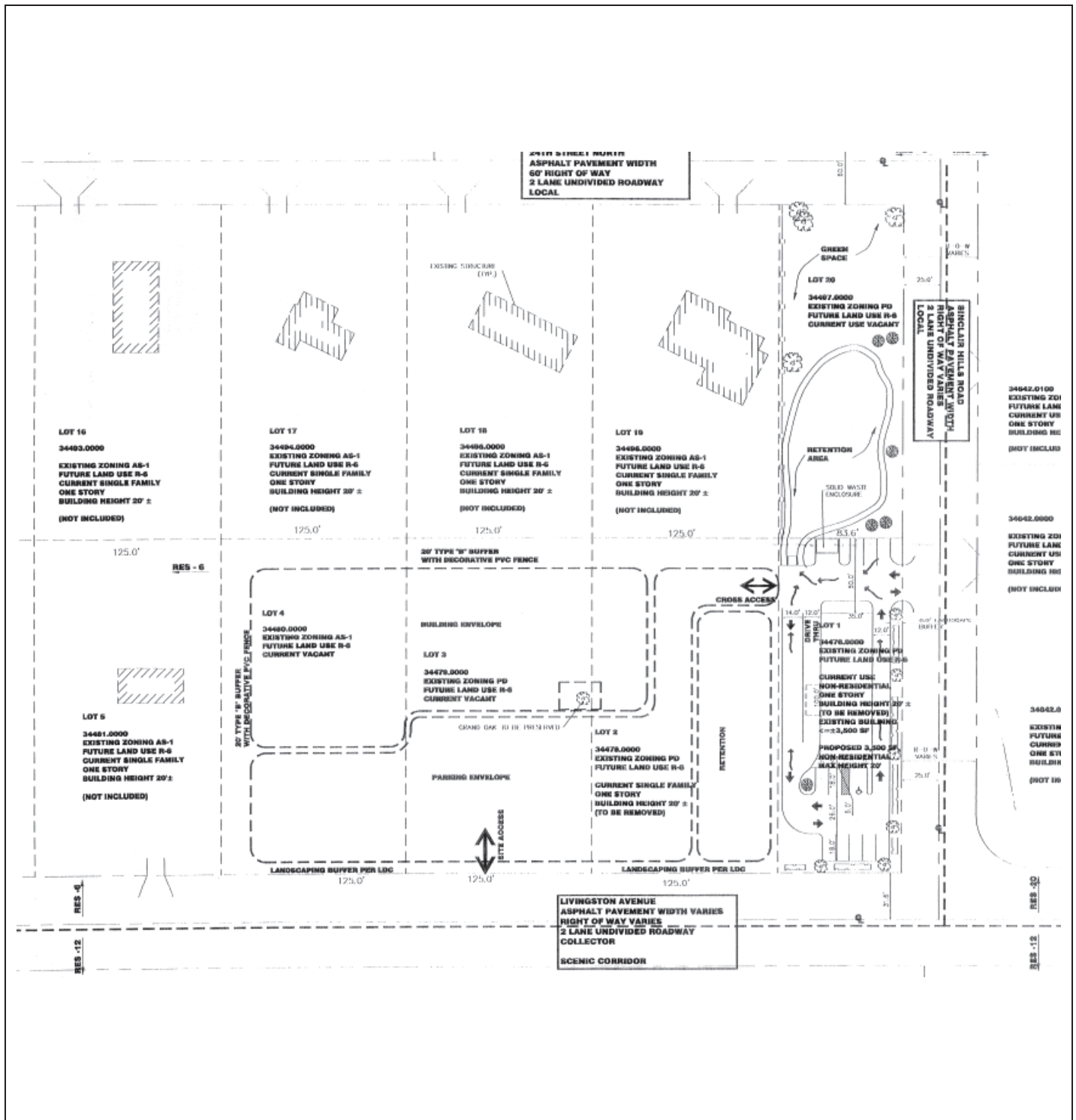


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-6, PD 79-0092	RSC-6: 6 du/ga, PD: 0.27 F.A.R.	RSC-6: Single-Family Residential, PD: Gas Station Convenience Store	RSC-6: Single-Family Residential, PD: Gas Station Convenience Store
South	AS-1, PD 06-1564	AS-1: 1 du/ga, PD: 0.18 F.A.R.	AS-1: Single-Family Residential, PD: Commercial	AS-1 & PD: Single-Family Residential
East	RMC-12	12 du/ga	Multi-Family Residential	Multi-Family Residential
West	AS-1	1 du/ga	Single-Family Residential	Single-Family Residential

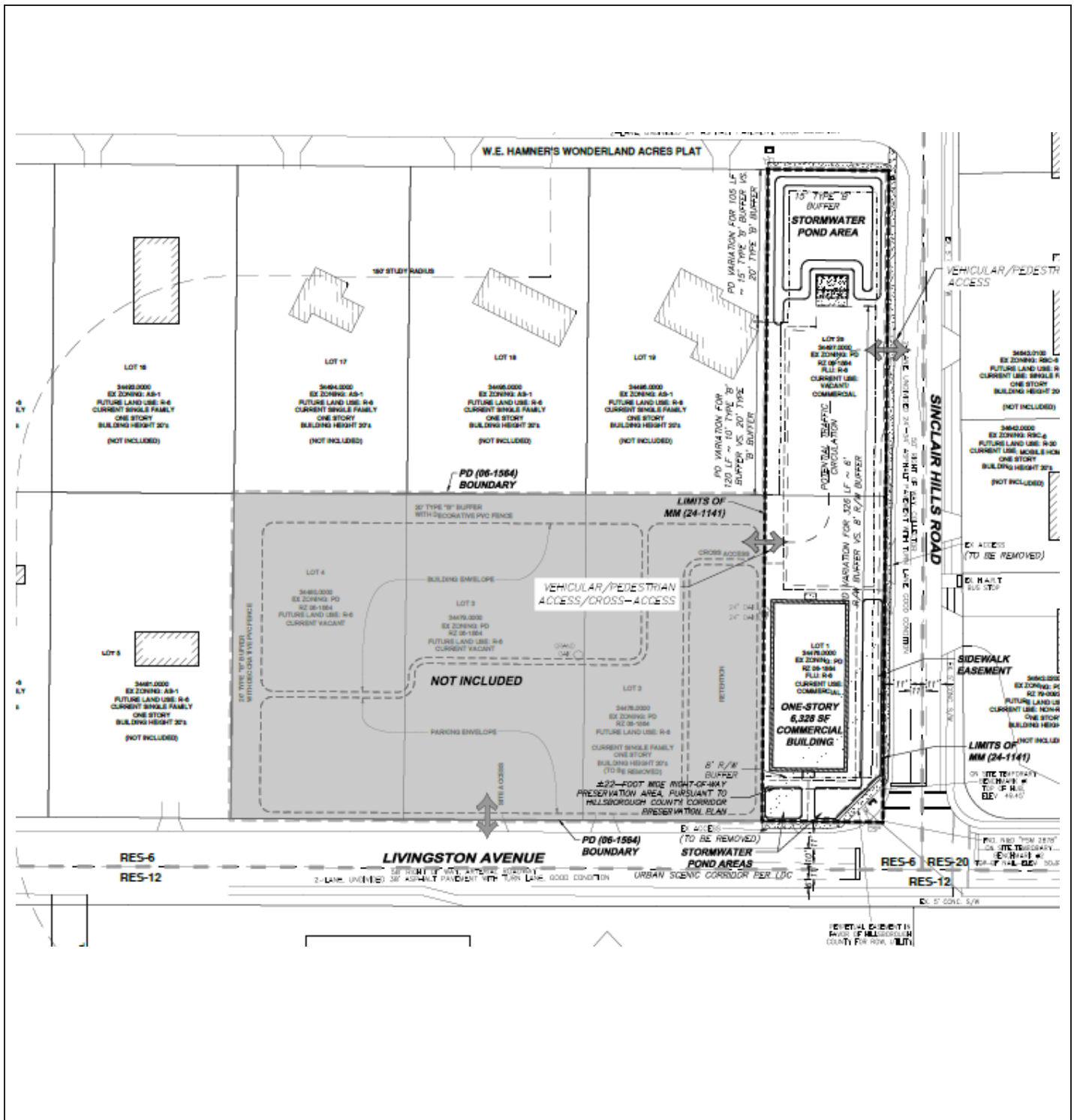
2.0 LAND USE MAP SET AND SUMMARY DATA

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



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



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

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Livingston Ave.	County Arterial - Rural	2 Lanes <input checked="" 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
Sinclair Hills Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,638	93	154
Proposed	2,483	100	203
Difference (+/-)	(+) 845	(+) 7	(+) 49

*Trips reported are based on gross 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	X	Pedestrian & Vehicular	None	Meets LDC
South		None	None	Meets LDC
East	X	Pedestrian & Vehicular	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance ☐ Not applicable for this request

Road Name/Nature of Request	Type	Finding
Sinclair Hills Rd./ Access Spacing	Administrative Variance Requested	Approvable
Sinclair Hills Rd./ Substandard Rd.	Administrative Variance Requested	Approvable

APPLICATION NUMBER: MM 24-1141

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BOCC LUM MEETING DATE: April 8, 2025

Case Reviewer: Chris Grandlienard, AICP

	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY										
	Comments Received	Objections	Conditions Requested	Additional Information/Comments						
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No Wetlands Present						
Environmental Services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Natural Resources	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Other:										
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments						
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Offsite improvements are to be determined at the time of plat/site/construction plan approval.						
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No							
Impact/Mobility Fees (Various use types allowed. Estimates are a sample of potential development) <table border="0"> <tr> <td> Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00 </td> <td> Discount Store, Free standing (Per 1,000 s.f.) Mobility: \$13,530.00 Fire: \$313.00 </td> <td> Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00 </td> </tr> <tr> <td> Home Improvement (Per 1,000 s.f.) Mobility: \$8,242.00 Fire: \$313.00 </td> <td> Gen Office (Per 1,000 s.f.) Mobility: \$8,336.00 Fire: \$158.00 </td> <td></td> </tr> </table>					Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00	Discount Store, Free standing (Per 1,000 s.f.) Mobility: \$13,530.00 Fire: \$313.00	Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00	Home Improvement (Per 1,000 s.f.) Mobility: \$8,242.00 Fire: \$313.00	Gen Office (Per 1,000 s.f.) Mobility: \$8,336.00 Fire: \$158.00	
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Home Improvement (Per 1,000 s.f.) Mobility: \$8,242.00 Fire: \$313.00	Gen Office (Per 1,000 s.f.) Mobility: \$8,336.00 Fire: \$158.00									

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

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

This application consists of two parcels totaling .90 acres that are zoned PD 06-1564 to allow a 3,500 square-foot dry cleaners along with a retention area. The applicant requests a modification of the use to allow two options, 1) 2 food trucks and a 1,236-sf commercial building with use exclusions. 2) Maximum of 6,328 sf commercial building with the same use exclusions. The proposed commercial uses for both options include all CG and CN uses, except the following excluded uses for both options: any/all vehicular sales or rentals, adult uses, convenience stores with or without gas pumps, neighborhood, minor, or major vehicle service and/or repair, all restaurants with or without drive-through facilities, pharmacy with drive-through facilities, coffee/donut shop with drive-through facilities, bank/credit union, billiard and pool parlors, bars, taverns, or night clubs, marijuana dispensary, gun stores, liquor stores, service stations, vehicle parts sales, bus terminal, banquet and reception halls, car wash facilities, gasoline sales and service, shopping centers, wedding chapel, public, private, or charter schools, child care center, church/synagogue, hotels and motels, and public parks. The remaining three parcels of PD 06-1564 will have no changes to their entitlements.

The property comprised of two parcels is generally located at the southwest corner of Livingston Avenue and Sinclair Hills Road. The property is in the Urban Service Area and is not within the limits of any community plan. The surrounding area is predominantly a mixture of single-family and multi-family residential and commercial. To the north across Sinclair Hills Road is single-family residential and a gas station with convenience store. Adjacent to the south is single-family residential. To the east across Livingston Avenue is multi-family residential. To the west across North 24th Street is single-family residential. The subject property is designated Residential-6 (RES-6) on the Future Land Use map. The Planning Commission finds the proposed use inconsistent with the Comprehensive Plan.

The proposed modification in option 1 would allow 2 food trucks within close proximity to residential. In addition, the applicant has requested a variation that would reduce the 20-foot-wide required buffer next to a food truck to the west to a 5-foot-wide buffer and a 15-foot-wide buffer. These proposed reduced buffers are directly adjacent to a single-family residence zoned AS-1 to the south. The variation requested in option 2 also reduces the 20-foot-wide required buffer to the south residential to a 10-foot-wide buffer and 15-foot-wide buffer. This would not provide adequate buffering of possible noise and disruptions from the business to residential.

The modification from a 3,500 square-foot dry cleaners use to two options, 1) 2 food trucks and a 1,236-sf commercial building with use exclusions. 2) Maximum of 6,328 sf commercial building with the same use exclusions would not be consistent with the existing residential zoning pattern of the area.

5.2 Recommendation

Based on the above considerations, staff finds the request NOT supportable.

Zoning Administrator Sign Off:

J. Brian Grady

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.

6.0 PROPOSED CONDITIONS

n/a

7.0 ADDITIONAL INFORMATION

The applicant has requested six PD Variations to LDC Section 6.06.06., three for each option.

Option 1

1. A 20-foot-wide buffer with Type B screening is required along the south property line where abutting the AS-1 zoned residential to the south.

The applicant is requesting a variation from LDC Section 6.06.06 within proximity of the food truck to the south to allow a 5-foot-wide buffer with Type B screening that is 31 length feet.

2. A 20-foot-wide buffer with Type B screening is required along the south property line where abutting the AS-1 zoned residential to the south.

The applicant is requesting a variation from LDC Section 6.06.06 for the remaining length of the property line to the south to allow a 15-foot-wide buffer with Type B screening that is 194 length feet.

3. An 8-foot-wide right of way buffer is required to the north property line towards Sinclair Hills Road.

The applicant is requesting a variation from LDC Section 6.06.06 to allow a 6-foot-wide right of way buffer towards Sinclair Hills Road to the north that is 242 length feet.

Option 2

4. A 20-foot-wide buffer with Type B screening is required along the south property line where abutting the AS-1 zoned residential to the south.

The applicant is requesting a variation from LDC Section 6.06.06 to allow a 10-foot-wide buffer to the south with Type B screening that is 120 length feet.

5. A 20-foot-wide buffer with Type B screening is required along the south property line where abutting the AS-1 zoned residential to the south.

The applicant is requesting a variation from LDC Section 6.06.06 to allow a 15-foot-wide buffer to the south with Type B screening that is 105 length feet.

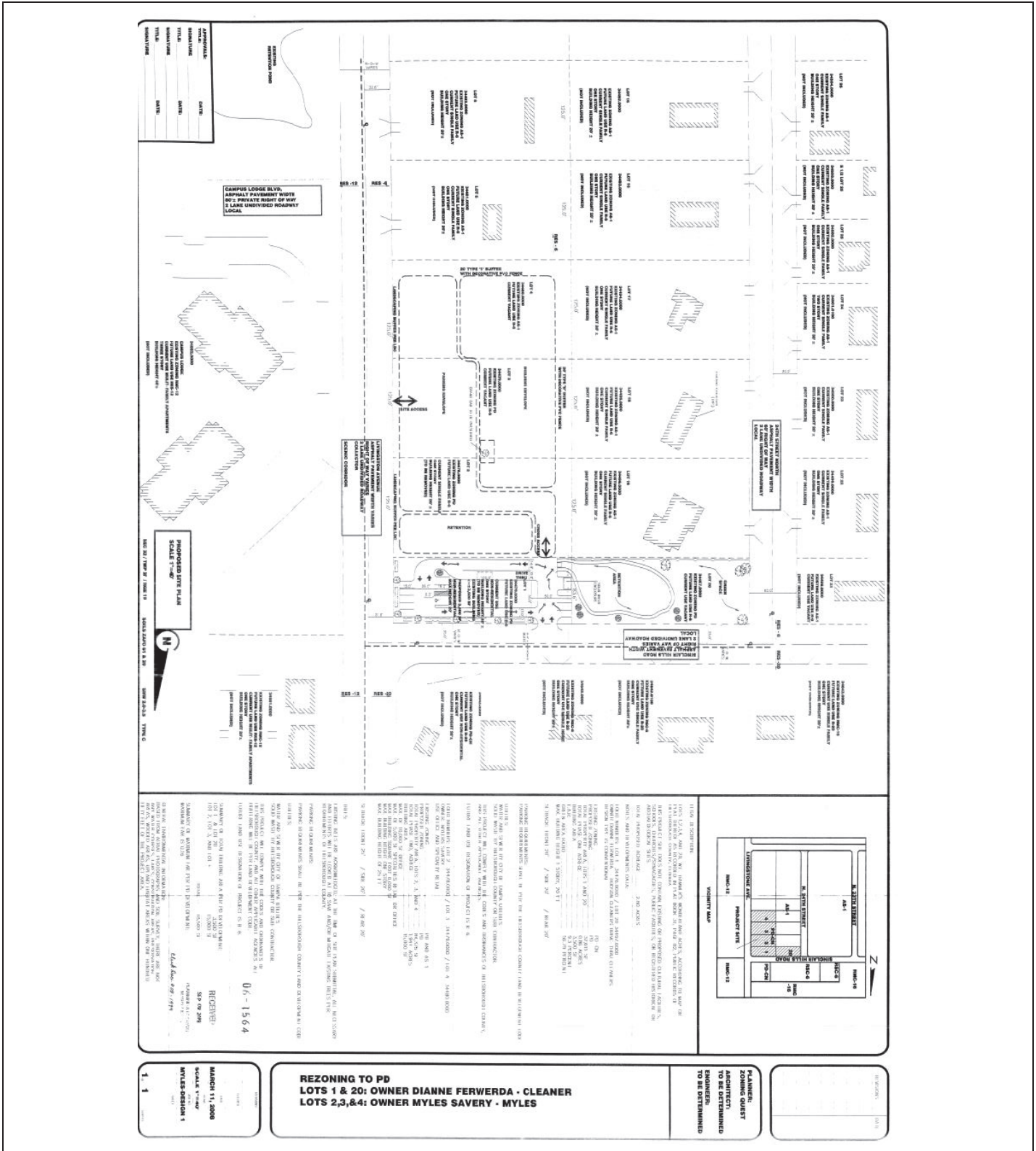
6. An 8-foot-wide right of way buffer is required to the north property line towards Sinclair Hills Road.

The applicant is requesting a variation from LDC Section 6.06.06 to allow a 6-foot-wide right of way buffer towards Sinclair Hills Road to the north that is 242 length feet.

Staff opposes these PD variation requests, as they would not provide sufficient buffering to protect residential areas from potential noise and disruptions caused by the commercial activities.

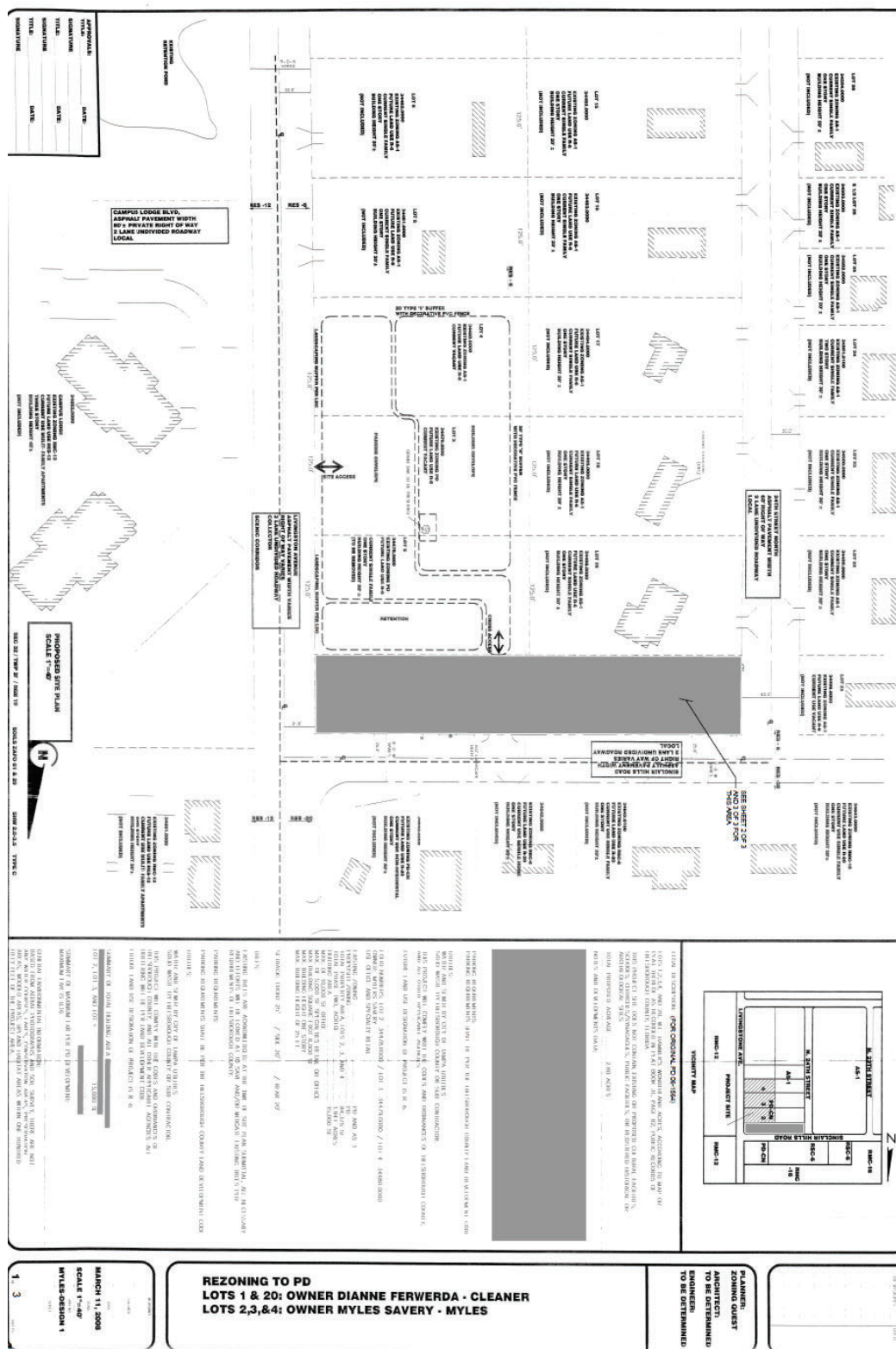
8.0 SITE PLANS (FULL)

8.1 Approved Site Plans (Full)



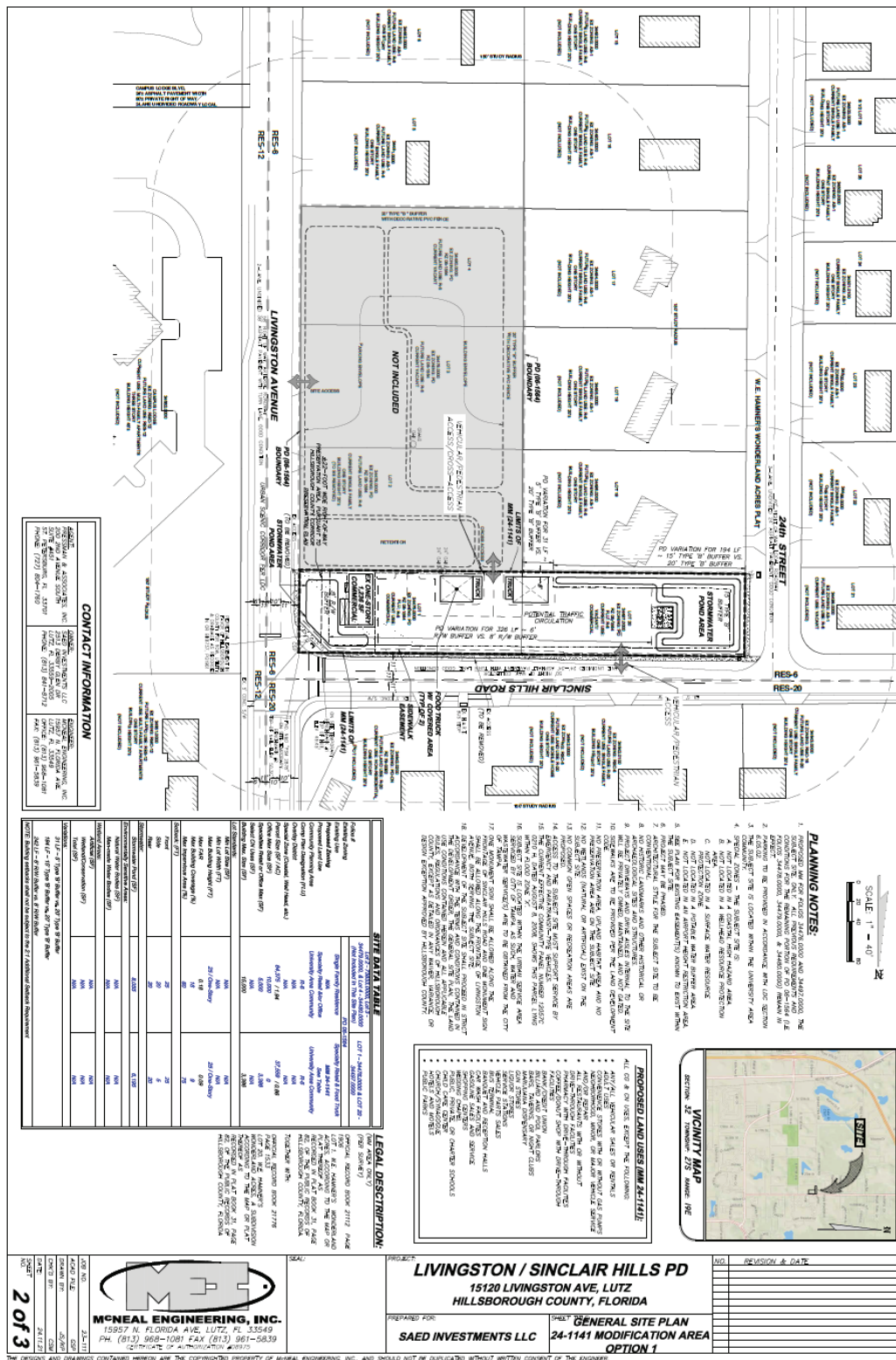
8.0 SITE PLANS (FULL)

8.2.1 Proposed Site Plan (Full)

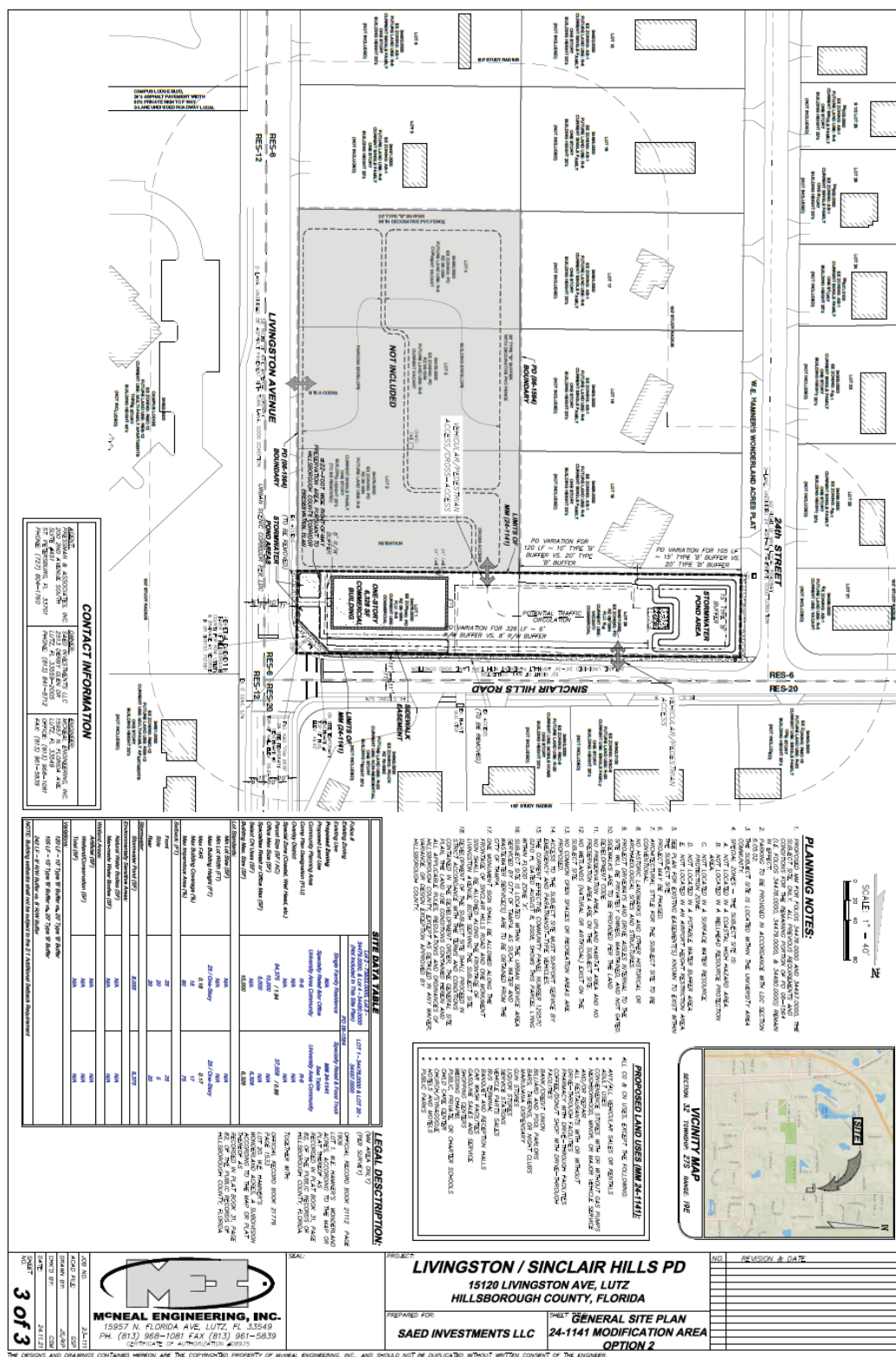


8.0 SITE PLANS (FULL)

8.2.2 Proposed Site Plan (Full)



8.2.3 Proposed Site Plan (Full)



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

TO: Zoning Technician, Development Services Department

DATE: 02/12/2025

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: USF

PETITION NO: MM 24-1141

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

NEW CONDITIONS OF APPROVAL*All previous transportation related conditions shall carry forward. In addition:***New Conditions**

The following additional conditions shall apply to folios 34476.0000 and 34497.0000, i.e. the area of modification for MM 24-1141:

- All existing project access connections shall be closed and removed. The project shall be restricted to a maximum of one (1) access on Sinclair Hills Rd., which shall align with the driveway serving folio 34642.0100.
- Notwithstanding anything herein these conditions or on the PD site plan to the contrary:
 - Bicycle and pedestrian access may be permitted anywhere along the PD boundaries;
 - Sidewalks shall be provided in accordance with LDC Sec. 6.02.08 and Sec. 6.03.02; and,
 - External sidewalks shall be spaced from the closest edge of the travel lane in accordance with Transportation Technical Manual (TIM) requirements. Where sidewalks are required to be placed within the subject site, an easement for public access and maintenance purposes shall be provided in accordance with LDC Sec. 6.03.02.D.
- Concurrent with each increment of development, the developer shall submit a trip generation and site access analysis which analyzes total project trips, and shall be used to determine whether turn lanes are required pursuant to Sec. 6.04.04.D. of the LDC. This may require the developer to preserve, dedicate and convey or otherwise acquire additional right-of-way where necessary to construct required turn lanes. Inability to construct or otherwise accommodate required turn lanes may result in the developer being unable to construct to its maximum entitlement.
- Consistent with the Hillsborough County Corridor Preservation Plan, the developer shall preserve sufficient right-of-way to accommodate a future 4-lane roadway along the project's Livingston Ave. frontage, currently anticipated to be up to +/- 26 feet of right-of-way. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
- If MM 24-1141 is approved, the County Engineer shall approve a Sec. 6.04.02.B. Administrative Variance (dated July 26, 2024) which has been found approval by the County Engineer (on February 9, 2025). Approval of this Administrative Variance will waive the Sinclair Hills Rd.

substandard road improvements required pursuant to Sec. 6.04.03.L. of the LDC. This Administrative Variance applies only to folios 34476.0000 and 34497.0000.

- If MM 24-1141 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated February 11, 2025) from the Sec. 6.04.07 access spacing standards for the project's Sinclair Hills Dr. access. This variance, which was found approval by the County Engineer (on February 12, 2025), will permit access spacing as follows:
 - A variance of +/- 115 feet between the proposed driveway and 24th St. to west, resulting in a spacing of +/- 131 feet;
 - A variance of +/- 92 feet between the proposed driveway and the next closest driveway to the west on the north side of the roadway, resulting in a spacing of +/- 153 feet; and,
 - A variance of +/- 141 feet between the proposed driveway and the next closest driveway to the east on the north side of the roadway, resulting in a spacing of +/- 104 feet.
- If MM 24-1141 is approved, the County Engineer shall approve the variance.

Other Conditions

- Prior to PD Site Plan Certification, the developer shall revise the PD site plan to:
 - On Sheets 2 of 3 and 3 of 3, correct the right-of-way preservation label and linework to reflect the requirement that 26 feet of right-of-way be preserved.

PROJECT SUMMARY AND TRIP GENERATION ANALYSIS

The applicant is requesting a Major Modification (MM) to a portion of an existing Planned Development (PD) #06-1564. The MM area consists of two parcels, totaling +/- 0.9 ac. The existing PD currently has approval for the following entitlements:

1. The project shall be limited to a 3,500 square-foot dry cleaners, a maximum of 10,000 square feet of BPO uses, and a maximum of 5,000 square feet of CN uses in accordance with the conditions contained herein. Unless otherwise specified herein, the project shall be developed in accordance with CN zoning district standards.
 - 1.1 A maximum of 12,000 square feet of the total development may be medical office uses.
2. The dry cleaners shall be located within the northeast portion of the site as shown on the plan. The land area to the west of the dry cleaners shall be reserved for retention areas and/or open space.
3. The following uses shall not be permitted within the land area located to the south of the dry cleaners:
 - Fast food restaurants
 - Vehicle sales/rental and/or service and/or the sale of vehicle parts
 - Convenience stores (with or without gasoline sales)
 - Stand alone banking establishments
 - Drive-through facilities associated with any type of use
 - Billiard and pool parlors
 - Bars/lovers or nightclubs
 - Cheer stores
 - Stand alone gas stations
4. The following conditions shall apply to all development located to the south of the dry cleaners:
 - 4.1 Free-standing CN uses shall be limited to a maximum of 3,000 square feet. The remaining 2,000 square feet must be located within a building with a maximum of 40% of its floor area containing BPO uses.
 - 4.2 Retail uses shall not be permitted within the southernmost building.
 - 4.3 Maximum building size shall be 6,000 square feet and maximum building height shall be 25 feet.
 - 4.4 Buildings shall have a residential appearance and pitched rooflines.
 - 4.5 Screening Standard B shall be provided along the western and southern project boundary to include a solid PVC fence, six feet in height with the finished side out.
 - 4.6 Hours of operation shall be from 6:30am to 10:00pm.

The portion of the site, which is currently in the PD modification process, hereafter referred to as the "subject area", is approved for a 3,500 s.f. dry-cleaning establishment. The applicant is seeking to allow two options within the subject area. The commercial component of both allows all Commercial General

(CG) and Commercial Neighborhood (CN) uses except for the below list of excluded uses. These are collectively referred to as "Limited Commercial Uses" for the purposes of this report.

ALL CG & CN USES, EXCEPT THE FOLLOWING:

- ANY/ALL VEHICULAR SALES OR RENTALS
- ADULT USES
- CONVENIENCE STORES WITH OR WITHOUT GAS PUMPS
- NEIGHBORHOOD, MINOR, OR MAJOR VEHICLE SERVICE AND/OR REPAIR
- ALL RESTAURANTS WITH OR WITHOUT DRIVE-THROUGH FACILITIES
- PHARMACY WITH DRIVE-THROUGH FACILITIES
- COFFEE/DONUT SHOP WITH DRIVE-THROUGH FACILITIES
- BANK/CREDIT UNION
- BILLIARD AND POOL PARLORS
- BARS, TAVERNS, OR NIGHT CLUBS
- MARIJUANA DISPENSARY
- GUN STORES
- LIQUOR STORES
- SERVICE STATIONS
- VEHICLE PARTS SALES
- BUS TERMINAL
- BANQUET AND RECEPTION HALLS
- CAR WASH FACILITIES
- GASOLINE SALES AND SERVICE
- SHOPPING CENTERS
- WEDDING CHAPEL
- PUBLIC, PRIVATE, OR CHARTER SCHOOLS
- CHILD CARE CENTER
- CHURCH/SYNAGOGUE
- HOTELS AND MOTELS
- PUBLIC PARKS

The first option would allow 1,240 s.f. of Limited Commercial Uses, and two (2) food trucks. The second option would allow 6,328 s.f. of Limited Commercial Uses.

The applicant provided a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Given the broad range of allowable uses within the CG and CN district, and considering the list of excluded uses above, the applicant utilized the Institute of Transportation Engineer's (ITE's) Land Use Code (LUC) 814, Variety Store, to estimate trip impacts from potential uses onsite. The food truck uses were analyzed using LUC 926, Food Cart Pod. In the second option, despite identical land uses, the applicant analyzed ITE LUC 720, Medical/Dental Office, as a worst-case scenario. Staff notes that the analysis presented by the applicant does not adequately analyze worst-case impacts. For example, Microbreweries generate 11.36 peak hour trips per 1,000 g.s.f. and Specialty Food Stores/Food Product Stores: Bakery, Candies & Nuts, Dairy, Delicatessens, Meat Seafood and Produce/ Supermarket/ Grocery Stores generate 8.95 peak hour trips per 1,000 g.s.f. vs. the 3.93 peak hour trips per 1,000 g.s.f. (for Health Practitioner's Office uses) and 6.7 peak hour trips per 1,000 s.f. (for Variety Store) assumed by the applicant as the worst case. Similar LUC issues were present for the existing approved portion of the PD which are not a subject of this modification request. Additionally, the total project square-footages analyzed did not match the proposed uses. The applicant used this analysis to seek a waiver of the trip generation and site access analysis.

Staff does not support such request; however, given recent policy changes which provide more flexibility in what is able to be analyzed at the plat/site/construction plan phase, staff is moving the project forward with a condition which requires a trip generation and site access analysis be prepared by the developer prior to or concurrent with redevelopment of the subject area. It is important that this study accurately analyze both the existing and proposed entitlements, since cross-connectivity requirements between the two portions of the PD will allow trips from both areas to impact project access location on each road. Staff notes that certain increments of development may not trigger a turn lane with an initial phase, but could with a subsequent phase (and so an accurate analysis is needed to identify whether turn lanes could be triggered in a later phase, and therefore right-of-way must be set aside for future use).

Staff has prepared a comparison of the potential number of peak hour trips generated under the existing and proposed uses if the subject modification is approved. Staff notes that the second option represents the worst-case scenario.

Existing Uses:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 10,000 s.f. BPO Uses (ITE Code 720)	360	30	37
PD, 5,000 s.f. Limited Commercial Uses – See 06-1564 (ITE Code 882)	1,056	52	94
PD, 3,500 s.f. Dry Cleaner (ITE Code 814)	222	11	23
Total:	1,638	93	154

Proposed Uses (Worst-case Scenario, Option 2):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 10,000 s.f. BPO Uses (ITE Code 720)	360	30	37
PD, 5,000 s.f. Limited Commercial Uses – See 06-1564 (ITE Code 882)	1,056	52	94
PD, 6,328 s.f. Limited Commercial Uses – See Proposed Request 24-1141 (ITE Code 850/975)	1,067	18	72
Total:	2,483	100	203

Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Total:	(+) 845	(+) 7	(+) 49

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Sinclair Hills Rd. is a 2-lane, publicly maintained, undivided, substandard, rural collector roadway. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. The roadway lies within a +/- 52-foot-wide right-of-way along the project's frontage. There are no bicycle facilities along the roadway in the vicinity of the proposed project. There are +/- 4-foot-wide sidewalks located along the north side of Sinclair Hills Rd. in the vicinity of the proposed project.

Livingston Ave. is a 2-lane, publicly maintained, undivided, substandard, rural arterial roadway. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. The roadway lies within a +/- 58-foot-wide right-of-way along the project's frontage. There are no bicycle facilities along the roadway in the vicinity of the proposed project. There are +/- 4-foot-wide to +/- 5-foot-wide sidewalks located along portions of the east and west sides of Livingston Ave. in the vicinity of the proposed project.

Livingston Ave. is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway along the project's frontage. The amount of right-of-way needed for a future 4-lane urban

roadway is 110 feet, pursuant to Typical Section – 4 (TS-4) as found within the Hillsborough County Transportation Technical Manual (TTM). Given the existing right-of-way is 58 feet along the project frontage, per the LDC the developer is required to preserve one-half of the needed right-of-way along the project's frontage (i.e. the developer must preserve up to 26 feet of right-of-way).

SITE ACCESS CONSIDERATIONS

The PD is currently served by two access connections. The existing PD required removal of an existing Livingston Ave. driveway (which is not proposed to change), resulting in one (1) access to Livingston Ave. from that portion of the PD which is not the subject of this modification. The existing PD also permitted one (1) access to Sinclair Hills Rd., in a location slightly different than the existing access serving the site. The applicant proposing to shift this project access from aligning with the folio 34642.0000 driveway, to instead align with the driveway serving folio 34642.0100. This shift is necessary due to the presence of an eastbound to northbound left turn lane which serves the intersection of Livingston Ave. and Sinclair Hills Rd., as well as the volume of traffic which is anticipated to queue back from the intersection.

Since the applicant did not conduct an accurate trip generation and site access analysis, a determination of turn lanes was not possible. Staff has included a condition which requires the developer to analyze total project traffic determine whether stie access improvements (turn lanes) are needed to serve PD project traffic.

SITE ACCESS CONSIDERATIONS

The PD is currently served by two access connections. The existing PD required removal of an existing Livingston Ave. driveway (which is not proposed to change), resulting in one (1) access to Livingston Ave. from that portion of the PD which is not the subject of this modification. The existing PD also permitted one (1) access to Sinclair Hills Rd., in a location slightly different than the existing access serving the site. The applicant proposing to shift this project access from aligning with the folio 34642.0000 driveway, to instead align with the driveway serving folio 34642.0100. This shift is necessary due to the presence of an eastbound to northbound left turn lane which serves the intersection of Livingston Ave. and Sinclair Hills Rd., as well as the volume of traffic which is anticipated to queue back from the intersection.

Since the applicant did not conduct an accurate/worst-case trip generation and site access analysis, a determination as to whether or not turn lanes is required was not possible. Staff has included a condition which requires the developer to analyze total project traffic determine whether stie access improvements (turn lanes) are needed to serve PD project traffic.

ADMINISTRATIVE VARIANCE REQUEST #1 – SINCLAIR HILLS RD. SUBTANDARD RD.

As Sinclair Hills Rd. is a substandard collector roadway, the applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance (dated February 11, 2025) which was found approvable by the County Engineer (on February 12, 2025) for the Sinclair Hills Rd. substandard road improvements. Approval of this Administrative Variance will waive the substandard road improvements required by Section 6.04.03.L. of the LDC.

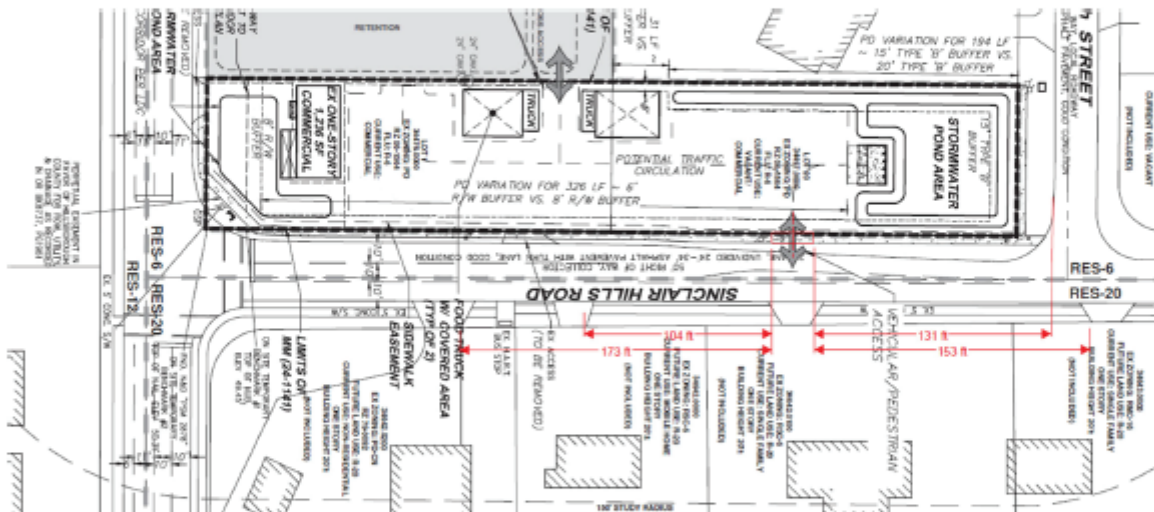
If MM 24-1141 is approved by the Hillsborough County BOCC, the County Engineer will approve the Administrative Variance. This Administrative Variance applies only to folios 34476.0000 and 34497.0000.

ADMINISTRATIVE VARIANCE REQUEST #2 – SINCLAIR HILLS RD. ACCESS SPACING

The applicant's Engineer of Record (EOR) submitted a Sec. 6.04.02.B. Administrative Variance (dated February 11, 2025) from the Sec. 6.04.07 LDC requirement, governing the project's Sinclair Hills Rd. access spacing requirements. The variance was found approvable by the County Engineer (on February 12, 2025). The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 6 roadway with a posted speed of 45 miles per hour or less. Sinclair Hills Rd. has a posted speed limit of 40 mph. The applicant is seeking the following variances:

- A variance of +/- 115 feet between the proposed driveway and 24th St. to west, resulting in a spacing of +/- 131 feet;
- A variance of +/- 92 feet between the proposed driveway and the next closest driveway to the west on the north side of the roadway, resulting in a spacing of +/- 153 feet; and,
- A variance of +/- 141 feet between the proposed driveway and the next closest driveway to the east on the north side of the roadway, resulting in a spacing of +/- 104 feet.

If MM 24-1141 is approved by the Hillsborough County BOCC, the County Engineer will approve the Administrative Variance.

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

Level of Service (LOS) information for adjacent roadway sections is reported below. Sinclair Hills Rd. was not included in the LOS report. As such, no data for this facility could be provided.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Livingston Ave.	Sinclair Hills Rd.	Vandervort Rd.	D	F
Livingston Ave.	Bearss Rd.	Sinclair Hills Rd.	E	F

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Wednesday, February 12, 2025 8:57 AM
To: McNeal, Christopher
Cc: Carla Sansone; todd@pressmaninc.com; Grandlienard, Christopher; Ratliff, James; Tirado, Sheida; De Leon, Eleonor; PW-CEIntake
Subject: FW: MM 24-1141 - Administrative Variances Review
Attachments: 24-1141 Rev AVReq 02-11-25_1.pdf; 24-1141 Rev AVReq 02-11-25_2.pdf
Importance: High

Chris,

I have found the two attached Section 6.04.02.B. Administrative Variances (AV) for PD 24-1141 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hillsboroughcounty.org or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hillsboroughcounty.org

Mike

Michael J. Williams, P.E.

Director, Development Review

County Engineer

Development Services Department

P: (813) 307-1851

M: (813) 614-2190

E: Williamsm@HCFL.gov

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Tirado, Sheida <TiradoS@hcfl.gov>
Sent: Tuesday, February 11, 2025 6:49 PM
To: Williams, Michael <WilliamsM@hcfl.gov>
Cc: Ratliff, James <RatliffJa@hcfl.gov>; De Leon, Eleonor <DeLeonE@hcfl.gov>
Subject: MM 24-1141 - Administrative Variances Review
Importance: High

Hello Mike,

The attached AVs are **Approvable** to me.
Please include the following people in your response email:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
todd@pressmaninc.com
grandlienardc@hcfl.gov
ratliffja@hcfl.gov

Best Regards,

Sheida L. Tirado, PE

Transportation Review Manager
Development Services Department

E: TiradoS@HCFL.gov

P: (813) 276-8364 | M: (813) 564-4676

601 E. Kennedy Blvd., Tampa, FL 33602

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Hillsborough County Florida

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Development Services



**Hillsborough
County Florida**
Development Services

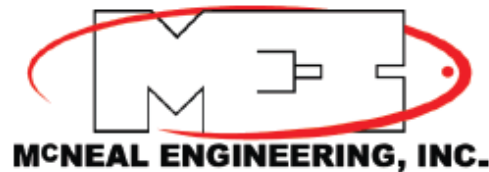
Supplemental Information for Transportation Related Administrative Reviews

Instructions:

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- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Eleonor de Leon at deleone@HCFL.gov or via telephone at (813) 307-1707 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Sinclair Hills Rd Substandard Rd <input type="checkbox"/> 4. <input checked="" type="checkbox"/> 2. Sinclair Hills Rd Substandard Rd <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Livingston/Sinclair Hills
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	34476.0000 & 34497.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876".</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 06-1564
<p>Important: For Example, type "Residential Multi-Family Conventional - 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 24-1141
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	

Development Service



Hillsborough County
Development Services
601 E. Kennedy Blvd, 20th Fl
Tampa, FL 33602

Re: **LIVINGSTON/SINCLAIR HILLS PD**
15120 Livingston Avenue, Lutz
Hillsborough County
Folio #34476.0000 & 34497.0000
PD 24-1141

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-111
February 11, 2025

REQUEST FOR ADMINISTRATIVE VARIANCE – SUBSTANDARD ROADWAY

Mr. Williams,

We are requesting an Administrative Variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities for Sinclair Hills Road.

Our client is requesting MM (requested to PD 06-1564) to Folio #34476.0000 & 34497.0000 the project site to allow for the use of two development options. The first option includes two food trucks and a 1,236 SF commercial building. The second option includes a maximum 6,328 SF commercial building. The proposed commercial uses include all CG and CN uses, except the following:

- Vehicular Sales or Rentals,
- Adult Uses,
- Convenience Stores,
- Neighborhood or Minor Vehicle Service and/or Repair,
- Pharmacy with Drive-Through Facilities,
- Fast Food Restaurants with Drive-Through Facilities,
- Coffee/Donut Shop with Drive-Through Facilities,
- Banks,
- Billiard and Pool Parlors,
- Bars, Taverns, or Night Clubs,
- Marijuana Dispensary,
- Gun Stores,
- Liquor Stores,
- Service Stations, and
- Vehicle Parts Sales.

**RECEIVED 02-11-25
Development Services**

Mr. Michael J. Williams, PE
LIVINGSTON/SINCLAIR HILLS PD (24-1141)
MEI File # 23-111
February 11, 2025
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section regarding the Improvement of an Existing Facility. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following criteria: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the requested variance.

6.04.03.L Improvement of Existing Facility

Sinclair Hills Road adjacent to this site, is currently a 2-lane rural roadway that is 33 feet in width (10-foot striped lanes) with an EBLT lane at Livingston Avenue and 50 feet of Right-of-Way. It has stabilized shoulders on the south side, and a sidewalk on the north side. The posted speed is 40 MPH. The surrounding land use is commercial and residential. The proposed improvements with the requested Modification would add an additional 5-foot sidewalk on the south side of Sinclair Hills Road adjacent to this site.

Per Hillsborough County's TDM C1&C2-2U, the roadway would be deficient of; 10-foot stabilized shoulders with 5 feet of the shoulders paved, ditches, a 12-foot shared use path, and 154-foot Right-of-Way.

Our responses to review criteria a, b, and c are as follows:

- (a) Adding wider 10-foot shoulders with 5 feet of it being paved would obliterate the existing sidewalk network on the north side of the roadway. In addition, if 10-foot shoulders were constructed on the south side of the roadway with the additional sidewalk as proposed, the necessary Right-of-Way for construction would make our client's property unusable. This would be a significant financial burden and loss of usable property when available Right-of-Way is nonexistent.
- (b) The Sinclair Hills Roadway currently has three 10-foot striped lanes near the intersection with Livingston Avenue. The existing site access previously approved as PD 06-1564 has been moved approximately 12-feet west to better align with a residential driveway on the opposite side of the road. This location should provide a reasonable safe Level of Service. Adding a sidewalk to the south side of Sinclair Hills Road adjacent to the site will enhance overall pedestrian safety and access to the intersection.
- (c) The proposed site access will provide reasonable access for this Zoning Modification. Without direct access to Sinclair Hills Road, the future use of the parcel is not feasible.

Development Servi

Mr. Michael J. Williams, PE
LIVINGSTON/SINCLAIR HILLS PD (24-1141)
MEI File # 23-111
February 11, 2025
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=AD1410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Date: 2025.02.11 10:21:44-05'00'

A handwritten signature in black ink, appearing to read "Christopher S. McNeal".

Christopher S. McNeal, P.E.
MCNEALENGINEERING, INC.

Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193

This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
02/11/2025.

Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.

c: Saed Investments LLC, *via* email
Pressman & Associates, Todd Pressman *via* email

attchs

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

_____ Approved

_____ Approved with Conditions

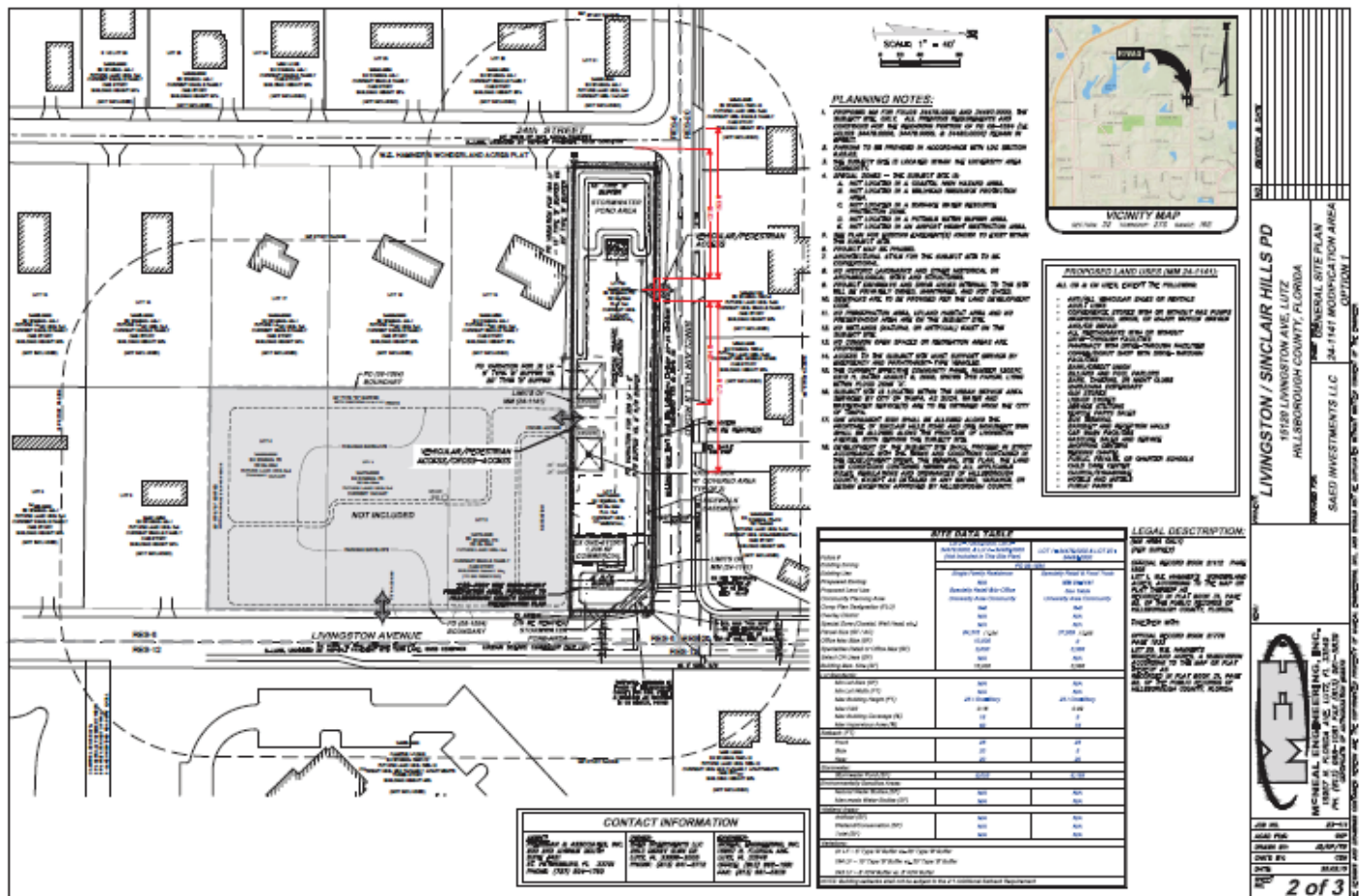
_____ Disapproved

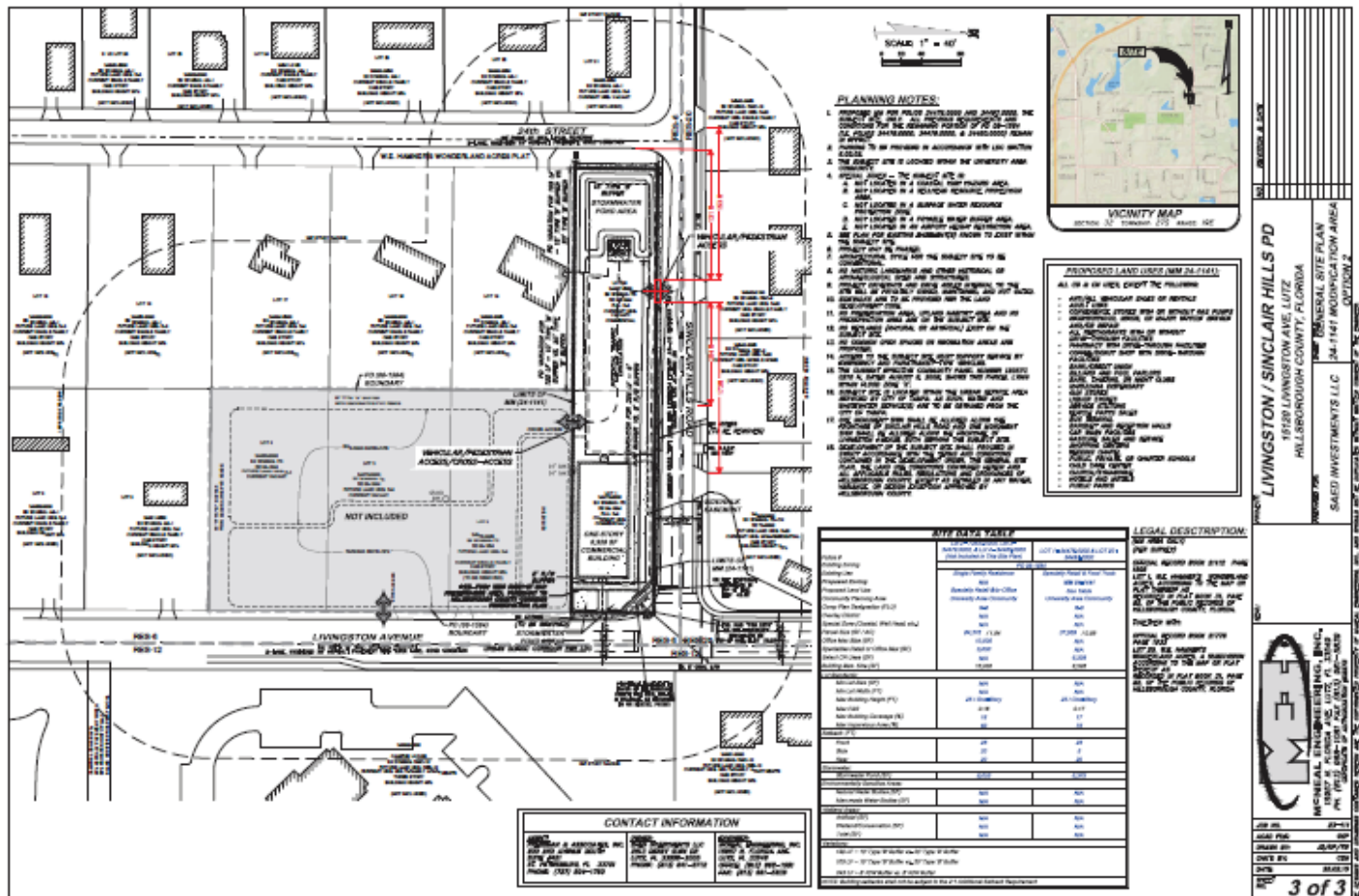
If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer

Development Services







Hillsborough
County Florida
Development Services

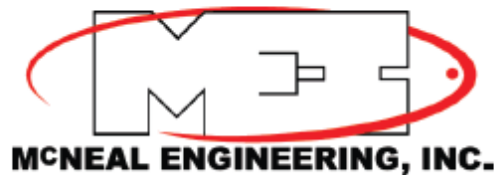
Development Services Supplemental Information for Transportation Related Administrative Reviews

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<input type="checkbox"/> 1. Sinclair Hills Rd Substandard Rd	<input type="checkbox"/> 4.						
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Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.							
Project Name/ Phase	Livingston/Sinclair Hills						
Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.							
Folio Number(s)	34476.0000 & 34497.0000 <input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers						
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Pending Zoning Application Number	MM 24-1141						
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Related Project Identification Number (Site/Subdivision Application Number)	N/A						
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Development Services



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **LIVINGSTON/SINCLAIR HILLS PD**
15120 Livingston Avenue, Lutz
Hillsborough County
Folio #34476.0000 & 34497.0000
PD 24-1141

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-111
February 11, 2025

REQUEST FOR ADMINISTRATIVE VARIANCE – ACCESS SPACING

Mr. Williams,

We are requesting an Administrative Variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing on Sinclair Hills Road.

Our client is requesting a MM (requested to PD 06-1564) to Folio #34476.0000 & 34497.0000 (the project site to allow for the use of two development options. The first option includes two food trucks and a 1,236 SF commercial building. The second option includes a maximum 6,328 SF commercial building. The proposed commercial uses include all CG and CN uses, except the following:

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- Liquor Stores,
- Service Stations, and
- Vehicle Parts Sales.

Development Services

Mr. Michael J. Williams, PE
LIVINGSTON/SINCLAIR HILLS PD (24-1141)
MEI File # 23-111
February 11, 2025
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following criteria: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 6 roadway from 245 feet (per LDC) to the distances below. The existing driveway locations less than 245 feet to the proposed site access are listed as follows:

South side of Sinclair Hills Road

131 feet west to 24th Street

North side of Sinclair Hills Road

173 feet east to a commercial drive

104 feet east to a residential drive

Centered to a residential drive

153 feet west to a residential drive

The proposed access for this site would have direct access through a connection with Sinclair Hills Road. Sinclair Hills Road adjacent to this site is a 2-lane un-divided rural collector roadway, with 10-foot striped lanes and stabilized shoulders. There is an existing EBLT lane for the intersection with Livingston Avenue. There is an existing sidewalk on the north side of Sinclair Hills Road, and a sidewalk on the south side is proposed with this modification. The posted speed is 40 MPH. The surrounding land use is Commercial and Residential.

Our responses to review criteria a, b, and c are as follows:

- (a) The proposed site plan would have direct access to Sinclair Hills Road. The same general vicinity for project access was previously approved as PD 06-1564 yet moved slightly west to align with an existing residential driveway. There are no other financially feasible options for project access.
- (b) The proposed location for the project access should not produce conflicts with a direct connection to Sinclair Hills Road, as the previously approved as PD 06-1564 access location was approximately 12 feet east of its proposed location.
- (c) The proposed access location would provide reasonable access for the proposed Zoning Modification. Without access, the proposed future use of the parcel is not feasible.

Development Service

Mr. Michael J. Williams, PE
LIVINGSTON/SINCLAIR HILLS PD (24-1141)
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February 11, 2025
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.



Digitally signed by Christopher S McNeal
DN: CN=Christopher S McNeal,
dnQualifier=AD1410C00000180D8F65FF8000C722C,
O=McNeal Engineering Inc, C=US
Date: 2025.02.11 10:23:05-05'00'

Sincerely,

A handwritten signature in black ink, appearing to read "Chris McNeal".

Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

Christopher S. McNeal,
State of Florida,
Professional Engineer,
License No. 56193

This item has been digitally
signed and sealed by
Christopher S. McNeal, PE on
02/11/2025.

Printed copies of this document
are not considered signed and
sealed and signature must be
verified on any electronic copies.

c: Saed Investments LLC, *via* email
Pressman & Associates, Todd Pressman *via* email

attchs

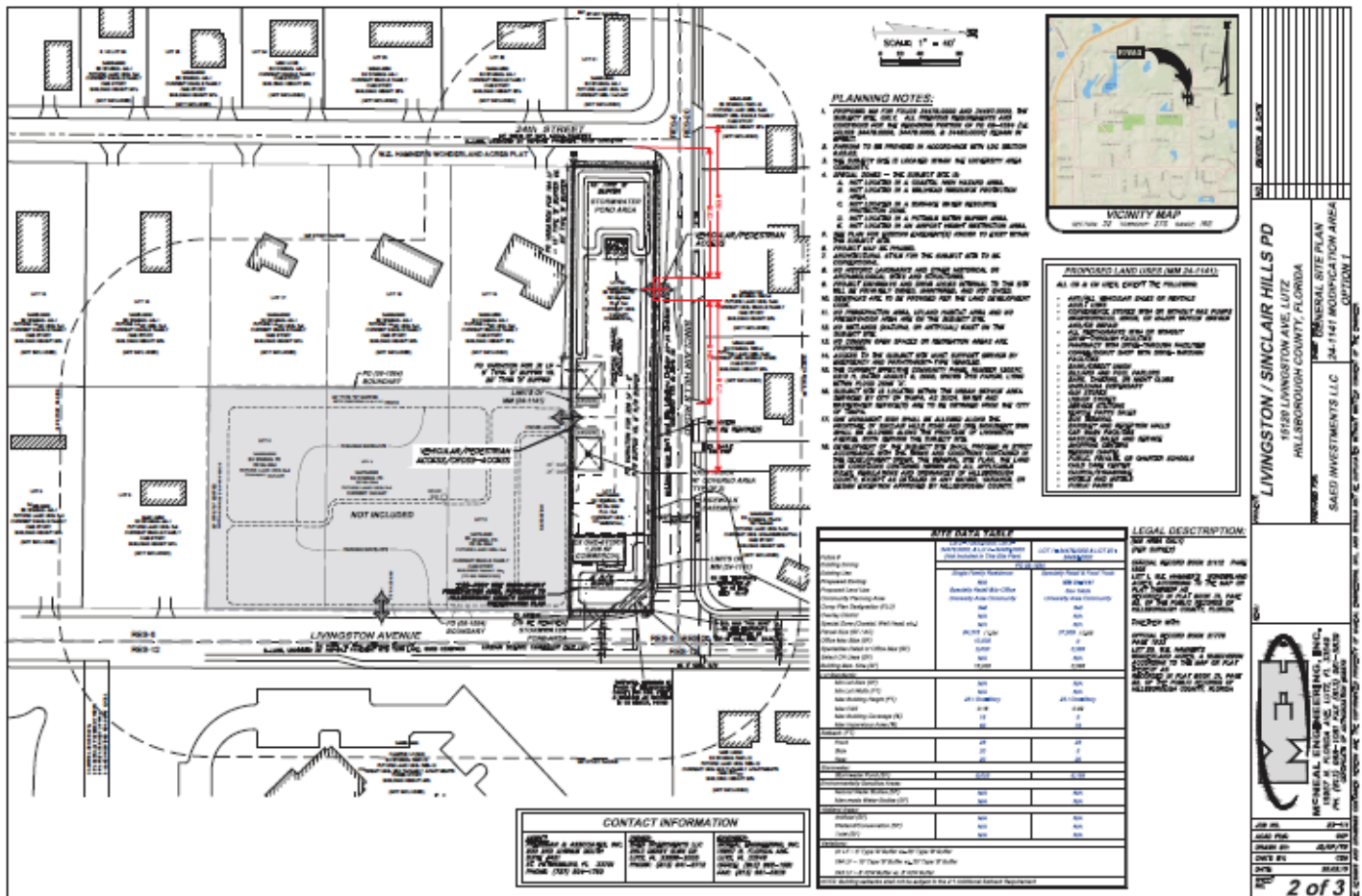
Based on the information provided by the applicant, this request is:

_____ Approved
_____ Approved with Conditions
_____ Disapproved

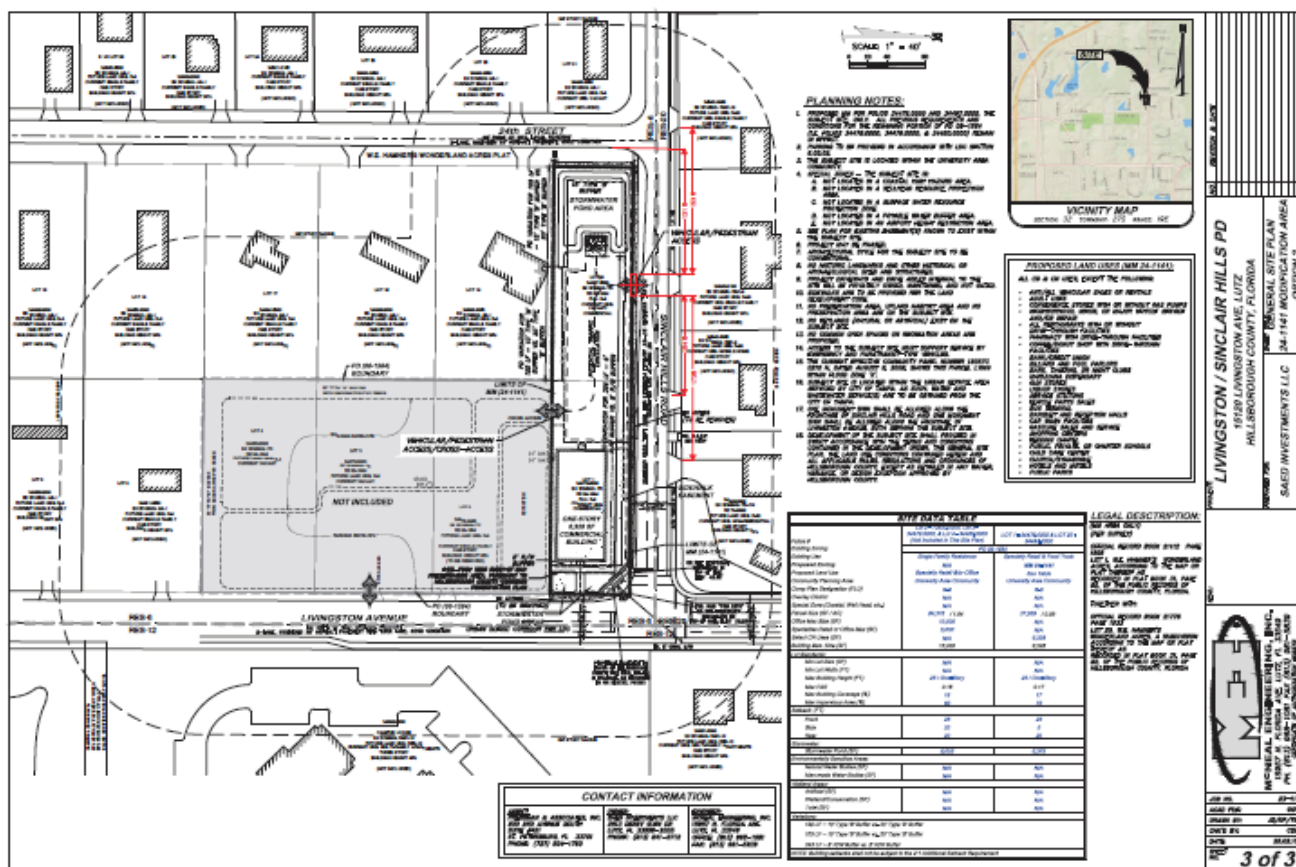
If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

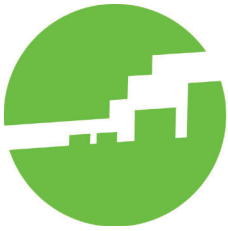
Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer



Development Services:





**Hillsborough County
City-County
Planning Commission**

Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 – 272 – 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: February 18, 2025 Report Prepared: February 7, 2025	Case Number: MM 24-1141 Folio(s): 34497.0000 & 34476.0000 General Location: South of Sinclair Hills Road, east of North 24 th Street and west of Livingston Avenue
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan(s)	N/A
Rezoning Request	Major Modification (MM) to allow either two food trucks and a 1,236 square feet commercial building or a maximum of a 6,328 square feet commercial building, both with commercial use exclusions
Parcel Size	0.89 ± acres
Street Functional Classification	Sinclair Hills Road – County Collector North 24 th Street – Local Livingston Avenue – County Arterial
Commercial Locational Criteria	Does not meet; waiver request submitted

Evacuation Area	N/A
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Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Residential-6	PD	Light Commercial + Vacant Land
North	Residential-20	PD + RSC-6 + RMC-16	Single Family Residential + Light Commercial + Multi-Family Residential
South	Residential-6	PD + AS-1	Single Family Residential + Vacant Land
East	Residential-12	RMC-12	Multi-Family Residential
West	Residential-6	AS-1	Single Family Residential

Staff Analysis of Goals, Objectives and Policies:

The 0.89 ± acre subject site is located south of Sinclair Hills Road, east of North 24th Street and west of Livingston Avenue. The site is in the Urban Service Area and not within the limits of any Community Plan. The applicant is requesting a Major Modification (MM) to Planned Development (PD) 06-1564 to allow either two food trucks and a 1,236 square feet commercial building or a maximum of a 6,328 square feet commercial building, both with commercial use exclusions. According to the revised request, which was uploaded into Optix on February 2, 2025, the applicant is removing part of the existing and approved Planned Development for the proposed Modification. The following three folios of the original PD (34478.0000, 34479.0000 and 34480.0000) remain intact and are not a part of this request.

The site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the County's growth is to be directed. Policy 1.4 requires all new development to be compatible with the surrounding area, noting that "compatibility does not mean "the same as" Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The subject site currently has vacant land and light commercial uses. While there is a light commercial use to the north across Sinclair Hills Road, single-family uses surround the subject site on all sides. Multi-family uses are to the east across Livingston Avenue and to the north across Sinclair Hills Road. The proposal would not be consistent with FLUE Objective 1 and FLUE Policy 1.4.

FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. 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 set 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 within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is in the Residential-6 (RES-6) Future Land Use category. The RES-6 Future Land Use category allows for the consideration of residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses are required to meet Commercial Locational Criteria.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposal does not meet the intent of FLUE Objective 16 and its accompanying policies 16.2 and 16.5 that require new development to be compatible to the surrounding neighborhood. Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is comprised mostly of residential developments. Single family uses are directly south, to the west across North 24th Street and to the north across Sinclair Hills Road. Multi-family uses are also to the north and to the east across Livingston Avenue. The proposed request does not align with the residential character of the surrounding area and presents significant compatibility concerns, which is inconsistent with FLUE Objective 16 and its accompanying policies related to neighborhood protection.

FLUE Policy 16.2 states that 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. There should be a gradual transition of intensities between the different land uses given the residential uses around the subject site. FLUE Policy 16.5 directs development of higher intensity non-residential land uses to be restricted to locations external to established and developing neighborhoods. The Major Modification would cause development that is not compatible with the surrounding area, rendering the request inconsistent with this adopted policy direction.

The subject site does not meet Commercial Locational Criteria (CLC). According to FLUE Policy 22.2, a site in the RES-6 Future Land Use category must be within 300 feet of a qualifying intersection that includes a two-lane roadway. The closest qualifying intersection to the subject site is Livingston, a two-lane County Arterial roadway and Bearss Avenue, a two-lane County Arterial roadway. The distance from the subject site and the closest qualifying intersection is roughly 3,900 feet as opposed to the required 300 feet, and therefore the site does not meet CLC. FLUE Policy 22.7 notes that meeting Commercial Locational Criteria is not the only factor to be taken into consideration when granting approval for an application. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of affected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the

approval of the potential commercial use. Commercial Locational Criteria only designates locations that could be considered, and they in no way guarantee the approval of a particular non-residential use. The 300-foot measurement requirement demonstrates the scale of development expected for the Rural Area and the proposed MM would not be in scale with the area. This site is located approximately 3,900 feet away from the nearest major intersection with significant compatibility concerns and therefore is inconsistent with FLUE Objective 22 and its accompanying policies. In addition, per FLUE Policy 22.8, an applicant may submit a request to waive the CLC criteria. The applicant provided a CLC waiver for the proposal. However, staff has not determined any unique circumstances that would warrant a waiver to Commercial Locational Criteria. Planning Commission recommends that the Board of County Commissioners deny the waiver request based upon this information.

Overall, staff finds that the proposed Major Modification is not compatible with the existing development pattern found within the surrounding area and does not meet Commercial Locational Criteria. The proposed Major Modification would allow for development that is not consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Major Modification **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:

FUTURE LAND USE ELEMENT

Urban Service Area

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

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

Land Use Categories

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

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

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

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

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

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

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

COMMERCIAL-LOCATIONAL CRITERIA

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

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

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

Policy 22.2: *The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.*

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

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

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their*

normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: *Develop commercial areas in a manner which enhances the County's character and ambiance.*

OBJECTIVE 17-1: *Facilitate patterns of site development that appear purposeful and organized.*

Policy 17-1.4: *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

RZ MM 24-1141

APPROVED
CONTINUED
DENIED
WITHDRAWN
PENDING

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

WAM NATURAL/LUIC_Wam_Poly	
PEC PLANNED ENVIRONMENTAL COMMUNITY-12 (25 FAR)	
AGRICULTURAL-110 (25 FAR)	
AGRICULTURALRURAL-115 (25 FAR)	
AGRICULTURAL ESTATE-12.5 (25 FAR)	
RESIDENTIAL-1 (25 FAR)	
RESIDENTIAL-2 (25 FAR)	
RESIDENTIAL PLANNED-2 (35 FAR)	
RESIDENTIAL-4 (25 FAR)	
RESIDENTIAL-6 (25 FAR)	
RESIDENTIAL-9 (35 FAR)	
RESIDENTIAL-12 (35 FAR)	
RESIDENTIAL-16 (35 FAR)	
RESIDENTIAL-20 (35 FAR)	
RESIDENTIAL-35 (1.0 FAR)	
NEIGHBORHOOD MIXED USE-4 (3) (35 FAR)	
SUBURBAN MIXED USE-6 (35 FAR)	
COMMUNITY MIXED USE-12 (50 FAR)	
URBAN MIXED USE-20 (1.0 FAR)	
REGIONAL MIXED USE-35 (2.0 FAR)	
INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)	
OFFICE COMMERCIAL-20 (75 FAR)	
RESEARCH CORPORATE PARK (1.0 FAR)	
ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RE FAR RETAIL/COMMERCE)	
LIGHT INDUSTRIAL PLANNED (75 FAR)	
LIGHT INDUSTRIAL (75 FAR)	
HEAVY INDUSTRIAL (75 FAR)	
PUBLIC/QUASI-PUBLIC	
NATURAL PRESERVATION	
WIMAUNA VILLAGE RESIDENTIAL-2 (25 FAR)	
CITRUS PARK VILLAGE	

DATA SOURCES: Receiving boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.

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ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate data source.



Map Printed from Rezoning System: 8/14/2024
Author: Beverly F. Daniels
File: G:\RezoningSystem\MapProjects\HCl\Greg

