

HILLSBOROUGH COUNTY BOCC LAND USE MEETING AGENDA October 10, 2023 CHANGES/CORRECTIONS/ADDITIONS

- 1. <u>Agenda Page 4, Item-A-11-PRS-23-0878-Lyvwell Carrollwood SS JV 1 LLC</u> This application is being withdrawn by the Applicant.
- 2. <u>Agenda Page 9, Item-E-02-PRS-23-0879-Eisenhower Property Group</u> Additional Party of Record has been added to the backup.
- 3. Agenda Page 10, Item-F-01-RZ-PD-22-0075-Matmattamy Tampa / Sarasota, LLC Correct scrivener's error in Introduction Summary on first page of staff report to remove reference to a Community Residential Home Type C as a proposed use on the south side of the TECO easement. The applicant removed this use from the list of proposed uses in Parcel 2 of the PD as part of the remand.

TIME CERTAIN

1. None

COMMISSIONERS' ITEMS

1. None

OFF-THE-AGENDA ITEM

1. None

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From: <u>Williams, Charlene</u>

To: Gormly, Adam; Grady, Brian; Vazquez, Bianca

Cc: <u>Lundgren, Johanna</u>

 Subject:
 FW: [EXTERNAL] PRS 23-0879

 Date:
 Friday, October 6, 2023 3:43:42 PM

FYI, written public comment received by the Clerk's Office.

Kindest regards,

Tharlene

Charlene Williams

Agenda and Special Projects Manager Government Relations & Strategic Services

P: (813) 274-6942

E: williamscr@HCFLGov.net

W: HCFLGov.net

From: Boccrec <boccrec@hillsclerk.com>
Sent: Friday, October 6, 2023 3:40 PM

To: Cameron Cepeda, Donna <CameronD@hillsboroughcounty.org>; Cohen, Harry <CohenH@hillsboroughcounty.org>; Myers, Gwendolyn <MyersG@hillsboroughcounty.org>; Hagan, Ken <HaganK@HillsboroughCounty.ORG>; Owen, Michael <OwenM@hillsboroughcounty.org>; Wostal, Joshua <WostalJ@hillsboroughcounty.org>; Beck, Christine <BECKC@HillsboroughCounty.ORG>; Bennett, Leslie <BennettL@hillsboroughcounty.org>; Green, Yorlanda <GreenY@hillsboroughcounty.org>; Harless, Joseph <joseph.harless@hillsclerk.com>; Sekouri, Michelle <SekouriM@hillsboroughcounty.org>; Sweet, Sharon <SweetS@hillsclerk.com>; VanArsdall, Rick <VanArsda@hillsclerk.com>; Williams, Charlene

<WilliamsCR@hillsboroughcounty.org>; Wise, Bonnie <WiseB@hillsboroughcounty.org>; Almand, Sherrie <AlmandS@hillsboroughcounty.org>; Broad, Brian <BroadB@hillsboroughcounty.org>; Burgos, Glorivee <BurgosG@hillsboroughcounty.org>; Castillo, Maria

<CastilloM@hillsboroughcounty.org>; Cury, Della <CuryD@HillsboroughCounty.ORG>; Hoyt, Melonie <HoytM@hillsboroughcounty.org>; Lawson, Laura <LawsonL@hillsboroughcounty.org>; Manresa, Lidia <ManresaL@hillsboroughcounty.org>; Marion, Casaundra <MarionC@hillsboroughcounty.org>; Pike, Isabella <PikeI@hillsboroughcounty.org>; Reidy, Richard <ReidyR@hillsboroughcounty.org>; Smith, Rabiah (Robbi) <SmithRa@hillsboroughcounty.org>; Valdez, Raquel - BOCC

Subject: FW: [EXTERNAL] PRS 23-0879

External email: Use caution when clicking on links, opening attachments or replying to this email.

From: Mary Minier < maryminier 70@gmail.com >

Sent: Friday, October 6, 2023 2:58 PM **To:** Boccrec < boccrec@hillsclerk.com > **Subject:** [EXTERNAL] PRS 23-0879

CAUTION: This email is from an external source. Do you know them and are you expecting this? Look again! Phishing is our #1 threat. **You are our best defense!!!**

I have a question I would like to submit and answer in the upcoming meeting on Oct. 10, 2023

Within the Agency Review Comment sheet you have noted on the TRANS 09-24-23: Within Segment B

The developer shall be permitted to maintain the existing 10-foot wide travel lanes in lieu of the 12-foot wide travel lanes typically required by the Hillsborough County Transportation Technical Manual's (TTM) TS=7 Typical Section.

My question is why are you allowing this? I live in Berry Bay and the roads are already not wide enough for cars to park on both sides and "larger" vehicles to get through. This past weekend the trash collector was unable to make some of his pickups because there was not enough space on the road. What happens when a fire truck or some other emergency vehicle tries to get to our neighborhood? I know you have had input from the fire department regarding this, but when was that? Did they account for vehicles on both sides? I would certainly not want to see emergency vehicles delayed because they couldn't get through. I realize this is the end of the new phase, but now is the time to raise concerns regarding future development - before the roads are actually constructed.

As I noted earlier, I live in Berry Bay and am home most days. It is common for vehicles to have to wait for others to pass before they can continue. This is not just during the construction phase. It is also on weekends and evenings.

Thank you,
Mary Minier
3131 Marine Grass Dr.
Wimauma, FL
Berry Bay
Maryminier70@gmail.com

Rezoning Application: PD 22-0075 (2nd Remand)

Zoning Hearing Master Date: July 24, 2023

BOCC Land Use Meeting Date: September 12, 2023



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Mattamy Tampa/Sarasota, LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: 18 +/-

Community Plan Area: Riverview

Overlay: None



Introduction Summary:

The applicant seeks to rezone a parcel zoned Agricultural Rural (AR) to Planned Development (PD) to allow for the development of a mixed-use project. The project is located on the north side of Boyette Road, ½ mile west of Bell Shoals Rd. in Riverview. A TECO easement runs east-west bisecting the parcel into two areas. The project will consist of 86 multifamily units (attached single-family) north of the TECO easement and up to 20,000 square feet of commercial, office, and residential support uses and/or a Community Residential Home Type C south of the TECO easement, along Boyette Road. The developer intends to utilize the Mixed Use Incentive program set forth in the Comprehensive Plan to achieve a density up to 6 du/acre on the site. The site will have one access points on Boyette Rd.

Zoning:	Existing	Proposed
District(s)	AR	Planned Development
Typical General Use(s)	Single-Family Residential (Conventional/Mobile Home)	Multi-family Residential and Non-Residential
Acreage	18	18
Density/Intensity	1 unit per 5 acre (upland)	6 units per acre/0.20 FAR
Mathematical Maximum*	3 units	86 Res. Units / 20,000 sq ft

^{*}number represents a pre-development approximation

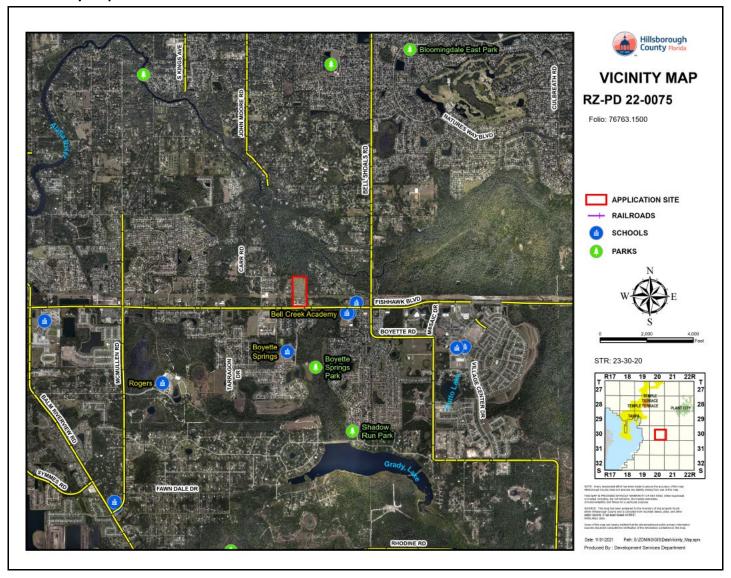
Development Standards:	Existing	Proposed		
District(s)	AR	PD		
Lot Size / Lot Width	5 Ac / 150'	1,620 sq ft / 18'		
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	Residential 20' Front 10' Rear (35' east) 10' Sides (35' east)	<u>Non-Residential</u> 20' Front 20' Rear 20' Sides	
Height	50′	35'	35'	
Additional Information:				

Additional Information:	
PD Variation(s)	None requested as part of this application
, ,	
Waiver(s) to the Land Development Code	To Section 6.01.01.01 Footnote 8.
waiver(s) to the Land Development Code	Reduce the required building setback for building height over 20 feet (west).

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



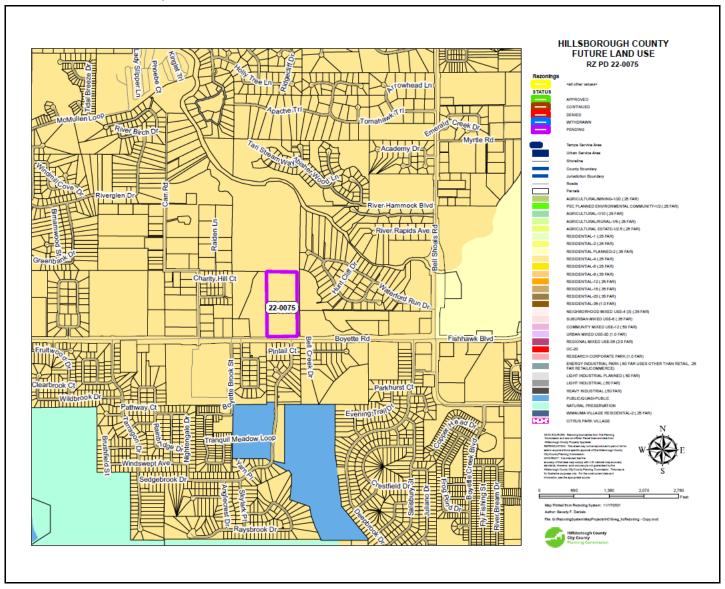
Case Reviewer: Israel Monsanto

Context of Surrounding Area:

The project is located north of Boyette Road, between McMullen Rd. and Bells Shoals Rd. Area mostly consists of residential land. Some office uses are located to the west and east. Commercial uses are found further east, at the intersection of Boyette Rd and Bell Shoals Rd. Private schools and churches are also found in the area.

2.0 LAND USE MAP SET AND SUMMARY DATA

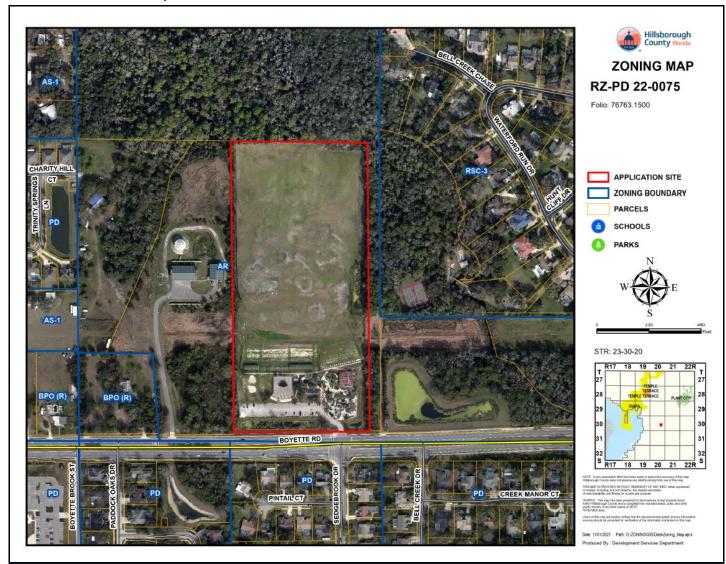
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential - 4
Maximum Density/F.A.R.:	Up to a maximum of 4.0 dwelling units per gross acre. Alternative methods for calculating density of certain uses are specified in the land development regulations. Density bonuses and credits may be considered in this category and are described in the Plan. suburban scale neighborhood commercial, office, multi-purpose or mixed use projects limited to 175,000 sq. ft. or .25 FAR, whichever is less intense. Actual square footage limit is dependent on classification of roadway intersection where project is located.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Nonresidential uses shall meet locational criteria for specific land use. 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

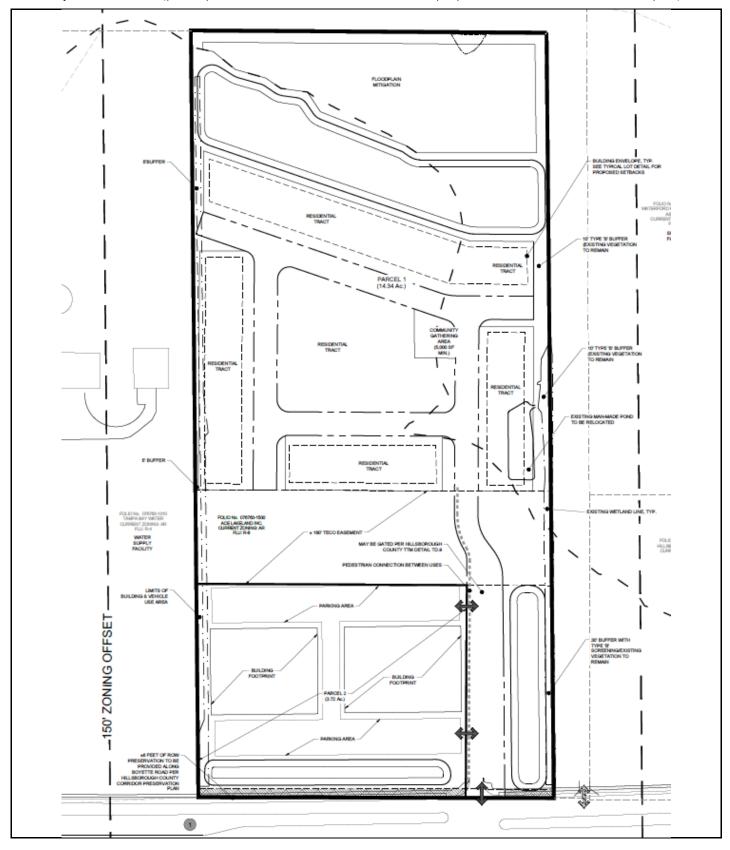
2.3 Immediate Area Map



	Adjacent Zonings and Uses						
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:			
North	AR,	1 Du/5 ac	Single Family Detached, Agricultural	Natural Preserve			
South	PD 85-0014	4 Du/ac	Single Family Detached	Single Family			
East	AR,	1 Du/5 ac	Single Family Detached, Agricultural	Natural Preserve			
West	AR,	1 Du/5 ac / 0.25 FAR	Single Family Detached, Agricultural	Public Use / Water Treatment			

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)



APPLICATION NUMBER: PD 22-0075 2nd Remand

ZHM HEARING DATE: July 24, 2023

POSC LUMM METTING DATE: Souther 13, 2023

ZHM HEARING DATE: BOCC LUM MEETING DATE:	July 24, 2023 : September 12, 2023 Case Reviewer: Israel Monsanto							
3.0 TRANSPORTATION S	-		ON REPOR	T IN SEC	TION 9 OF S	TAFF I	REPORT)	
Road Name	Classification	Current Condit	ions		Select Fut	ure lm	provements	
Boyette Rd.	County Collector - Urban	4 Lanes □Substandard Road □Sufficient ROW Width		 ☑ Corridor Preservation Plan ☑ Site Access Improvements ☐ Substandard Road Improvements ☐ Other 				
Project Trip Generation	□Not applicable	for this request						
Average Annual Daily Trips A.M. Peak Hour Trips P.M. Peak Hour Trips								
Existing	63	0		12			60	
Proposed	2,92	29		224		232		
Difference (+/-)	+2,2	99		+212		+172		
*Trips reported are base	ed on net new exte	ernal trips unless	otherwis	e noted.				
Connectivity and Cross	Access □Not app	licable for this re	equest					
Project Boundary Primary Access Additional Cross Access Finding						Finding		
North		None		None			Meets LDC	
South	Х	None		None			Meets LDC	
Fast		None		None			Meets LDC	

Design Exception/Administrative Variance ⊠Not applicable for this request					
Road Name/Nature of Request Type Finding					
	Choose an item.	Choose an item.			
Notes:					

None

None

West

Notes:

4.0 Additional Site Information & Agency Comments Summary					
Transportation	Objections	Conditions Requested	Additional Information/Comments		
☐ Design Exception/Adm. Variance Requested ☐ Off-Site Improvements Provided	☐ Yes ☐N/A ☑ No	⊠ Yes □ No	See report.		

Meets LDC

ZHM HEARING DATE: July 24, 2023

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4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes 図 No	⊠ Yes □ No	
Natural Resources	☐ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ⊠ No	
Check if Applicable:	☐ Potable Water W	ellfield Protection	Area	
	☐ Significant Wildlif	e Habitat		
☐ Use of Environmentally Sensitive Land Credit	☐ Coastal High Haza	rd Area		
☐ Wellhead Protection Area	☐ Urban/Suburban/R	Rural Scenic Corrido	r	
☐ Surface Water Resource Protection Area	□ Adjacent to ELAPF	property		
Surface Water Resource Protection Area	☐ Other		_	_
Public Facilities:	Comments	Objections	Conditions	Additional
Towns date.	Received	.,,	Requested	Information/Comments
Transportation	☐ Yes	☐ Yes	☐ Yes	
☐ Design Exc./Adm. Variance Requested	□ No	□ No	□ No	
☐ Off-site Improvements Provided				
Service Area/ Water & Wastewater	☐ Yes	☐ Yes	☐ Yes	
☐ Urban ☐ City of Tampa	□ No	□ No	□ No	
☐Rural ☐ City of Temple Terrace				
Hillsborough County School Board	⊠ Yes	☐ Yes	☐ Yes	
Adequate ⊠ K-5 □ 6-8 □ 9-12 □ N/A	□ No	□ res □ ⊠ No	□ res □ No	
Inadequate ☐ K-5 ⊠ 6-8 ⊠ 9-12 ☐ N/A			2 110	
Impact/Mobility Fees (Fee estimate is based on a 1,500 square foot, 3 bedroom, 1-2 story townhome) (per 1,000 s.f.) (per Bed/Fire per 1k sf) Mobility: \$5,995.00 * 86 units = \$515,570 Mobility: \$1,226 Mobility: \$1,128 Fire: \$313 Fire: \$95 School: \$7,027.00 * 86 units = \$604,322 Fire: \$249.00 * 86 units = \$21,414 Total townhome = \$1,309,608				
Daycare Medical Office (10k or less s.f.) Clinic (per 1,000 s.f.) (per 1,000 s.f.) (per 1,000 s.f.) (per 1,000 s.f.) Mobility: \$11,840 Mobility: \$19,674 Mobility: \$30,011 Fire: \$95 Fire: \$158 Fire: \$95 Project Summary/Description: Urban Mobility, Central Park, South Fire - 86 townhome units; 31-36k s.f. retail strip; 10k Urgent Care (Clinic), 10k Med Office; 10k Daycal 125 bed ALF. 10k Charter school. Charter school is exempt from impacts.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission				
☐ Meets Locational Criteria ☐ N/A				
	⊠ Yes	☐ Inconsistent	⊠ Yes	
☐ Minimum Density Met ☐ N/A	□ No	☐ Inconsistent	□ No	
☑ Density Bonus Requested	•			

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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The property's existing use is a recreational golf course. The site is surrounded to the south, southeast, and southwest by single-family detached home sub. Further southwest is Saint Stephens Catholic Church and School. The parcel adjacent to the west contains the Hillsborough County South Central Water Pump Station. Further to the west is single-family detached housing. The adjacent parcel to the north and east is owned by the Tampa Bay Conservancy Inc. (Myron and Helen Gibbons Nature Preserve). Further to the northeast is the western boundary of a large single-family detached home subdivision with frontage directly on Bell Shoals Road. To the east, along Boyette Rd., is land owned by Hillsborough County containing a large water retention pond.

The subject property is currently developed as a golf driving range. According to the project's narrative, this property is one of the last developable sites in the area, and with its direct access onto Boyette Road, a lighted intersection, and close proximately to Bell Shoals Road, it is a prime location for a mixed-use project. Boyette Road is a 4-lane collector road and existing land uses along this corridor range from commercial uses, private educational facilities, retail uses, residential uses, and preserved areas.

The request is to rezone the subject site from Agricultural Rural (AR) to Planned Development (PD) to allow up to 86 Townhomes (single-family attached) with a density bonus within Parcel 1 (north an existing TECO easement) and up to 20,000 sq. ft. of limited Commercial Neighborhood (CN) from three distinct use categories in Parcel 2 (south of the TECO easement, along Boyette Rd.). In order achieve 86 residential units (at 6 du/ac), the applicant is utilizing Policy 19.3 which provides incentives to encourage mixed-use development by providing at least 3 uses on site which in turn will permit density/FAR up to the next land use category, where 2 uses shall be non-residential uses. The non-residential uses have been classified into 3 Groups. The applicant met with staff and is proposing a list and size of development that could be considered, where at least 2 uses shall be developed in Parcel 2, one use from either Group, where no two uses are chosen from the same group. The applicant is also committed to limiting the height to one-story and architecturally finished on all four sides with a residential like appearance for the non-residential portion of the site.

The three use Groups are proposed as follows:

Group A – Retail – No drive-thru

4,500 SF site down restaurant

2,500 SF coffee shop

5,000 SF Bank

4,000 SF Fitness Center

5,000 SF Brewery/Beer Garden

5,000 SF Retail limited to:

Apparel and Shoe Store

Appliance Stores, Small

Art Supply Store

Bicycle Sales/repair

Book/Stationary Store, New and Used

Camera/Photography Store

Florist Shop

Furniture/home furnishings

General Business, Such as Retail Goods and Stores

Jewelry Store (Watch, clock, Jewelry Repair)

New Stand

Novelty and Souvenir Shop

Optician/Optical Supplies

Locksmith

Mail and Package Services

Mail Order Office

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Mail Order Pickup Facilities

Pet shop (no outdoor rec area)

Sporting Goods Store

5,000 – 10,000 SF Specialty Food Store to include:

Bakery, Candies, & Nuts, Dairy, Delicatessens, Meat Seafood and Produce

Group B - Office - No drive-thru

10,000 SF limited to:

Urgent Care (no 24 hour operation)

Outpatient Surgical Center (no 24 hour operation)

Employment Services

Government Office

Health Practitioner's Office

Medical Offices or Clinics with scheduled or Emergency Services by Physicians (No 24 hr use)

Professional Office

Professional Services

Group C - Residence Support - No drive-thru

10,000 SF limited to:

Day Care (100 children / or pet/kennel with restrictions)

No drive thru facilities will be permitted to prevent intense uses from developing on site.

A waiver to the additional 2-foot setback for every foot above 20-feet in height, per LDC Section 6.01.01. endnote 8 is being requested only on the west side of the site. The 2:1 requirement is to address potential compatibility issues; however, the adjacent use is TBW water facility. There is a 5-foot buffer proposed along the western PD boundary. The eastern boundary will maintain the "2:1" requirement although the closest single- family development is located 500 feet to the east with heavy vegetation functioning as a buffer between both uses. The LDC requires a 5-foot buffer with a Type A screening between the proposed residential use and the adjacent AR zoning along the east/north. With the required 5-foot buffer and building height of 35-feet, an additional 30-foot setback is required (35'-20'=15' X 2 = 30' + 5' buffer). The total required setback is 35 feet. Furthermore, the applicant is committed to include a 6-foot fence with a10-foot buffer / type B screening.

Commercial development standards will be of the Commercial Neighborhood (CN) standards, single story structures.

1st Remand

This case was presented at the July 25, 2022 Zoning Hearing Master hearing. In order to build more than 57 residential units and exceed the density of 4 DU/ac in Parcel 1, the applicant proposed a mixed use project. In conversations with Planning Commission staff, the applicant had proposed and committed to a timing mechanism that would guarantee the development of all proposed uses (residential in Parcel 1 and non-residential in Parcel 2) and comply with the mixed use Objectives and Policies from the Comprehensive Plan Objective 19 and Policy 19.2 for the integration of mixed-use developments. A condition was proposed stating that prior to the issuance of any Certificate of Occupancy for 58 or more residential units, two of the nonresidential uses listed in the Group lists need be constructed with a Certificate of Occupancy issued. At the July hearing, the applicant submitted a modification to this condition to require that prior to the issuance of any building permits for 58 dwelling units or more, the road and utility infrastructure (North South Entry Road with sidewalks and pedestrian connections and utility stub outs necessary to service Parcel 2) to be constructed and Certificate of Completion issued. This modification of the condition would not require two of the non-residential uses listed in the Group lists to be constructed with a Certificate of Occupancy issued prior to the issuance of any Certificate of Occupancy for 58 or more residential units. Staff from the Planning Commission and Development Services could not amend the reports and the case remained scheduled for the BOCC Land Use Meeting. At the BOCC Land Use Hearing on October 11, 2022, the case was remanded to the Zoning Hearing Master hearing in order to allow the evaluation by staff of the proposed modification to the condition with the timing mechanism for the development of the two project Parcels.

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As part of this remand, the condition pertaining to the timing mechanism for the development of the Parcel 1 (residential) now requires that prior to the issuance of any building permits for 58 dwelling units or more, the road and utility infrastructure (North South Entry Road with sidewalks and pedestrian connections and utility stub outs necessary to service Parcel 2) will need to be constructed and Certificate of Completion issued.

This condition will still require that Parcel 2 be developed with two non-residential uses from two different use Groups. Each use will have a minimum of 2,500 square feet of building space.

Additionally, the applicant commits that in order to demonstrate that Parcel 2 will have adequate land area to accommodate two non-residential uses and related parking, open space, etc., if Parcel 2 is developed in more than one phase, a Preliminary Site Development Plan (PSDP) will be required to be submitted for site development review and approval. The PSDP will need to include the use proposed as Phase 1 along with the most intense use from a different Group list as Phase 2. For instance, if a developer proposes a use from Group A as Phase 1, the PSDP shall include a the most intense use remaining in Group B or C (10K sq ft Medical / Health Practitioner's Office). If a developer proposes a use from Group B as Phase 1, the PSDP shall include the most intense use remaining in Group A or C (4,500 sq ft Sit Down Restaurant).

Planning Commission and Development Services staff reviewed the change in the conditions and found them acceptable. The condition will still ensure that the project be developed with three different uses and be reviewed in accordance with site development regulations established by the Land Development Code.

The applicant also proposes to provide landscaping and native species vegetation along the floodplain compensation slope areas, subject to review and approval by the County Stormwater review section.

2nd Remand

This case was presented again at the January 17, 2023 Zoning Hearing Master hearing. The ZHM officer recommended approval of the request with the updated timing mechanism condition that would guarantee the development of all proposed uses in both development Parcels in compliance with the mixed use Objectives and Policies from the Comprehensive Plan Objective 19 and Policy 19.2 for the integration of mixed-use developments. At the March 7, 2023 BOCC land use meeting, area residents and representatives from the Tampa Bay Conservancy expressed concerns with inconsistencies with the Comprehensive Plan policies and the Riverview Plan, high density as a result of land use bonuses and waivers, flooding, incompatible residential types (townhomes) and traffic impacts. County Commissioners commented on traffic concerns, as well as the locational criteria waivers and density bonuses being requested. Additionally, questions were raised about the presence of a creek in the area and the potential for flooding. Others commented regarding the proposed Community Residential Home Type C and the possibility of it to be converted into a standard multifamily use or affordable housing (which would require future modifications to the PD). Commissioners also pointed out that the area has a Future Land Use category of RES-4 today, hence the need by the applicant to ask for a density bonus to increase to a higher density and number of units. It was also stated that while the bonus would require a mix of uses to comply with Comprehensive Plan policies, this density increase would not appear to be consistent with the area's future land use or pattern and the site could still be developed with its current density allowance of RES-4 by the Comprehensive Plan. The County Commissioners asked the case to be remanded back to the ZHM so that the applicant could re-evaluate the density and high number of units being requested and traffic impacts. However, the property owner was not present at the meeting to agree to a second remand and the case was continued to the April 11 Land Use Meeting to receive input from the owner. The applicant then requested a remand of the application to the zoning hearing master hearing.

Based on the comments and input received at the March 7, 2013 BOCC meeting, the applicant amended this PD request by removing the *Community Residential Home Type C* use from Non-Residential uses in Parcel 2, specifically, under the Group C - Residential Support Uses. Additionally, staff clarified the "Pet Day Care" use previously proposed to be categorized as a Kennel use, as defined by the LDC, with restrictions to prohibit breeding, rescue, rehabilitation or adoption of pets. The maximum number of children for the day care has also been indicated in the conditions, consistent with previously submitted site plans. No changes to the number of residential units, decrease in density or waivers (Locational Criteria) have been proposed by the applicant as part of this second remand. All previously proposed conditions have remained the same as presented in the ZHM on January 17, 2023 and at the BOCC land use meeting on March 7, 2023.

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Staff has received letters of concerns and opposition from area residents, the Tampa Bay Conservancy and Sierra Club. The letters expressed concerns with traffic generated by the proposed development, school capacity, noise, impacts to the nature preserve, increase in density, introduction of commercial uses in the area, impacts to water supply and reduction of setbacks/buffer from the natural preserve along the east. After the first remand, the applicant amended the application and reduced the intensity of the non-residential uses, restricted square footage of the day care, eliminated school uses, and will maintain the required buffer/setback along the east in accordance with the Land Development Code. The project will maintain a minimum of 35 feet of building setback along the east, meeting the requirement of the Code. In addition, a 20-foot buffer, with Type B screening will be in place for the residential portion. Per LDC Sec. 6.06.06, the proposed project would require at least 5 feet of buffer between residential uses (Parcel 1) and AR zoning with Type A screening. The Type A screening requires plantings or a solid fence. The applicant proposes 20 feet of buffer with Type B screening. Existing vegetation will be allowed to remain in lieu of required landscaping and trees, subject to approval by Natural Resources. The additional landscaping (Type B) consists of a row of evergreen shade trees which are not less than ten feet high at the time of planting, a minimum of twoinch caliper, and are spaced not more than 20 feet apart. The trees are to be planted within ten feet of the property line. The solid fence will also be placed at least 10 feet from the parcel line, away from existing vegetated areas. Between Parcel 2 (nonresidential uses) and the nature preserve site along the east, the applicant proposes a 30-foot buffer with Type B screening. The Code requires at least 20 feet of buffer and Type B screening. Per the submitted site plan, retention ponds will be placed along the east, adjacent to the nature preserve, and vegetation will be preserved subject to Natural Resources review and approval. As part of the site development review process, the developer is required to provide wildlife and environmental studies in accordance with the Land Development Code. The project will be conditioned requiring that water distribution system improvements will need to be completed prior to connection to the County's water system by this future development. Stormwater design and construction will be subject to review and approval by the site development review section as established in the Land Development Code to ensure the project will capture all stormwater onsite. The proposed PD plan shows areas for future retention ponds. Comments from the School Board state that a school concurrency review will be issued PRIOR TO preliminary plat or site plan approval. The School Board also indicated that at this time, additional capacity at the middle and high school levels exists in adjacent service areas to accommodate the proposed project, and capacity exists in the Elementary School level for this area.

Although cross access to adjacent parcels is encouraged, the existing adjacent uses restricts this. The Tampa Bay Water supply facility is located to the west with its own access fenced with a 6-foot chain link fence with electrical wires to prevent trespassing. The Gibbon Nature Preserve is located to the north and east of the subject site and future development of this site is unlikely.

The is located between a water supply facility to the west and a storm water pond and recreation land/preserve to the east and to the north. Residential subdivisions surround this area to the north, northeast and south. Other residential projects are located further to the west. The site is also bisected by the 150-foot wide TECO easement creating two distinct areas for commercial use along Boyette Road and the residential component internal to the site, adjacent to the preserve. The TECO easement functions as buffer between both uses, however the site will be interconnected by vehicular and pedestrian access.

There are wetlands present on the site. The Environmental Protection Commission, EPC, reviewed the proposed Site Plan and does not object. No impacts to wetlands or setbacks are shown on the proposed Plan. The Conservation and Environmental Lands Management reviewed this rezoning petition and has no comments. Transportation staff does not object to this request and proposes conditions for site access and road improvements along Boyette Rd.

The area is a mix of mostly residential single family-detached, and low scale commercial, and office uses. Residential support uses (schools and churches) are also commonly found in the area. The proposed project scale and design would ensure that is compatible with the surrounding development pattern and land uses. Intensive uses are being eliminated from the proposed development. The project will maintain the required setbacks along the east, where the adjacent nature preserve is located, as required per the LDC. The applicant, however, will provide additional buffer and screening more than what the Code requires. The non-residential component will be limited to 1-story buildings with a residential design. Compared to the initial proposal by the applicant, the project has been scaled down, more restrictions have been proposed, and compliance with provision from the Code has been maintained. Additionally, the Community Residential Home use is being removed from

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Parcel 2; therefore, all residential uses are limited to Parcel 1 only. Staff from the Planning Commission has evaluated the request and has found it Consistent. Objective 19 and Policy 19.2 indicates that a mixed-use development must be integrated. Policy 16.2 requires the gradual transition between uses. The applicant's site plan shows the commercial buildings are in the southern portion of the property facing south towards Boyette Road. The proposed site plan shows an integrated design to the residential located on the northern portion of the property and a gradual transition from the natural preservation area to the north and east, consistent with policy direction. To ensure the project will be developed in accordance with the objectives and policies above, a timing mechanism for the development of the mix of uses is being proposed requiring the construction of the access road and infrastructure serving the project and the non-residential uses in Parcel 2 to be completed before more than 57 residential units can be issued building permits. Planning Commission staff also sees no compatibility issues as the adjacent use is public institutional. Lastly, a waiver to the Commercial Locational Criteria (CLC) has been requested, and Planning Commission staff recommends approval of the waiver.

5.2 Recommendation

Based on the above considerations, staff recommends approval with conditions.

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6.0 PROPOSED CONDITIONS

Prior to PD Site Plan Certification, the applicant shall revise the PD General Site Plan:

1.——Prior to site plan certification, the applicant shall revise site plan to add a label along the project frontage on Boyette Road that states "+/ 8 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG BOYETTE ROAD PER HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN" in the Site Data Table, next to Proposed Land Use for Parcel 1: Subject to Condition 1.4

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted December 22, 2022 May 31, 2023.

1. The project shall be limited to a Mixed-Use project with up to 86 multifamily (attached single-family) units in Parcel 1, subject to condition 1.4 and up to 20,000 sq. ft. of non-residential uses in Parcel 2. Interim agricultural or current mini-golf (golf driving range) recreational uses shall be permitted until the site is developed in accordance with the conditions contained herein.

Development of Parcel 2 shall be limited to the following:

1.1 Group A – Retail/commercial – No drive-thru

4,500 SF site down restaurant

2,500 SF coffee shop

5,000 SF Bank

4,000 SF Fitness Center

5,000 SF Brewery/Beer Garden

5,000 SF Retail limited to:

Apparel and Shoe Store

Appliance Stores, Small

Art Supply Store

Bicycle Sales/repair

Book/Stationary Store, New and Used

Camera/Photography Store

Florist Shop

Furniture/home furnishings

General Business, Such as Retail Goods and Stores

Jewelry Store (Watch, clock, Jewelry Repair)

New Stand

Novelty and Souvenir Shop

Optician/Optical Supplies

Locksmith

Mail and Package Services

Mail Order Office

Mail Order Pickup Facilities

Pet shop (no outdoor rec area)

Sporting Goods Store

5,000 – 10,000 SF Specialty Food Store to include:

Bakery, Candies, & Nuts, Dairy, Delicatessens, Meat Seafood and Produce

1.2 Group B – Office - No drive-thru

10,000 SF limited to:

Urgent Care (no 24-hour operation)

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Outpatient Surgical Center (no 24-hour operation)

Employment Services Government Office

Health Practitioner's Office

Medical Offices or Clinics with scheduled or Emergency Services by Physicians (No 24 hr use)

Professional Office Professional Services

1.3 Group C – Residence Support - No drive-thru

10,000 SF limited to:

Day Care (maximum of 100 children / pet)

<u>Kennel, subject to LDC Sec. 6.11.52</u> (breeding, rescue, rehabilitation or adoption is not permitted).

Or a Community Residential Home/Memory Care (standards and maximum number of beds in accordance with LDC 6.11.28)

- 1.4 Prior to the issuance of any Certificate of Occupancy for 58 or more residential units, two of the non-residential uses listed in the Group lists above shall be constructed with a Certificate of Occupancy issued.—If Parcel 1 (Residential Tract) is developed as the first phase of development in the PD, to ensure the project will provide a mix of uses, the construction plans for Parcel 1 shall include the North South Entry Road with sidewalks and pedestrian connections and utility stub outs necessary to service Parcel 2 (the 3.82 Acre Non-Residential Tract). This infrastructure will serve both Parcel 1 and Parcel 2. Prior to the issuance of any building permits in excess of the 57th dwelling unit, the road and utility infrastructure described above shall be constructed and Certificate of Completion issued. Additionally:
 - a. The developer shall pick/develop the required two uses from different Groups.
 - b. If Parcel 2 (non-residential) is developed in more than one phase, a Preliminary Site Development Plan (PSDP) shall be required to be submitted for site development review and approval. The PSDP shall include the use proposed in Phase 1 along with the most intense use from the other Group lists as Phase 2 demonstrating adequate land area for maximum building footprint, minimum required parking spaces, open space, etc. for the second non-residential use. For instance, if a developer proposes a use from Group A as Phase 1, the PSDP shall include a the most intense use from Group B. Or, if a developer proposes a use from Group A.
 - c. No single non-residential use shall be less than 2,500 sq. ft. in building space.
- 1.5 Buildings containing Non-residential uses shall be of a residential character in their design. At a minimum, the buildings shall be subject to the below:
 - a. Architecturally finished on all sides. Cladded in brick, stucco, or wood siding. Paint shall not constitute an architectural finish.
 - b. Pitched roofs, if provided, shall be a minimum of 4 to 12 in pitch.
 - c. Flat roofs shall provide a cornice at least 12 inches high and projected at least 2 inches.
 - d. Windows facing roads (external/internal) shall include a trim consistent with the architectural style of the building.
 - e. At least 50 percent of the facades area facing the Boyette Rd. shall consist of windows, awnings, entrances, columns, porches, stoops, pilasters, or similar features.

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2. Development standards shall be as indicated in the General Site Development Plan and as follows:

2.1 Single Family attached units in Parcel 1:

Maximum building height 35 feet/2 stories

Minimum front yard setback 20 feet

Minimum side yard setback 20 feet (between buildings)

Minimum rear yard setback 10 feet to PD lines

Along the east PD line, a minimum of 35 feet of building

setback shall be maintained.

Maximum impervious area 75%

2.4 Non-Residential Uses in Parcel 2:

In accordance with the CN zoning district development standards (see condition 11 for right-of-way preservation). Buildings shall be limited to one story.

- 3. Open space and Community Gathering Areas shall be provided for the residential project and subject to LDC Sec 6.02.18.
- 4. Buffer and screening between adjacent parcels shall be as depicted in the General Site Plan. Existing vegetation in lieu of the required plantings shall be permitted, subject to Natural Resources approval. A 10-foot buffer and Type B screening with a 6-foot high solid fence (non-white Trex style) shall be maintained along the east PD line in Parcel 1, as shown on the General Site Plan. The fence shall be installed at least 10 feet from the PD line.
- 5. The additional 2 feet of building setback required for every foot of building height over 20 feet in accordance with LDC 6.01.01 footnote 8 shall not apply to west PD line, in Parcel 1.
- 6. The site is subject to the requirements of LDC Sec. 6.06.03.1.2.b. Scenic Corridor Easement.
- 7. The developer shall be permitted one (1) full connection to Boyette Road.
- 8. The unutilized driveway aprons shall be removed; and curbing and grass strip restored to meet typical standards.
- 9. 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 boundary.
- 10. The developer shall extend the existing eastbound left turn lane into the project on Boyette Rd with the initial increment of development.
- 11. As Boyette Road is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate 8 feet of right of way preservation along the project frontage on Boyette Road. Building setbacks shall be calculated from the future right-of-way line.
- 12. The floodplain compensation area's 4:1 slope shall be planted with native species on 3-foot centers for herbaceous ground cover, 5-foot centers for shrubs, and 10-foot centers for trees where feasible and subject to review and approval by the County's Stormwater Review staff.
- 123. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as

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proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.

- 134. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 14<u>5</u>. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- 156. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 167. Water distribution system improvements will need to be completed prior to connection to the County's water system. No building permits that would create demand for water service shall be issued until the completion by the County of funded Capital Improvement Program projects C32001 South County Potable Water Repump Station Expansion and C32011 Potable Water In-Line Booster Pump Station, and the projects are put into operation.
- 178. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 19. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

Zoning Administrator Sign Off:

J. Brian Grady
Mon Jul 17 2023 08:27:07

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.

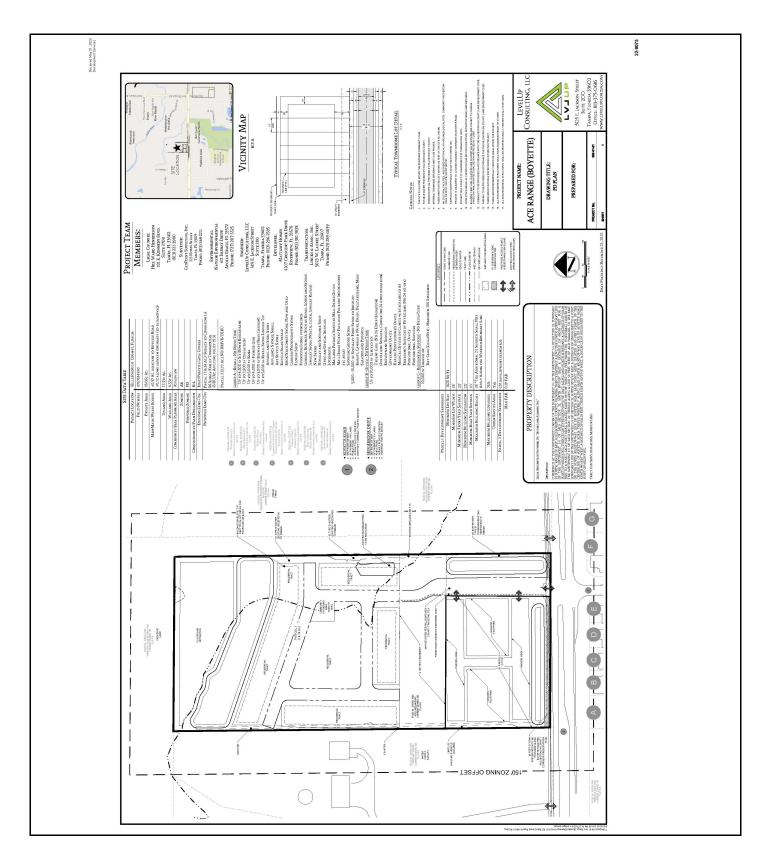
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7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS



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8.0 PROPOSED SITE PLAN (FULL)



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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

REVIEW	ng Technician, Development Services Department (ER: Alex Steady, Senior Planner NG AREA: RV/South	DATE: 03/30/2022 AGENCY/DEPT: Transportation PETITION NO: PD 22-0075
	This agency has no comments.	
	This agency has no objection.	
X	This agency has no objection, subject to the listed or attach	ned conditions.
	This agency objects for the reasons set forth below.	

CONDITIONS OF APPROVAL

- The developer shall be permitted one (1) full connection to Boyette Road.
- The unutilized driveway aprons shall be removed; and curbing and grass strip restored to meet typical standards.
- 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 boundary.
- The developer shall extend the existing eastbound left turn lane into the project on Boyette Rd with the initial increment of development.
- As Boyette Road is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate 8 feet of right of way preservation along the project frontage on Boyette Road. Building setbacks shall be calculated from the future right-of-way line.

OTHER CONDITIONS:

 Prior to site plan certification, the applicant shall revise site plan to add a label along the project frontage on Boyette Road that states "+/-8 FEET OF ROW PRESERVATION TO BE PROVIDED ALONG BOYETTE ROAD PER HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN "

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone the +/-18-acre site from Agricultural (AR) to PD to construct 86 townhomes and a maximum of 20,000 square feet of Retail/Commercial and Office uses. The site currently operates as private multi-use recreational facility with a miniature golf course, driving range and batting cages. The site is located on Boyette Rd., approximately +/-1,300 feet east of Carr Rd. The Future Land Use designation of the site is Residential -4 (R-4).

Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). 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	Total Peak Hour Trips	
2,	Two-Way Volume	AM	PM
AR: Mini-Golf (ITE 431)	60*	0	6
AR: Golf Driving Range (ITE 432)	410	12	38
AR: Batting Cage (ITE 433)	160*	0	16
Total Trips	630	12	60

^{*}Estimated based on PM peak hour trips.

Proposed Zoning:

Zoning, Land Use/Size, ITE Code	24 Hour	Total Peak Hour Trips	
	Two-Way Volume	AM	PM
PD: 5,000 sf Apparel Store (ITE 876)	332	5	21
PD:4,500 sf Fast Food Restaurant without Drive Through Window (ITE 933)	1,558	113	128
PD: 86 Town Homes (ITE 220)	630	40	48
PD: 100 Student Daycare (ITE 565)	409	78	79
Total Trips	2,929	236	276
Internal Capture	N/A	12	44
Pass-By Trips	N/A	2	0
Net Trips	2,929	224	232

Trip Generation Difference:

	24 Hour	Total Peak Hour Trips	
	Two-Way Volume	AM	PM
Difference (+/-)	+2,299	+212	+172

The proposed rezoning will result in an increase of trips potentially generated by 2,299 daily trips, 212 AM peak hour trips and 172 PM peak hour trips.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Boyette Rd. (between Balm Riverview Rd. and Bell Shoals Rd.) is a 4-lane, divided, collector roadway in good condition. Boyette Rd. is characterized by +/- 12-foot wide travel lanes lying within +/- 127ft of right-of-way. There are +/- 5-foot sidewalks and +/- 4-foot wide bicycle facilities along both sides of Boyette Rd. in the vicinity of the proposed project.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

Boyette Rd. is shown on the Hillsborough County Corridor Preservation Plan as a future 6-lane roadway. The site plan indicates that the right of way on Boyette is 127 feet. According to the Hillsborough County Transportation Technical Manual, a TS-6 4 lane divided roadway with two 11-foot additional travel lanes would total 134 feet of right of way. Adding the existing right turn lane would total 143 feet required for the planned improvement. Subtracting out the existing roadway and dividing evenly for each side of the roadway, a total of 8 additional feet of ROW is required for preservation along the subject frontage on Boyette Road.

SITE ACCESS

The project has a single access on Boyette Rd at a signalized intersection aligning with Sedgebrook Drive and served by an existing 270ft left turn lane. The internal driveway serves the commercial neighborhood uses in Parcel 2. The residential tract is separated from the other uses by a +/-160 ft TECO easement that will remain undeveloped with the exception of the driveway access. The proposed gated entry option to the residential tract will be located outside of the TECO easement as shown on the PD site plan.

Based on the applicant's site access analysis, the existing eastbound left turn lane should be extended to 365 feet to accommodate the peak season plus project traffic. A westbound right turn lane is not warranted.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr Directional LOS
BOYETTE RD	BALM RIVERVIEW RD	BELL SHOALS RD	D	С

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	
Boyette Rd.	County Collector - Urban	4 Lanes □Substandard Road □Sufficient ROW Width	☑ Corridor Preservation Plan☑ Site Access Improvements☐ Substandard Road Improvements☐ Other	

Project Trip Generation □ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	630	12	60	
Proposed	2,929	224	232	
Difference (+/-)	+2,299	+212	+172	

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

Connectivity and Cross Access ☐ Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	Х	None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance ⊠Not applicable for this request				
Road Name/Nature of Request Type Finding				
Choose an item. Choose an item.				
Notes:				

4.0 Additional Site Information & Agency Comments Summary				
Transportation	Objections	Conditions Requested	Additional Information/Comments	
□ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	☐ Yes ☐ N/A ☒ No		See report.	