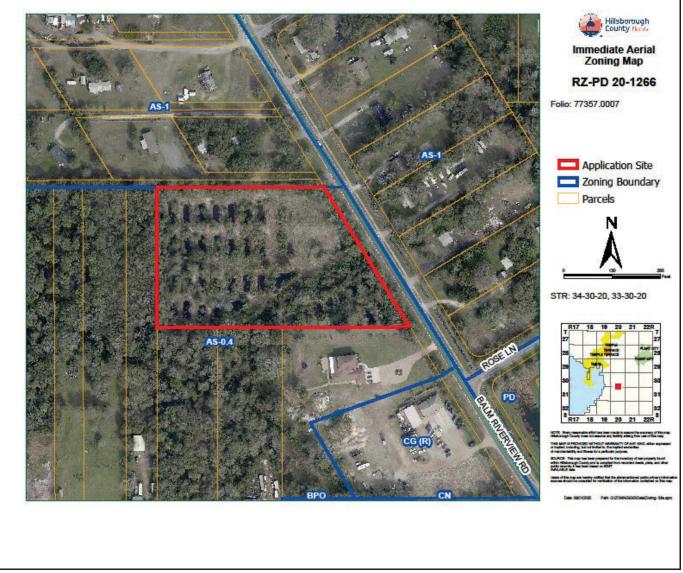


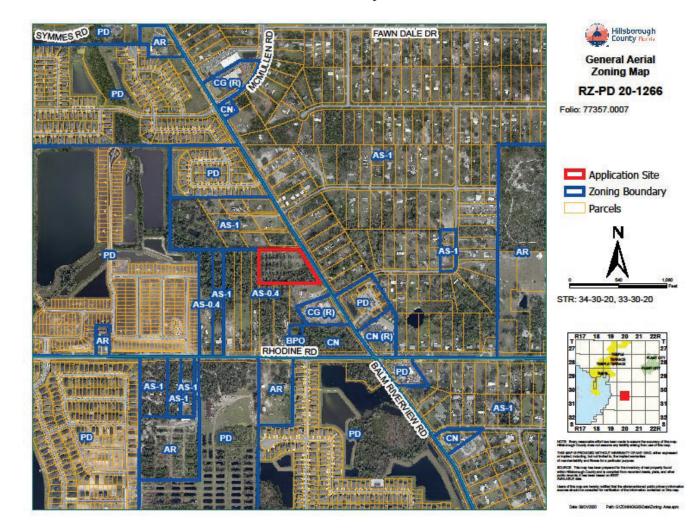
## **STAFF REPORT**

SUBJECT:	RZ 20-1266 (REMAND-2nd)	PLANNING AREA:	Riverview
REQUEST:	Rezoning to Planned Development	SECTOR	Central
APPLICANT:	Revestart, LLC		
Existing Zoning: AS-0.4		Comp Plan Category: RES-4	



#### CASE REVIEWER: J. Brian Grady

Area Context Map



#### **Application Review Summary and Recommendation**

#### 1.0 Summary

#### 1.1 Project Narrative

The applicant is requesting to rezone a 4.86-acre parcel from AS.04 (Agricultural, Single-Family) to Planned Development to allow 10,640 square feet of retail/commercial uses in a single building. The parcel is located on west side of Balm-Riverview Road, 226 feet southeast of the intersection of Balm Riverview Road and Rose Lane.

The application was original heard at the March 15, 2021 Zoning Hearing Master Hearing. The applicant requested a remand in order to make changes to the request. The changes to the request wereas follows:

- Reduced requested entitlements from 28,190 to 10, 640 square feet.
- Limited proposed uses from CN (Commercial Neighborhood) district uses to single use of Variety

CASE REVIEWER: J. Brian Grady

Store Retail

- Proposing enhanced and enlarged buffers/open space
- Proposed operating hours of 7 am to 9 pm
- Enhanced Architectural Design.

The remand hearing was conducted on July 26, 2021. At the subsequent BOCC Land Use Meeting on September 8, 2021, the application was remanded by the Board of County Commissioner. While no items/issues were specifically directed to be addressed as part of the remand, topics of discussion at the September 8, 2021 BOCC Land Use Meeting did include the placement of a conservation easement on the existing wetlands, the building design/rendering to be more consistent with Riverview Community Plan, connectivity and amount of existing/available retail in the area.

In response to the remand the applicant has offered the following changes/amendments and additional information for the record:

- A commitment to place a conservation easement over the existing wetland.
- A revised building rendering incorporating the following additional design features:
  - Window glazing for the building sides visible from the right-of-way
  - The sides of building visible from the roadway include split-face block the base along with lap siding, glazing and shake siding accents
  - Portion of the window glazings include awnings
  - Enhance cornice detail on the parapet
  - Revised color scheme for the building
  - Full length entrance doors with glazing
  - 0
- Parking to be located behind building setback line.
- Enhanced landscaping
- Information comparing the suitability for development of the subject parcel versus undeveloped commercially zoned parcels at the intersection of Balm Riverview Road and Rhodine Road.
- Revised exhibit showing extent of sidewalks to be provided along Balm Riverview to the north and south of the parcel (based on sidewalks to be provided by applicant and those to be constructed by the County).

## 1.2 Compliance Overview with Land Development Code and Technical Manuals

The application does not require any variations to Land Development Code Part 6.05.00 (Parking and Loading) 6.06.00 (Landscaping/Buffering) or 6.07.00 (Fences and Walls).

## 1.3 Evaluation of Existing and Planned Public Facilities

The project area is located in the Urban Service Area with water and wastewater service provided by the Hillsborough County.

Transportation staff offered no objection. The proposed project is anticipated to increase (by 666 average daily trips, 33 a.m. peak hour trips, and 72 p.m. peak hour trips) the maximum trip generation potential of the subject property.

APPLICATION: RZ 20-1266 ZHM HEARING DATE: October 18, 2021 BOCC MEETING DATE: December14, 2021

CASE REVIEWER: J. Brian Grady

Balm Riverview Rd. is a substandard collector roadway. The applicant is requesting a Design Exception for the roadway. The Design Exception would generally allow the roadway to remain in its existing configuration; however, the developer is proposing to construct +/- 690 feet of additional sidewalk north of the project. If the zoning is approved, the County Engineer will approve the Design Exception.

The applicant requested a Section 6.04.02.B Administrative Variance from the Section 6.04.07 access spacing standards. If the zoning is approved, the County Engineer will approve the Administrative Variance request.

Per the Impact & Mobility Fee Coordinator, various use types allowed. Below are estimates of sample of potential development and related fees).

Industrial	Retail - Shopping Center (50k s.f. or less)	Warehouse
(Per 1,000 s.f.)	(Per 1,000 s.f.)	(Per 1,000 s.f.)
Mobility: \$2,727.00	Mobility: \$8,382.00	Mobility: \$877.00
Fire: \$57.00	Fire: \$313.00	Fire: \$34.00
Retail - Conv Mkt. w/Gas (Per 1,000 s.f.) Mobility: \$29,658.00 Fire: \$313.00	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$56,660.00 Fire: \$313.00	

### 1.4 Natural Resources/Environmental

Staff with the Environmental Protection Commission noted the presence of wetlands on the site and offered no objection to the Planned Development as presently designed.

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

#### 1.5 Comprehensive Plan Consistency

Planning Commission staff has found the revised request to be **INCONSISTENT** with the *Future of Hillsborough* Comprehensive Plan. The parcel does not meet Commercial Location Criteria. The applicant has submitted a request for waiver to the Commercial Location Criteria but is not being recommended for approval by Planning Commission staff. The updated staff report from the Planning Commission includes additional information/clarification regarding the basis for non-compliance with location criteria. Planning Commission staff acknowledged the applicant has moved closer towards meeting the intent through the recent amendments to the project but concluded that the project would still allow for development that is not compatible with the existing development and not provide for a gradual transition from commercial to residential uses.

## 1.6 Compatibility

The parcel is immediately surrounded by large lot agricultural zoned properties to the north (AS-1), west (AS-0.4), south (AS-04) and east (AS-1), across Balm Boyette Road. These zoning districts permits agricultural, residential and residential support uses. Further to the southeast at the intersection Balm Boyette Road and Rhodine Road are commercial zoned and developed parcels. The subject parcel is separated from those parcels by an intervening parcel developed with a single-family home. As noted,

APPLICATION: RZ 20-1266 ZHM HEARING DATE: October 18, 2021 BOCC MEETING DATE: December14, 2021

CASE REVIEWER: J. Brian Grady

the subject parcel does not meet commercial location criteria and Planning Commission staff is not in support of the requested waiver to location criteria based on concerns about the compatibility of the proposed use with the surrounding development pattern. Staff acknowledges that the revised proposal which includes additional architectural enhancements, enhanced landscaping and placement of the parking further from Balm Riverview Road helps to improve compatibility with the surrounding development area. However, staff concurs with Planning Commissions findings of inconsistency based upon locational criteria policies of the Hillsborough County Comprehensive Plan. The extension of a commercial use at this location, despite the revised proposal, will expand the area of commercial development beyond the intersection and be in conflict with the planning objective of creating appropriate transitions of lesser intense uses between residential and non-residential areas of the community.

## 1.7 Agency Comments

The following agencies have reviewed the application and offer no objections:

- Water Resource Services
- Conservation and Environmental Land Management
- Transportation

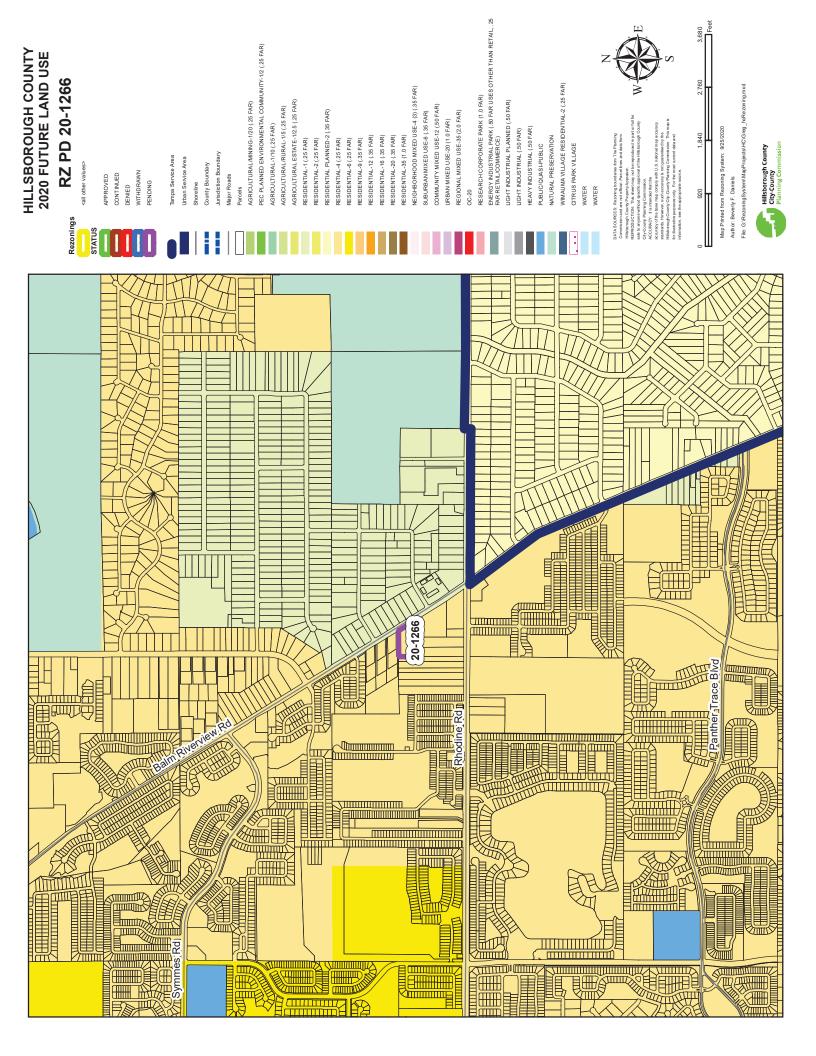
### 1.8 Exhibits

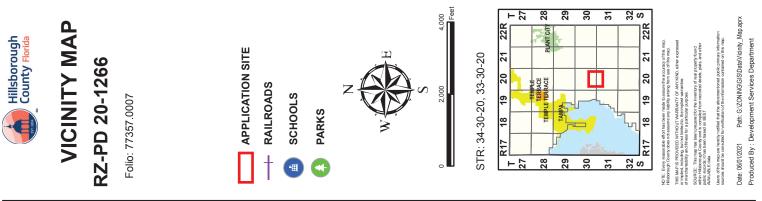
Exhibit 1: Future Land Use Map Exhibit 2: Aerial/Zoning Map – General Area Exhibit 3: Aerial/Zoning Map – Immediate Area Exhibit 4: Proposed Site Plan

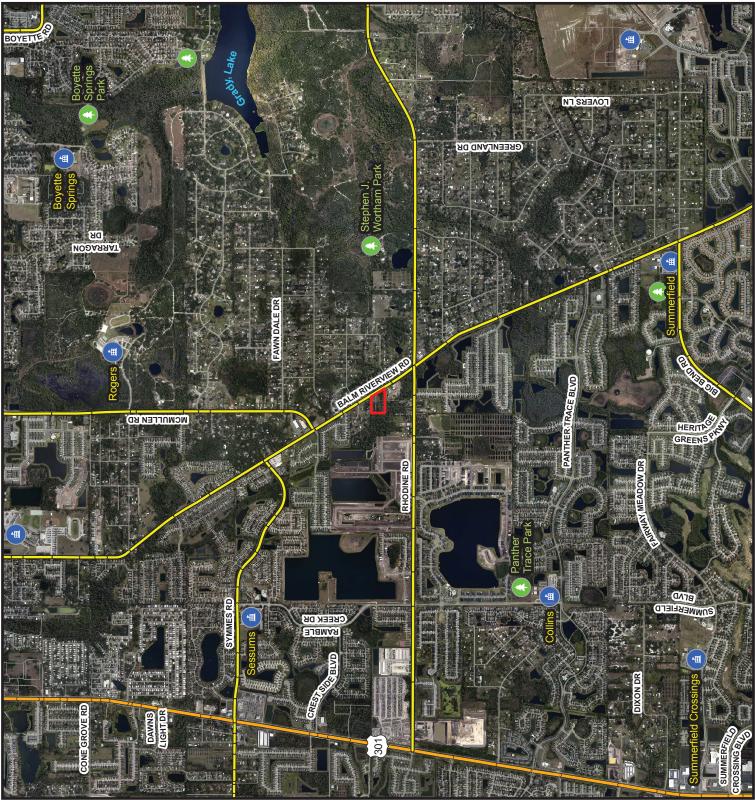
#### 2.0 Recommendation

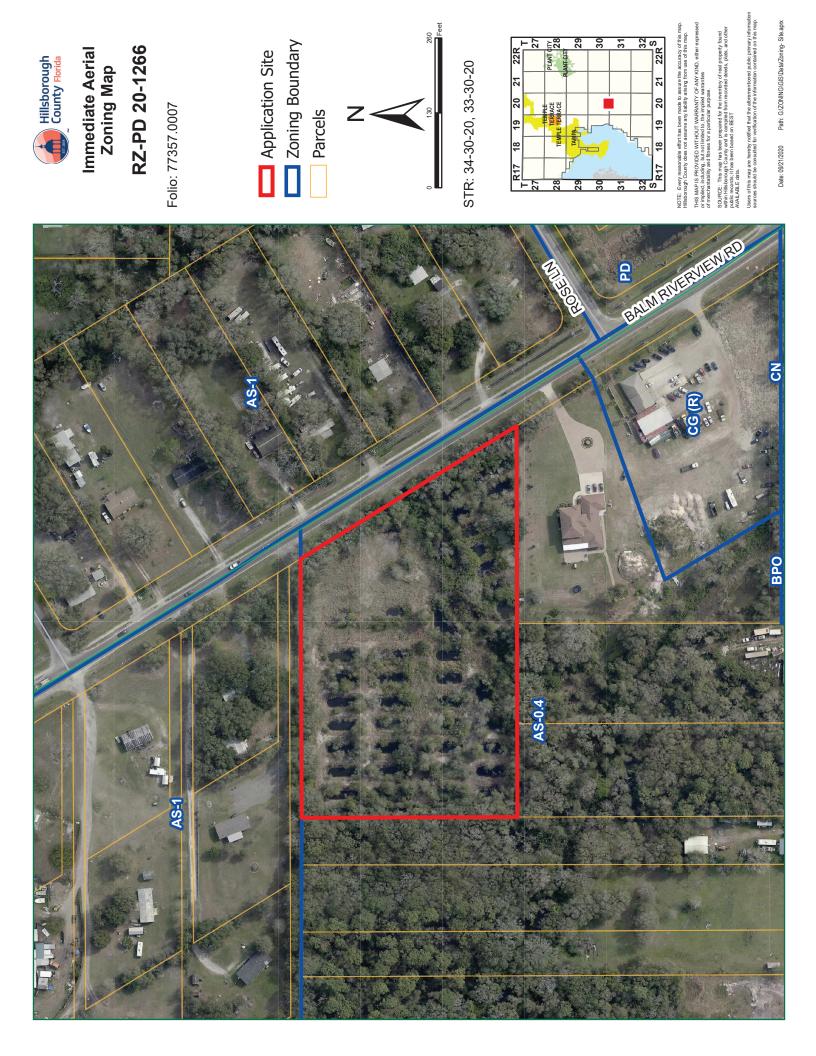
Based on the above consideration, staff finds the request not supportable

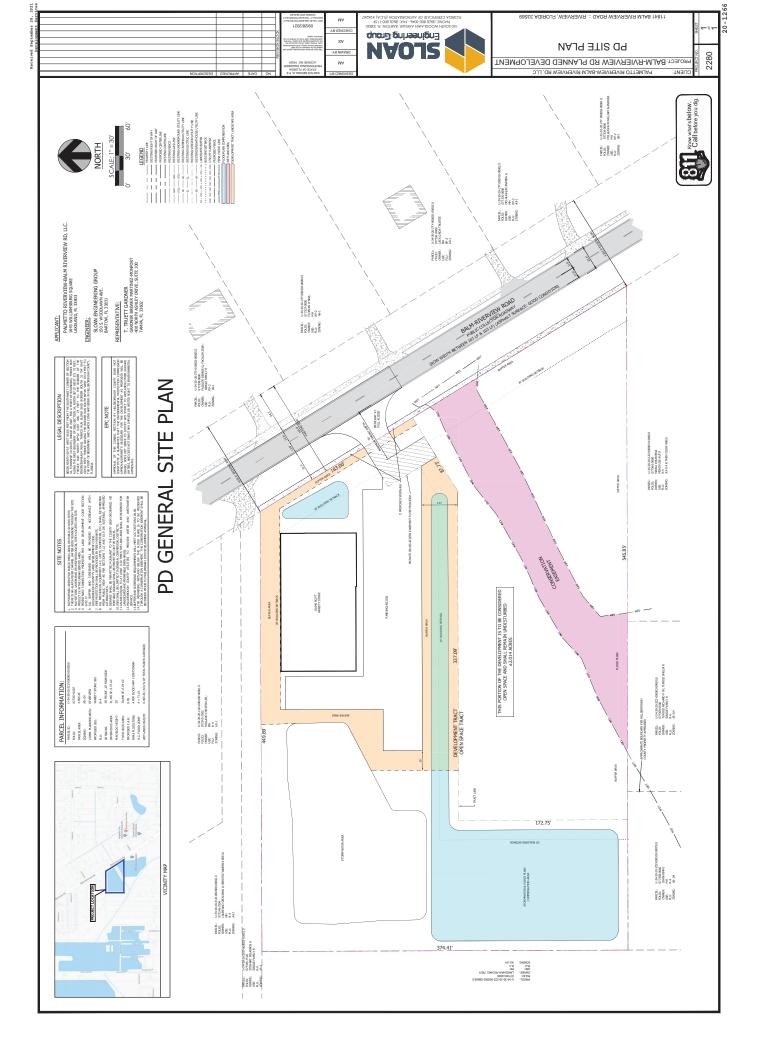
Staff's Recommendation: Not Supportable		
Zoning Administrator Sign-off:	J. Brian Grady Mon Oct 11 2021 09:59:10	

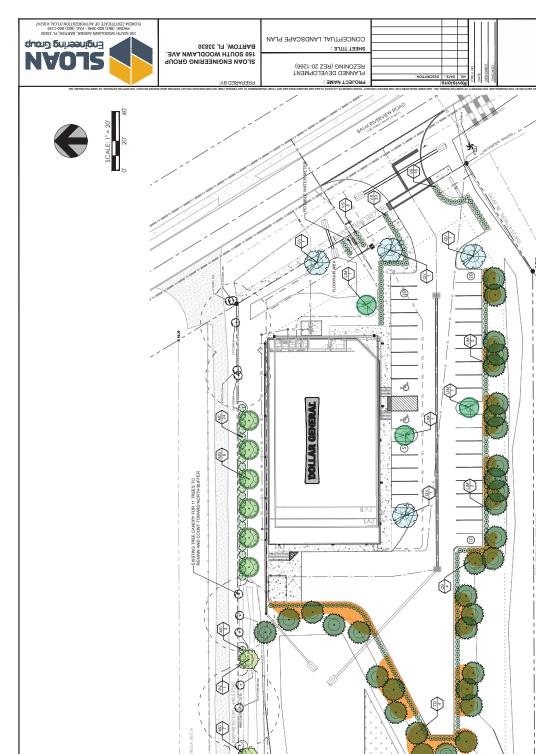








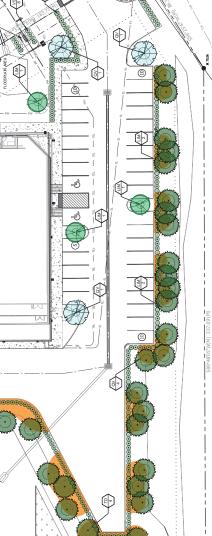




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Received September 28, 2021 Development Services



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SHEET:



10.07.2021

Palmetto Capital Group Riverview - Balm Riverview Rd, LLC Riverview, Florida







Palmetto Capital Group Riverview - Balm Riverview Rd, LLC Riverview, Florida



EAST ELEVATION

# PRIOR RECORD

## CAPTIONING MAY 11, 2021 HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS LAND USE MEETING

\*\*\*This is not an official, verbatim transcript of the \*\*\*following meeting. It should be used for informational \*\*\*purposes only. This document has not been edited; \*\*\*therefore, there may be additions, deletions, or words \*\*\*that did not translate.

>> PAT KEMP: GOOD MORNING AND WELCOME TO THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS LAND USE MEETING.

WILL EVERYONE PLEASE RISE FOR THE PLEDGE OF ALLEGIANCE WHICH WILL BE FOLLOWED BY AN INVOCATION, GIVEN BY OUR CHAPLAIN, COMMISSIONER WHITE.

>> STACY WHITE: THANK YOU, MADAM CHAIR.

WE'LL BEGIN WITH THE PLEDGE.

ATTENTION, SALUTE, PLEDGE.

[PLEDGE OF ALLEGIANCE]

HEAVENLY FATHER, I PRAY YOU WILL GUIDE THIS BOARD, OUR STAFF AND STAKEHOLDERS THIS MORNING AS WE MAKE DECISIONS ABOUT A FINITE RESOURCE.

I HOPE THAT YOU WILL GUIDE US IN A DIRECTION OF RESPECTING PRIVATE PROPERTY RIGHTS WHILE ALSO HEARING THE CONCERNS OF THE SURROUNDING COMMUNITY MEMBERS AND ALSO THING ABOUT FUTURE GENERATIONS AS WE MAKE THESE DECISIONS.

AS ALWAYS, I ASK FOR BLESSINGS FOR FIRST RESPONDERS AND MEMBERS OF THE ARMED FORCES THROUGHOUT OUR COMMUNITY, AND ALL ACROSS THE NATION AND ABROAD.

I PRAY THAT YOU WILL KEEP THEM SAFE AND GUIDE THEM EACH AND EVERY DAY.

I ASK FOR THESE BLESSINGS IN YOUR HEAVENLY NAME, AMEN. >> PAT KEMP: OKAY, THIS MORNING I SEE WE HAVE SEVEN COMMISSIONERS PRESENT IN PERSON, SO I DON'T NEED A ROLL CALL, CORRECT? OR DO I?

NO, THAT'S WHAT I THOUGHT.

I JUST WANTED TO CHECK.

I'VE GOTTEN SO USED TO IT.

AND WITH THAT, MR. MOREDA, YOU ARE RECOGNIZED.

>> GOOD MORNING, COMMISSIONERS.

JOE MOREDA DEVELOPMENT SERVICES FOR THE RECORD.

I WILL GO RIGHT TO THE CHANGES TO THE AGENDA.

THE CHANGES WERE DISTRIBUTED YESTERDAY AFTERNOON AND THEY HAD SOME ATTACHMENTS THAT RELATE TO THESE ITEMS, AND I'LL SPEAK TO THOSE WHEN WE MAKE THE CHANGES.

ON AGENDA PAGE 7 ITEM B6 APPLICATION RZ-PD 21-0121.

THE AGENCY COMMENT SECTION IS IN THE BACKUP SECTION, AND THIS IS WITH RESPECT TO THE SCHOOL BOARD'S COMMENT THAT WAS REVIEWED, MENTIONED IN THE REPORT, BUT SOMEHOW FOUND IT'S WAY OUT OF THE RECORD HAS BEEN REINSERTED BACK INTO THE RECORD AND PROVIDED BACK TO THE BOARD WITHIN THE RECORD PRIOR TO THE ZHM AND UP THROUGH.

SO I JUST WANTED TO MAKE THAT CLEAR.

AGENDA PAGE 18, ITEM G3, THE APPLICANT IS ASKING THAT THIS BE REMANDED TO THE JUNE 14th ZONING HEARING MASTER MEETING. AGENDA PAGE 7, ITEM G2, REZONING PD-20-0394, THE REVISED CONDITIONS HAVE BEEN ADDED TO THE BACKUP FOR THIS ITEM. AS AN ATTACHMENT TO THE E-MAIL.

HAVING SAID THAT, I'LL GO AHEAD AND GET INTO THE CHANGES THAT ARE LISTED ON THE AGENDA ITSELF.

ITEM A1, PD18-0996.

STAFF IS REQUESTING THE ITEM BE CONTINUED TO THE JUNE 8th BOARD MEETING AT 9:00 A.M.

ITEM A2, DRI19-0841.

STAFF IS REQUESTING THE ITEM BE CONTINUED TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M.

ITEM A3, REZONING PD-20-1255.

STAFF IS REQUESTING THE ITEM BE REMANDED TO THE JUNE 14th ZONING HEARING MASTER MEETING STARTING AT 6:00 P.M.

ITEM A4, MAJOR MODIFICATION 21-0033.

STAFF IS REQUESTING THE ITEM BE CONTINUED TO THE JUNE 8th, 2021,

BOARD MEETING STARTING AT 9:00 A.M.

ITEM A5, PERSONAL APPEARANCE 21-0204.

THE APPLICATION HAS BEEN WITHDRAWN BY STAFF.

ITEM A6 PERSONAL APPEARANCE 21-0254.

THIS APPLICATION IS OUT OF ORDER TO BE HEARD AND IS BEING CONTINUED TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M. ITEM A7, PERSONAL APPEARANCE 21-0255.

THE APPLICANT IS REQUESTING THE ITEM BE CONTINUED AS A MATTER OF RIGHT TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M. ITEM A8, PERSONAL APPEARANCE 21-0259.

THE APPLICANT IS REQUESTING THE ITEM BE CONTINUED AS A MATTER OF RIGHT TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M. ITEM A9, PERSONAL APPEARANCE 21-0311.

THE APPLICATION IS OUT OF ORDER TO BE HEARD AND IS BEING CONTINUED TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M. ITEM A-10, THE APPLICANT IS REQUESTING THE ITEM BE CONTINUED AS A MATTER OF RIGHT TO THE JUNE 8th BOARD MEETING STARTING AT 9:00 A.M.

ITEM A11, PERSONAL APPEARANCE 21-0363.

THE APPLICANT IS REQUESTING THE ITEM BE CONTINUED AS A MATTER OF RIGHT TO THE JUNE 8th MEETING AT 9:00 A.M.

THEN ITEM A12, PERSONAL APPEARANCE 21-0474.

THIS APPLICATION IS OUT OF ORDER TO BE HEARD AND IS BEING CONTINUED TO THE JUNE 8th AND NOW FINALLY WE HAVE ITEM A13, PERSONAL APPEARANCE 21-0060.

STAFF IS REQUESTING THE ITEM BE CONTINUED TO THE JUNE 8th BOARD

MEETING STARTING AT 9:00 A.M.

COMMISSIONERS, THAT CONCLUDES ALL THE CHANGES.

THANK YOU.

>> MOVE THE CHANGES.

>> SECOND.

>> PAT KEMP: WE HAVE A MOTION TO MOVE THE CHANGES BY COMMISSIONER

WHITE, SECOND BY COMMISSIONER OVERMAN.

LOSING MY VOICE HERE.

AND IF WE COULD HAVE A ROLL CALL VOTE, PLEASE.

>> YOU CAN RECORD YOUR VOTE ON YOUR TABLET.

>> PAT KEMP: I'M SORRY, THAT'S RIGHT.

THANK YOU.

>> MOTION CARRIED 7-0.

>> PAT KEMP: THANK YOU.

I HAVE TO GET RETRAINED, YES.

THAT'S IT.

OKAY.

SO THANK YOU, MR. MOREDA, AND LET'S MOVE TO THE BOARD, CAN I HAVE A MOTION THEN TO APPROVE CHANGES TO THE -- OR TO APPROVE THE CONSENT AGENDA?

>> SO MOVED.

>> SECOND.

>> PAT KEMP: COMMISSIONER WHITE SECONDED BY COMMISSIONER OVERMAN -- >> GWEN MYERS: NO, MYERS.

>> PAT KEMP: MYERS.

I'M JUST GOING TO MAKE IT DEFAULT TO COMMISSIONER MYERS AND THEN WE'LL -- I'LL CHANGE FROM THERE.

I'LL DO THAT.

AND WITH THAT, IF WE CAN SEEING NO FURTHER DISCUSSION, PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> PAT KEMP: THANK YOU AND SO WITH THAT IF YOU HAVE A B ITEM, YOUR ITEM HAS BEEN APPROVED.

AND WE WILL NOW MOVE TO THE OATH.

RIGHT NOW IF YOU'RE PLANNING TO TESTIFY TODAY, PLEASE RAISE YOUR RIGHT HAND AND BE SWORN IN BY THE CLERK.

>> [SWEARING IN]

>> PAT KEMP: THANK YOU AND WE'RE AT PUBLIC HEARINGS AND WE'LL SEE IF WE HIT A BUMP IN THE ROAD.

WE'RE MOVING RIGHT ALONG.

BEFORE WOO WE BEGIN OUR FIRST PUBLIC HEARINGS OF THE MORNING I WOULD LIKE TO TAKE THE OPPORTUNITY TO REMIND ALL OF THOSE PARTICIPATING AT SAUNDERS LIBRARY AND PARTICIPATING REMOTELY OF OUR MEETING PARTICIPATION PROCESS.

WHEN IT'S YOUR TURN TO SPEAK I'LL RECOGNIZE YOU AS SPEAKER FOR THOSE PARTICIPATING IN PERSON AT THE SAUNDERS LIBRARY, I ASK THAT YOU RESPECT OUR SOCIAL DISTANCING GUIDELINES HERE, REMAIN SEATED, AND PLEASE DO NOT APPROACH THE PODIUM TO SPEAK UNTIL I'VE CALLED ON YOU.

THANK YOU.

AND WE WILL NOW MOVE TO THE I BELIEVE VACATING PORTION OF THE AGENDA.

MR. MOREDA, YOU ARE RECOGNIZED.

>> THANK YOU, COMMISSIONERS.

THIS MOVES TO ITEM C1 ON THE AGENDA.

THIS IS A PUBLIC HEARING FOR VACATING PETITION V21-0001.

THIS ITEM WILL BE PRESENTED, AND STAFF WILL BE AVAILABLE FOR QUESTIONS AND ANSWERS BY THE REAL ESTATE DEPARTMENT.

>> THANK YOU AND GOOD MORNING, COMMISSIONERS.

YOU CAN SEE THE LOCATION MAP ON THE SCREEN.

>> YES, IT IS.

>> THANK YOU.

THIS IS ITEM C1.

ITEM C1 IS A PLATTED SUBDIVISION VACATE WITH V21-0001.

THIS IS A PETITION BY TAMPA ELECTRIC COMPANY AND J-HAJ ENTOURAGE, LLC, TO VACATE THE WINDING CREEK PLATTED SUBDIVISION PLAT RECORDED IN PLAT BOOK 102, PAGE 208 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY.

PETITIONERS DESIRE TO VACATE THE AREA TO ALLOW A REZONING OF THE UNDERLYING PROPERTY TO AGRICULTURAL RURAL FOR PURPOSES OF FUTURE DEVELOPMENT OF THE PARCEL. THE PROPOSED VACATE AREA IS LOCATED NORTH OF VAL ROY ROAD, SOUTH OF STEVENS ROAD, AND WEST OF U.S. INTERSTATE 75 IN RUSKIN. THE PROPOSED VACATE CONSISTS OF APPROXIMATELY 3,544,254 SQUARE FEET.

THE PETITION WAS ROUTED TO APPROPRIATE DEPARTMENTS AND AGENCIES AND THERE HAVE BEEN NO OBJECTIONS TO THE VACATION OF THE PLAT. BUT STAFF RECOMMENDS APPROVAL OF THE PETITION REQUEST.

>> PAT KEMP: OKAY.

I'M SORRY.

THANK YOU.

THANK YOU.

AND THIS IS A PUBLIC HEARING, AND ANYONE WHO WOULD LIKE TO SPEAK TO THE ITEM CAN BE RECOGNIZED NOW.

APPARENTLY THERE IS -- IS THERE ANYONE TO SPEAK TO THE ITEM? >> NO, THERE ISN'T.

>> PAT KEMP: OKAY.

THANK YOU.

COMMISSIONER WHITE, AND I SAID I WAS GOING TO DEFAULT BY COMMISSIONER MYERS BY THE SECONDS, BUT I'LL RECOGNIZE COMMISSIONER SMITH.

THE SECOND BY COMMISSIONER SMITH.

AND SEEING NO FURTHER DISCUSSION, I'LL JUST SAY THAT I ASKED -- >> MADAM CHAIR?

>> PAT KEMP: YES?

IS THERE SOMEBODY THERE?

>> NO, THIS IS THE CLERK.

THAT WAS NOT ON THE RECORD.

I NEED HIS MOTION ON THE RECORD.

I DIDN'T GET IT THROUGH THE AUDIO.

>> PAT KEMP: OH, OKAY.

I'M SORRY.

>> STACY WHITE: WELL, I JUST WOULD LIKE CLARIFICATION FROM THE CLERK STAFF.

IN THE PAST I'VE NEVER USED A MIC TO MAKE MOTIONS AND THE CHAIR HAS JUST ALWAYS ANNOUNCED WHO MADE IT.

DO YOU WANT US TO START USING THE MICS?

>> IT WOULD BE PREFERRED, YES, SIR.

>> STACY WHITE: OKAY, I MOVE THE ITEM THEN.

>> SECOND.

>> ALL RIGHT, THANK YOU.

>> PAT KEMP: OKAY WE HAVE COMMISSIONER WHITE AND COMMISSIONER SMITH HAS SECONDED THE ITEM, AND I'LL JUST SAY THAT I SAW -- I ASKED THEM IT WAS 3,544,254 SQUARE FEET.

AND I WAS LIKE WHAT?

WHAT DOES THAT MEAN IN TERMS OF -- BUT ANYONE IT'S 81 ACRES, AND IT MAY TURN INTO A SOLAR FARM AT SOME TIME.

SO I'M LOOK FORWARD TO THAT IF THAT HAPPENS.

AND WITH THAT, CAN WE HAVE NO FURTHER DISCUSSION.

CAN WE HAVE A -- I KEEP WANTING TO SAY ROLL CALL VOTE.

PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> AND WE WILL MOVE NOW TO MR. MOREDA.

>> THANK YOU.

THIS BRINGS US TO ITEM C2.

THIS IS VACATING PETITION V21-0005.

THIS AGAIN WILL BE PRESENTED BY REAL ESTATE DEPARTMENT.

THANK YOU.

>> THRONG, ONCE AGAIN BRIAN YOUNG FROM THE REAL ESTATE SERVICES DEPARTMENT.

THIS PETITION BY HILLSBOROUGH COUNTY ASSOCIATES IV, L LLP TO VACATE A 20-FOOT WIDE DRAINAGE EASEMENT WITHIN THE VALENCIA DEL SOL PHASE 1 PLAT AS RECORDED IN PLAT BOOK 133 PAGE 34 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY.

THIS IS FOR THE PURPOSE OF RELOCATING THE EXISTING DRAINAGE EASEMENT THE PETITIONER IS PROVIDING ADEQUATE REPLACEMENT DRAINAGE TO THE COUNTY WITHIN THE APPROVED PLAT OF VALENCIA DEL SOL PLAT 3B.

THE PROPOSED VACATE CONSISTS OF APPROXIMATELY 5,920 SQUARE FEET.

STAFF RECOMMENDS APPROVAL OF THIS PETITION REQUEST.

THANK YOU.

>> PAT KEMP: THANK YOU.

THIS IS A PUBLIC HEARING, AND ANYONE WHO WOULD LIKE TO SPEAK HAS THREE MINUTES.

>> SO MOVED.

>> SECOND.

>> PAT KEMP: WE HAVE A MOTION BY COMMISSIONER WHITE, SECONDED BY COMMISSIONER COHEN, AND SEEING NO FURTHER DISCUSSION, PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> PAT KEMP: THANK YOU.

MR. MOREDA?

>> THANK YOU, COMMISSIONERS.

THIS BRINGS US UP TO ITEM E1.

THIS IS A PERSONAL APPEARANCE FOR A MINOR MODIFICATION TO A PLANNED DEVELOPMENT.

THEY'RE INCREASING THE ENTITLEMENTS BY 74 SQUARE FEET FROM 2,026 TO 2,100 SQUARE FEET.

I'LL MOVE THROUGH THE GRAPHIC.

THE GRAPHIC ON THE LEFT WILL INDICATE THIS IS THE EXISTING SITE PLAN BELL SHOALS ROAD TO THE WEST, LITHIA ROAD TO THE EAST. THE CURRENT SITE PLAN HAS ACCESS TO BELL SHOALS ROAD, EXISTING STRUCTURE AS SHOWN.

THE APPLICANT IS PROPOSING TO ELIMINATE THE ACCESS TO THE WEST AND ALSO TO EXPAND THE STRUCTURE PLACEMENT TO ELIMINATE 10 FEET IN THE FRONT YARD OF SETBACK, AND THEN ADDITIONALLY MOVE THE ACCESS AWAY FROM THE INTERSECTION HEADING SOUTHEASTERLY DIRECTION ALONG LITHIA AND THAT WILL INCLUDE THE SOLE ACCESS FOR THE PROJECT.

OUR TRANSPORTATION STAFF HAS REVIEWED IT.

OUR PLANNING STAFF HAS REVIEWED IT.

AND WE ARE RECOMMENDING APPROVAL WITH CONDITIONS.

>> PAT KEMP: THANK YOU.

AND IS THE APPLICANT PRESENT?

>> GOOD MORNING, COMMISSIONERS.

I'M VIRTUAL.

MY NAME IS DAVID WRIGHT, PRESIDENT OF TSP COMPANIES.

OF OUR ADDRESS IS PO BOX 1016 TAMPA, FLORIDA, 33601.

THIS REQUEST IS THE RESULT OF AN EMINENT DOMAIN TAKING BY THE COUNTY FOR THE WIDENING OF LITHIA PINECREST ROAD.

THE TAKING REQUIRED THE OFFICE STRUCTURE THAT PREVIOUSLY EXISTED ON THE PROPERTY TO BE DEMOLISHED, AND THE PROPERTY WAS UTILIZED BY THE COUNTY FOR CONSTRUCTION STAGING DURING THE WIDENING OF THE ROAD.

THE PROPERTY OWNER IS SEEKING THE MINOR MODIFICATION TO THE PD TO ALLOW THE OFFICE TO BE REDEVELOPED NOW THAT THE BELL SHOALS ROAD CONSTRUCTION HAS -- LITHIA PINECREST ROAD CONSTRUCTION HAS BEEN COMPLETED.

AND AS MR. MOREDA STATED, IT ALSO INCLUDES THE ELIMINATION OF THE BELL SHOALS ROAD ACCESS POINT. IF THERE IS -- I HAVE NOTHING FURTHER SO I'M AVAILABLE TO ANSWER ANY QUESTIONS.

THANK YOU.

>> PAT KEMP: THANK YOU.

AND DO WE HAVE, THIS IS A PUBLIC HEARING, AND IF WE HAVE PROPONENT TESTIMONY.

IS THERE ANY PROPONENT TESTIMONY IN SUPPORT?

WE WILL MOVE TO OPPONENT TESTIMONY.

IS THERE ANY PROPONENT TESTIMONY AGAINST?

>> WE HAVE NO ONE IN THE AUDIENCE HERE.

>> PAT KEMP: OKAY SO WE'LL MOVE ONTO THE ANY RECOMMENDATIONS

AT THIS POINT.

>> STACY WHITE: MOVE APPROVAL.

>> GWEN MYERS: SECOND.

>> PAT KEMP: OKAY.

WE HAVE A MOTION BY COMMISSIONER WHITE, SECONDED BY COMMISSIONER OVERMAN --

>> GWEN MYERS: MYERS.

>> PAT KEMP: MYERS.

I SAID I WAS GOING TO DEFAULT AND I DIDN'T DO IT.

MYERS.

COMMISSIONER WHITE AND SECONDED BY COMMISSIONER MYERS, AND SEEING NO FURTHER DISCUSSION, PLEASE RECORD YOUR VOTE. >> MOTION CARRIED 7-0. >> PAT KEMP: OKAY.

IT LOOKS LIKE WE'RE NOW ON THE SECTION OF THE AGENDA WITH NO ORAL ARGUMENT FILED SO MR. MOREDA, YOU ARE RECOGNIZED.

>> THAT IS CORRECT, COMMISSIONERS.

WE'RE ON ITEM F1, THIS IS A PROPOSAL TO REZONE TO A STANDARD DISTRICT.

IT'S APPLICATION NUMBER 21-0303.

THE COMP PLAN IS R1.

IT'S IN THE RURAL SERVICE AREA.

THE REQUEST IS TO REZONE FROM AR PERMITTING ONE UNIT PER FIVE ACRE TO ONE DWELLING UNIT PER ACRE.

THE APPLICATION DID NOT QUALIFY FOR CONSENT.

IT HAS NO ORAL ARGUMENT FILED.

HOWEVER, IT IS AN INCREASE IN DENSITY IN THE RURAL SERVICE AREA, AND THEREFORE, IT LANDED ON THE F AREA OF THE AGENDA.

STAFF IS RECOMMENDING APPROVAL.

IT HAS ALL APPROVALS FROM ZONING HEARING MASTER AND PLANNING COMMISSION AS WELL.

WE'RE AVAILABLE FOR QUESTIONS IF NEEDED.

>> STACY WHITE: MOVE APPROVAL.

>> GWEN MYERS: SECOND.

>> PAT KEMP: WE HAVE A MOTION BY COMMISSIONER WHITE TO MOVE APPROVAL, AND WAS THAT COMMISSIONER MYERS, THANK YOU. WITH A SECOND BY COMMISSIONER MYERS AND COMMISSIONER OVERMAN, YOU'RE RECOGNIZED.

>> KIMBERLY OVERMAN: I NOTICED THERE IS NO SCHOOL CAPACITY REFERENCE TO THIS PARTICULAR ITEM.

AND THERE IS THE POTENTIAL FOR A GRID ALTHOUGH THE CSX LINES THERE.

I'M LOOKING FOR CONNECTIVITY.

WE'RE ACTUALLY INCREASING THE DENSITY IN THE AREA BUT WE HAVE NO OPINION FROM THE AREA SCHOOLS TO GIVE US AN IDEA OF WHETHER THERE IS ANY CAPACITY IN THAT AREA FROM MANAGING THE SCHOOLS. HAS -- I KNOW THAT COMES LATER BUT I'M A LITTLE CONCERNED ABOUT MOVING FORWARD WITH CREATING DENSITY IN THE RURAL AREA WITHOUT A COMMITMENT FROM THE SCHOOL OR REVIEW FROM THE SCHOOL.

SO WHILE I WOULDN'T NECESSARILY BE AGAINST THE PROJECT AT THIS POINT, MOVING FORWARD WITHOUT THAT INFORMATION SEEMS LIKE NOT THE RIGHT THING TO DO.

SO CAN SOMEONE GIVE ME SOME GUIDANCE ON WHY THAT WAS NOT INCLUDED IN THIS PARTICULAR REQUEST?

STAFF OR IS THERE SOMEONE THAT CAN SPEAK TO THAT?

I MEAN NORMALLY WE DO HAVE THAT AS PART OF THIS PROCESS, CORRECT? >> PAT KEMP: IS THERE ANYONE FROM DEVELOPMENT SERVICES,

ATTORNEY, ANYBODY?

>> YEAH, COMMISSIONERS, I'M LOOKING AT THE BACKUP AND IT APPEARS WE HAVE TWO COMMENTS FROM THE SCHOOL.

ONE OF WHICH DOESN'T HAVE SUBSTANTIVE COMMENTS, THE OTHER ONE

DOES, BUT IT APPEARS THAT THAT IS NOT THE RIGHT CASE NUMBER FOR THAT BACKUP.

SO LET ME --

>> KIMBERLY OVERMAN: I'M NOT SEEING IT.

IF IT'S THERE, THAT'S GREAT.

I'D LOVE TO HAVE SOMEONE REVIEW IT WITH US BEFORE WE APPROVE THIS PROJECT.

>> I APOLOGIZE TO THAT, COMMISSIONER.

I WILL GET TO THE COMMENT.

>> PAT KEMP: I'M GOING TO TAKE THE HEAT FOR A SECOND OFF MR. GORMLY AND WE'LL SEE COMMISSIONER WHITE I KNOW WANTS TO SPEAK.

SO YOU'RE RECOGNIZED.

>> STACY WHITE: I WANT TO POINT OUT THEY WANT TO BE REZONED TO AN AGRICULTURAL AREA, ONE-ACRE LOTS.

I KNOW THE AREA VERY WELL.

I MEAN, I DON'T HAVE THE INFORMATION IN FRONT OF ME, BUT I'M GOING TO SAY I'M PROBABLY 95-PLUS PERCENT SURE THAT THESE HOMES WILL BE BOUNDARIED FOR PINECREST ELEMENTARY, PROBABLY TURKEY CREEK MIDDLE AND DURANT HIGH.

I'M A DURANT PARENT.

I KNOW FOR A FACT THAT THAT SCHOOL IS WELL UNDERCAPACITY. PINECREST I'VE NEVER HEARD OF ANY CAPACITY ISSUES THERE. IF I'M RIGHT ABOUT IT BEING TURKEY CREEK MIDDLE, I MEAN I DON'T THINK THEY HAVE ANY MAJOR CAPACITY ISSUES THERE EITHER.

I WILL ALWAYS WANT STAFF TO SUBSTANTIATE THAT BUT I CERTAINLY DON'T -- IN THIS PARTICULAR CASE, I DON'T HAVE ANY CONCERNS ABOUT SCHOOLS AT ALL.

BUT DEFINITELY WANT TO HEAR FROM OUR EXPERTS ON STAFF THOUGH.

>> PAT KEMP: YES?

>> WE WERE ABLE TO FIND A COMMENT.

WE COULD, WE COULD --

>> IF YOU WOULD PUT THAT UP ON THE ELMO SO EVERYBODY CAN SEE IT, PLEASE?

>> IS IT ACCEPTABLE TO SEND THE COMMENTS TO THE COMMISSION AND YOURSELF, ADAM, THROUGH E-MAIL?

>> YES, BUT WE PUT IT UP SO WE CAN SEE IT WHILE WE'RE TALKING ABOUT IT, PLEASE.

>> WE'LL HAVE TO SEND IT TO SOMEONE'S COMPUTER AND SEE IF WE CAN SHARE THE SCREEN.

WE'LL WORK ON THAT AND GET BACK TO YOU IN A SECOND.

>> PAT KEMP: IN THE MEANTIME I AM GOING TO LET COMMISSIONER OVERMAN WANTED TO SPEAK.

>> KIMBERLY OVERMAN: THANK YOU.

AND COMMISSIONER WHITE, THANK YOU FOR YOUR, YOUR COMMENTS BECAUSE REAL TIME ALWAYS HELPS.

THE OTHER ITEM AND THE ONLY OTHER REASON WHY I WOULD FEEL

COMFORTABLE WITH THIS, IT DOES APPEAR AS THOUGH THIS PROJECT IS AN EXTENSION OF THE GROWTH.

I WASN'T GOING TO CALL IT SPRAWL, BUT THE GROWTH OF PLANT CITY, WHICH IS GREAT.

AND IF IN FACT THE CSX LINE ACTS AS A NATURAL BARRIER, I WOULD SUPPORT THAT GROWTH.

>> WHILE WE'RE GETTING UP I DO HAVE THE COMMENT IN FRONT OF ME, IT IS PINECREST ELEMENTARY WITH THE EXISTING ENROLLMENT PLUS PROJECT TRAFFIC PROPOSED UTILIZATION WILL BE 86% FOR THE ELEMENTARY.

TURKEY CREEK MIDDLE SCHOOL WOULD BE ENROLLMENT AND PROJECT CAPACITY.

IT WOULD BE AT 80% CAPACITY.

AND OH, MY GOSH.

I JUST LOST IT.

AND IT WOULD BE DURANT HIGH SCHOOL WITH THE EXISTING ENROLLMENT, AND STUDENT GENERATION IT WOULD BE AT 89%.

SO ALL THREE SCHOOLS ARE BELOW 90% WITH THE PROJECT TRAFFIC AND EXISTING TRAFFIC AND I DO APOLOGIZE FOR NOT HAVING THAT IN THE BACKUP FOR YOU.

>> KIMBERLY OVERMAN: THANK YOU VERY MUCH.

THAT ADDRESSES MY CONCERNS.

THANK YOU VERY MUCH.

>> PAT KEMP: OKAY.

GOLD STAR FOR COMMISSIONER WHITE.

AND WITH THAT, I DON'T THINK SEEING ANY FURTHER DISCUSSION, GOOD TO RECOGNIZE THAT THE INFORMATION WASN'T AVAILABLE THERE.

SO THANK YOU FOR THAT.

AND SEEING NO FURTHER DISCUSSION, I'M SORRY I DON'T KNOW IF WE HAD A MOTION AS TO THIS AT THIS TIME.

WAS IT COMMISSIONER WHITE DID YOU MAKE A MOTION TO APPROVE? OKAY.

SORRY.

AND COMMISSIONER OVERMAN, SECOND?

>> KIMBERLY OVERMAN: NO, MYERS.

>> PAT KEMP: MYERS.

[LAUGHTER]

OKAY.

AND WITH THAT, I SEE NO FURTHER DISCUSSION.

PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> PAT KEMP: THANK YOU.

MR. MOREDA.

>> THANK YOU, COMMISSIONERS.

THIS BRINGS US UP TO ITEM G1.

>> PAT KEMP: OUR REGULAR AGENDA.

[LAUGHTER]

>> ARE WE GOOD?

>> PAT KEMP: YES, WE'RE GOOD.

>> OKAY, THANK YOU.

BACK TO ITEM G1.

THESE ARE CASES THAT HAVE ORAL ARGUMENT FILED.

THIS IS REZONING FOR OUR STANDARD DISTRICT.

20-0374.

THE APPLICATION IS LOCATED BETWEEN WILLIAMS ROAD, LAKEWOOD DRIVE ON THE SOUTH SIDE OF MARTIN LUTHER KING. IT'S SEVERAL HUNDRED FEET AWAY FROM LAKEWOOD DRIVE. IT'S ACTUALLY CLOSER BETWEEN THE TWO, AND I'LL PROPOSE TO PUT THE GRAPHIC UP ON THE -- TO GIVE YOU PROXIMITY, LAKEWOOD,

MARTIN LUTHER KING DRIVE.

THE APPLICANT IS PROPOSING TO REZONE TO CG, THE CURRENT ZONING IS RDC12 WHICH PERMITS DUPLEX ZONING AT 12 UNITS PER ACRE.

STAFF IS RECOMMENDING DENIAL OF THE REQUEST.

THE REQUEST IS TO REZONE TO CG WITH AN R CONDITION.

THE R CONDITION PLACES A RESTRICTIONS ON THE, ON THE APPLICATION THAT WOULD, THE APPLICANTS AGREE TO RESTRICT THEMSELVES TO PLACING A SIX-FOOT PVC FENCE.

THERE IS ALSO LISTED SOME PRIMARY USES OF THE SITE THAT WILL NOT BE UTILIZED.

IF A CAR WASH IS USED WITH THE SITE AS AN ACCESSORY USE, THEN IT WOULD BE ALLOWED BUT NOT AS A PRIMARY USE OF THE SITE. ALSO INDICATED THAT MAJOR AND MINOR VEHICLE REPAIR WILL NOT BE ALLOWED.

HOWEVER, IF IT'S ALLOWED AS AN ACCESSORY USE FOR EXAMPLE FOR CAR SALES THEN THAT TYPE OF USE WOULD BE ALLOWED.

THE APPLICATION IS PROPOSING OPEN STORAGE NOT BE ALLOWED, PLASMA BANKS AND ADULT USE NOT BE ALLOWED AS WELL.

STAFF FOUND IT TO BE NOT SUPPORTABLE BASED ON THE COMPREHENSIVE PLAN FINDING OF INCONSISTENCY.

PLANNING COMMISSION WILL BE SPEAKING TO THAT IN THEIR PRESENTATION.

BUT THEY PRIMARILY LISTED OF TRANSITIONAL USE WITH POLICIES LIST IN THE COMP PLAN AND ALSO THOSE LISTED IN SEFFNER MANGO COMMUNITY PLAN.

AGAIN, ORAL ARGUMENT HAS BEEN FILED.

STAFF IS NOT SUPPORTING IT, AND YOU ALSO WILL HEAR NOW FROM PLANNING COMMISSION.

AND ALSO THE ZHM.

THANK YOU.

>> PAT KEMP: OKAY, THANK YOU.

SO ORAL ARGUMENT HAS BEEN FILED FOR THIS AND A MOTION TO OPEN ORAL ARGUMENT.

>> PAT KEMP: A MOTION AND A SECOND BY COMMISSIONER MYERS. COMMISSIONER OVERMAN.

I THINK I'M GOING TO NEED HAND RAISING.

AND SEEING NO FURTHER DISCUSSION, PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> PAT KEMP: OKAY, MR. MOREDA.

I GUESS, WITH YOUR IDENTIFICATION OF THE ITEM, WE'LL MOVE TO ORAL ARGUMENT BY THE APPLICANT.

>> GOOD MORNING, COMMISSIONERS, NAME IS TODD PRESSMAN,

ST. PETERSBURG, FLORIDA.

GOOD MORNING TO YOU ALL.

I DO HAVE A POWERPOINT FOR YOU AND I DO HAVE MR. JOHN GRYGIEL,

THE PROPERTY OWNER HERE.

MADAM CHAIR, CAN YOU SEE THE POWERPOINT?

>> PAT KEMP: YES, WE CAN.

>> THIS IS RZ20-0374.

LOCATED IN SEFFNER MANGO.

IT'S ACTUALLY COMPOSED OF TWO SEPARATE PARCELS WHICH WOULD BE ONE ENTIRE PROJECT AREA.

NEXT SLIDE, PLEASE.

THE ISSUE IS .58 ACRES GOING FROM RDC12 TO CG-R SO THAT IS COMMERCIAL GENERAL WITH A SIGNIFICANT RESTRICTION WHICH WOULD ONLY ALLOW FOR A CAR SALES LOT.

SO THE USES PROPOSED WOULD BE A CAR WASH BUT ONLY AS AN ACCESSORY USE FOR VEHICLES, NOT LIKE AN OPEN PRIMARY USE CAR WASH BUT JUST IN REGARD TO THE PARCEL LOT.

OPEN STORAGE, MAJOR MINOR VEHICLE REPAIR IS NEEDED, NOTHING LIKE BLOOD PLASMA BANKS OR DONATIONS, NO ADULT USES LIKE THAT ARE RESTRICTED.

COMMISSIONERS, THE COMP PLAN IN OUR EVALUATION STRONGLY SUPPORTS THE SITE AND FIRST OF ALL, IT MEETS LOCATIONAL CRITERIA.

GOAL 3 OF THE SEFFNER MANGO COMMUNITY PLAN DOES INCLUDE STRATEGIES TO CONCENTRATE COMMERCIAL DEVELOPMENT JUST LIKE THIS ALONG EAST MARTIN LUTHER KING, JR. BOULEVARD.

NEXT SLIDE, PLEASE.

PROVIDES FOR GROWTH IN THE URBAN SERVICE AREA AS REQUIRED BY OBJECTIVE 1 AND UNDER THE SEFFNER MANGO COMMUNITY PLAN SUPPORT INFILL DEVELOPMENT OR REDEVELOPMENT IN THE URBAN SERVICE AREA WHICH WE ARE DOING.

IN THE FUTURE LAND USE MAP IT IS R9 WHICH ALLOWS NONRESIDENTIAL USES AND SHALL MEET ESTABLISHED LOCATIONAL CRITERIA WHICH WE DO NEED.

NEXT SLIDE, PLEASE.

ZONING MAP.

NEXT SLIDE, PLEASE.

NOW CRITICALLY, WE HAVE A COMMERCIAL INTENSIVE USE, CG, ON THE EAST SIDE.

WE HAVE SUBMITTED LETTERS FROM NEIGHBORS AND ABUTTING NEIGHBORS OF NO OPPOSITION ON THE WEST SIDE AND TO THE SOUTH.

SO THIS IS SURROUNDED BY NO OPPOSITION AND COMMERCIAL USES AND COMMERCIAL USES ACROSS THE STREET.

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LOCATED ON A SIX-LANE MAJOR ARTERY 4,000 AVERAGE DAILY TRIPS, NEXT SLIDE, PLEASE.

WE DON'T BELIEVE IN ANY CASE THAT IT'S SUITABLE FOR RESIDENTIAL DEVELOPMENT, AT LEAST AS WE'RE LOOKING AT IT NOW.

NEXT SLIDE, PLEASE.

NOW, ACCORDING TO THE PLANNING COMMISSION, WE MADE GREAT LENGTHS TO DEMONSTRATE TO STAFFS THAT THERE WAS NO OPPOSITION TO ANY AFFECTED PROPERTY OWNER, BUT THE PLANNING COMMISSION DOES NOT ACCEPT THOSE OR INCLUDE THAT IN THEIR EVALUATION FOR THEIR STAFF REPORT AND THAT'S PRIMARY WHAT PG AND M RELIED UPON.

NEXT SLIDE, PLEASE.

WE'RE PROVIDING A SIX-FOOT PVC FENCE AGAINST THE RESIDENTIAL USE, WHICH ARE IN THE RECORD FOR NO OPPOSITION, FOUR FOOT HIGH, EVERGREEN SHADE TREES NOT LESS THAN 10 FEET HIGH AT THE PLANTING, SPACED EVERY 10 FEET VERSUS 20 FEET SO WE'RE BASICALLY DOUBLING THE PLANTING DENSITY.

NEXT SLIDE.

PG & M RECOMMENDATION, THIS IS IMPORTANT BECAUSE THEY BASE THEIR RECOMMENDATION ON THE PLANNING COMMISSION INCONSISTENCY FILING.

AS IT WOULD NOT PROVIDE FOR PROPER USE TRANSITION BETWEEN THE EXISTING SINGLE-FAMILY USES, BUT AGAIN, WE'VE SHOWN YOU THAT THE EXISTING SINGLE-FAMILY USES ARE NOT IN OPPOSITION AND IN SUPPORT. AND AGAIN THE PLANNING COMMISSION DOES NOT FACTOR THAT INTO THEIR STAFF REPORT.

NEXT SLIDE, PLEASE.

PLANNING COMMISSION PRIMARILY -- CONCEPTS OF POLICY 1.4 COMPATIBILITY AND PROTECTING EXISTING NEIGHBORHOODS BUT AGAIN WE'VE HEARD FROM THOSE NEIGHBORHOODS AND CG-R THAT WE'RE PROPOSING IS HEAVILY RESTRICTED AND BETTER BUFFERED AND MEETS THOSE CONCERNS.

NEXT SLIDE, PLEASE.

NEXT SLIDE, PLEASE.

GOALS, STRATEGY OF THE SEFFNER MANGO COMMUNITY PLAN IS RECOGNIZED THE COMMERCIAL CHARACTER OF U.S. 92 AND MLK WITHIN URBAN SERVICE AREA WHICH WE ARE INSIDE OF.

GOAL AND STRATEGY OF THE SEFFNER MANGO COMMUNITY PLAN SUPPORT INFILL DREAMT AND REDEVELOPMENT WITHIN THE USA WHILE PROVIDING FOR COMPATIBILITY WITH EXISTING USES.

WE BELIEVE WE'RE MEETING THOSE GOALS AND STRATEGIES.

NEXT SLIDE.

GOAL 3, AGAIN, COMMERCIAL DEVELOPMENT SHOULD BE DIRECTED TO U.S. 19 AT MLK BOULEVARD WHICH IS EXACTLY WHAT WE'RE DOING.

NEXT SLIDE, PLEASE.

AND IT'S A GOOD TRANSITIONAL USE FROM MLK TO THE USES BEHIND THE SITE.

NEXT SLIDE, PLEASE.

AND MIND YOU AGAIN THE SITE DOES MEET LOCATIONAL CRITERIA AND IT DOES PROVIDE GROWTH IN USA UNDER OBJECTIVE 1.

NEXT SLIDE, PLEASE.

SO IN SUMMARY, COMMISSIONERS, CG-R IS VERY RESTRICTIVE FOR THIS USE.

WE HAVE EXTREMELY STRONG RESIDENTIAL SUPPORT.

NO ONE HAS COME FORWARD AT ANY OF THE HEARINGS IN OPPOSITION. WE'RE EXCEEDING LANDSCAPING REQUIREMENTS.

NOT TERRIBLY CONDUCIVE FOR RESIDENTIAL.

CG IS ABUTTING ON THE MLK, AND THERE ARE MANY COMP PLAN AND SEFFNER MANGO COMMUNITY PLAN POLICIES THAT SUPPORT AND DIRECT COMMERCIAL ON THIS SITE.

THANK YOU.

WE APPRECIATE YOUR ATTENTION.

HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

MR. GRYGIEL WAS HOPING TO MAKE A QUICK COMMENT.

>> HELLO, MY NAME IS JOHN GRYGIEL, 11964 NEAL ROAD, LITHIA, FLORIDA, 33547 AND I WILL -- WE'VE BEEN WORKING ON THIS FOR OVER A YEAR AND WOULD REALLY APPRECIATE YOUR SUPPORT AND IT WOULD HELP MY FAMILY OUT GREATLY TO GET THIS DONE AND MAKE BETTER USE OF THIS PROPERTY THAN WHAT IT'S CURRENTLY BEING USED AS SO WITH THAT, THANK YOU.

>> PAT KEMP: THANK YOU.

AND THERE ARE NO FURTHER -- ANYONE SIGNED UP FOR OPPOSITION OR

SUPPORT IN THIS CASE.

SO I'M ASSUMING THAT THE APPLICANT WILL WAIVE THE REBUTTAL. AND IF THAT IF WE CAN MOVE TO THE PLANNING COMMISSION. >> THANK YOU, MELISSA LIENHARD, PLANNING COMMISSION STAFF. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RESIDENTIAL 9 FUTURE LAND USE CATEGORY, THE SITE IS LOCATED IN THE URBAN SERVICE AREA AND ALSO LOCATED WITHIN THE LIMITS OF THE SEFFNER MANGO COMMUNITY PLAN.

WHILE THE APPLICANT HAS PROPOSED THE USE RESTRICTION, AND AUGMENTED BUFFERING AND SCREENING, THE PROPOSAL DOES NOT MEET THE COMPATIBILITY CRITERIA OF THE FUTURE LAND USE ELEMENT, OR FLUE.

ACCORDING TO THIS POLICY COMPATIBILITY IS DEFINED AS THE CHARACTERISTIC OF DIFFERENT USES OR ACTIVITIES OR DESIGN WHICH ALLOW THEM TO BE LOCATED NEAR OR ADJACENT TO ONE ANOTHER IN HARMONY.

COMPATIBILITY DOES NOT MEAN THE SAME AS, RATHER REFERS TO THE SENSITIVITY OF DEVELOPMENT PROPOSALS IN MAINTAINING THE CHARACTER OF EXISTING DEVELOPMENT.

IT WOULD NOT BE HARMONIOUS OR COMPATIBILITY WITH THE SINGLE-FAMILY CHARACTER OF THE AREA DIRECTLY TO THE WEST AND THE AREA SOUTH OF THE SUBJECT PROPERTY ALONG THOMAS ROAD. REQUIRE PROTECTION OF EXISTING NEIGHBORHOODS THROUGH VARIOUS MECHANISMS.

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FLUE POLICY 16.1 STATES THAT ESTABLISHED AND PLANNED NEIGHBORHOODS AND COMMUNITIES SHALL BE PROTECTED BY RESTRICTING INCOMPATIBLE LAND USES BY LIMITING COMMERCIAL DEVELOPMENT IN RESIDENTIAL LAND USE CATEGORIES TO NEIGHBORHOOD SCALE. A REZONING TO COMMERCIAL GENERAL WOULD BE INCONSISTENT WITH THIS POLICY DIRECTION.

POLICY 16.2 STATES THAT GRADUAL TRANSITIONS OF INTENSITY BETWEEN DIFFERENT LAND USES SHALL BE PROVIDED FOR AS NEW DEVELOPMENT IS PROPOSED AND APPROVED THROUGH THE USE OF PROFESSIONAL SITE PLANNING, BUFFERING, SCREENING TECHNIQUES AND CONTROL OF SPECIFIC LAND USES.

IN THIS CASE, STAFF HAS DETERMINED THAT A REZONING TO CG WOULD NOT PROVIDE FOR A TRANSITION BETWEEN THE RESIDENTIAL AND COMMERCIAL GENERAL USES NEARBY AND MITIGATION MEASURES WOULD NOT BE ABLE TO ACHIEVE COMPATIBILITY.

POLICY 16.5 FURTHER RESTRICTS HIGHER INTENSITY USES ALONG ARTERIALS AWAY FROM ESTABLISHED NEIGHBORHOODS.

WHILE EAST DR. MARTIN LUTHER KING, JR. BOULEVARD IS AN ARTERIAL ROADWAY THE REAR OF THE SITE WOULD BE DIRECTLY ON THOMAS ROAD WHICH IS A LOCAL ROADWAY AND A REZONING WOULD ENCOURAGE THE ENCROACHMENT OF HIGHER INTENSITY USES INTO AN EXISTING RESIDENTIAL NEIGHBORHOOD.

AS A RESULT, THE USE IS NOT COMPATIBLE WITH THE SURROUNDING AREA, AND ALSO DOES NOT MEET THE INTENT OF FUTURE LAND USE POLICY OBJECTIVE 16.

THE SITE MEETS COMMERCIAL LOCATIONAL CRITERIA AS OUTLINED IN OBJECTIVE 22 AND POLICY 22.2 AS IT IS LOCATED WITHIN A THOUSAND FEET OF THE COMMERCIAL NODE LOCATED AT LAKEWOOD DRIVE AND MARTIN LUTHER KING, JR. BOULEVARD.

HOWEVER, POLICY 22.7 STATES THAT COMMERCIAL LOCATIONAL CRITERIA IS NOT THE ONLY FACTOR TO BE CONSIDERED.

FACTORS SUCH AS LAND USE COMPATIBILITY ARE ALSO CONSIDERED AND IN THIS CASE, PLANNING COMMISSION STAFF HAS CONCERNS REGARDING THE COMPATIBILITY OF THE PROPOSED LAND USES IN CLOSE PROXIMITY TO THE SINGLE-FAMILY RESIDENTIAL DWELLING.

THE COMMERCIAL LOCATIONAL CRITERIA SECTION OF THE FUTURE LAND USE ELEMENT ALSO CONTAINS ADDITIONAL POLICY DIRECTION ABOUT THE LOCATION OF NEW NONRESIDENTIAL DEVELOPMENTS.

THIS POLICY DIRECTION OUTLINES THAT WITH NEW NONRESIDENTIAL DEVELOPMENTS AT INTERSECTIONS, MEETING LOCATIONAL CRITERIA, A TRANSITION IN LAND USE SHOULD BE ESTABLISHED THAT RECOGNIZES THE EXISTING SURROUNDING COMMUNITY CHARACTER AND SUPPORTS THE CREATION OF A WALKABLE ENVIRONMENT.

THE TRANSITION INCLUDES CLUSTERING THE MOST INTENSE LAND USES TOWARD THE INTERSECTION AND PROVIDING LESS INTENSE USES SUCH AS OFFICES, PROFESSIONAL SERVICES, OR SPECIALTY RETAIL TOWARD THE EDGES OF THE COMMERCIAL NODE.

IN THIS CASE, WHILE THE SITE DOES MEET COMMERCIAL LOCATIONAL

CRITERIA, IT IS LOCATED APPROXIMATELY 610 FEET WEST OF THE INTERSECTION WITHIN A THOUSAND FOOT NODE.

ACCORDING TO POLICY DIRECTION, THE USES SHOULD BE TRANSITIONING TO LESS INTENSE USES MOVING AWAY FROM THE INTERSECTION. CURRENTLY AT THE INTERSECTION OF DR. MARTIN LUTHER KING, JR. BOULEVARD AND LAKEWOOD DRIVE, THERE IS APPROXIMATELY A 15-THOUSAND SQUARE FOOT DRUGSTORE USE WITH A DRIVE-THRU WHICH IS A WALGREENS PHARMACY.

ACCORDING TO THE AFOREMENTIONED POLICY DIRECTION, A REZONING TO COMMERCIAL GENERAL RESTRICTED WOULD NOT MEET THE TRANSITION OF USE POLICIES IN THE COMPREHENSIVE PLAN.

LASTLY, THE REZONING REQUEST IS NOT CONSISTENT WITH THE SEFFNER MANGO COMMUNITY PLAN DIRECTION.

GOAL 3 OF THE COMMUNITY PLAN DOES -- INCLUDES STRATEGIES TO CONCENTRATE COMMERCIAL DEVELOPMENT, OFFICE DEVELOPMENT, AND LIGHT INDUSTRIAL DEVELOPMENT ALONG DR. MARTIN LUTHER KING, JR. BOULEVARD.

HOWEVER, GOAL 2 PROHIBITS COMMERCIAL ENCROACHMENT IN RESIDENTIAL AREAS SOUTH OF MARTIN LUTHER KING, JR. BOULEVARD. THE SITE IS ADJACENT TO A RESIDENTIAL USES TO THE WEST AND ACROSS THOMAS STREET TO THE SOUTH WHICH IS APPROXIMATELY 60 FEET AWAY FROM THE LIMITS OF THE SUBJECT PROPERTY.

AS THE SUBJECT SITE IS DIRECTLY SOUTH OF MARTIN LUTHER KING, JR. BOULEVARD, AND IN AN EXISTING RESIDENTIAL AREA, A REZONING

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TO COMMERCIAL GENERAL WOULD BE INCONSISTENT WITH THE VISION OF THE SEFFNER MANGO COMMUNITY PLAN.

BASED UPON THOSE CONSIDERATIONS, PLANNING COMMISSION STAFF FINDS THE PROPOSED REZONING INCONSISTENT WITH THE FUTURE OF HILLSBOROUGH COMPREHENSIVE PLAN FOR UNINCORPORATED HILLSBOROUGH COUNTY.

THANK YOU.

>> PAT KEMP: THANK YOU.

WE'LL NOW MOVE TO THE ZONING HEARING MASTER RECOMMENDATION.

THE ZONING HEARING MASTER CONSIDERED THE APPLICANT'S REQUEST FOR A REZONING OF THE PROPERTY TO A CG-R COMMERCIAL GENERAL RESTRICTED ZONING DISTRICT.

THIS PROPERTY IS .58 ACRES IN SIZE AND CURRENTLY ZONED RDC12 DESIGNATED RESIDENTIAL 9 BY THE COMPREHENSIVE PLAN.

AS YOU HEARD THE PLANNING COMMISSION STAFF DOES NOT SUPPORT THE REQUEST.

STAFF TESTIFIED THAT THE SUBJECT PROPERTY MEETS COMMERCIAL LOCATIONAL CRITERIA BUT THAT OTHER FACTORS REGARDING COMPATIBILITY AND THE TRANSITION OF USES IN ACCORDANCE WITH THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT RESULTED IN THEIR RECOMMENDATION FINDING OF INCONSISTENCY.

THE PLANNING COMMISSION FOUND THAT THE REQUEST IS INCONSISTENT WITH POLICY 16.1 REGARDING THE PROTECTION OF EXISTING RESIDENTIAL NEIGHBORHOODS.

THE ZONING HEARING MASTER FOUND THAT THE PROPERTY IS BORDERED BY PROPERTY ZONED RDC12 TO THE WEST AND SOUTH ACROSS THOMAS STREET.

THE PARCEL DIRECTLY ACROSS THE STREET IS ZONED PLANNED DEVELOPMENT AND DEVELOPED WITH AN APARTMENT COMPLEX. IMMEDIATELY TO THE EAST IS AN EXISTING RETAIL DRUGSTORE ZONED PLANNED DEVELOPMENT.

THE DRUGSTORE ZONING CONDITIONS PERMIT THE REDEVELOPMENT OF THE PROPERTY WITH CG USES ONLY IF THE TRAFFIC ANALYSIS IS SUBMITTED THAT SHOWS THAT THE TRAFFIC GENERATED BY THE PROPOSED USE IS CONSISTENT WITH THE EXISTING DRUGSTORE TRAFFIC.

THE ZONING HEARING MASTER FOUND THAT THE RESTRICTIONS POSED BY THE APPLICANT DO NOT LIMIT THE PROPERTY USE TO A SINGLE OR LIMITED NUMBER OF USES BUT RATHER PERMIT THE WIDE RANGE OF CG COMMERCIAL AND RETAIL USES THAT WOULD GENERATE A HIGH VOLUME OF TRAFFIC AND OPERATION AT ALL HOURS OF DAY AND NIGHT.

THE ZONING HEARING MASTER CONCLUDED THAT ALTHOUGH THE PROPERTY DOES MEET THE COMMERCIAL LOCATIONAL CRITERIA AS ESTABLISHED IN THE PLAN, THE REQUEST FOR A CAR SALES LOT WITH MINOR AND MAJOR VEHICLE REPAIR AND A CAR WASH AS WELL AS A RANGE OF CG USES IS INAPPROPRIATE FOR THE MIX OF SINGLE-FAMILY, MULTIFAMILY, AND LOW INTENSITY COMMERCIAL DEVELOPMENT IN THIS AREA AND THE ZONING HEARING MASTER THEREFORE RECOMMENDED DENIAL. >> PAT KEMP: THANK YOU.

AND WITH THAT, WE'LL MOVE TO BOARD DISCUSSION.

COMMISSIONER SMITH.

>> MARIELLA SMITH: THANK YOU.

AND I AGREE WITH THE ZONING HEARING MASTER THAT ALTHOUGH THEY'RE PORTRAYING THIS AS BEING RESTRICTED USES WITHIN COMMERCIAL GENERAL, THE ONLY RESTRICTIONS ARE IT WON'T BE BLOOD PLASMA AND IT WON'T BE ADULT BUSINESS.

OTHER THAN THAT, THEY CAN HAVE A USED CAR SALES LOT, THEY CAN INCLUDE AUTO REPAIR WITH THAT, AND ALL THE REST OF AS THE ZONING HEARING MASTER SAID, THE WIDE RANGE OF USES IN COMMERCIAL GENERAL.

THERE ARE LESS INTENSIVE USES THAT INCLUDE SOME BUSINESS IF YOU WANTED TO GO THAT WAY HERE, OR THERE ARE MORE RESTRICTIONS YOU COULD PUT.

THEY HAVEN'T EVEN RESTRICTED THE OPERATIONS OF HOURS OR YOU KNOW THE INTENSITY OF TRAFFIC IN ANY WAY.

IT LEAVES THE DOOR TOO FAR OPEN AS OUR PLANNING COMMISSION AND DEVELOPMENT SERVICES STAFF AND THE ZONING HEARING MASTER HAS SAID.

SO I JUST, YOU KNOW, I THINK THEY SHOULDN'T HAVE, THEY SHOULD'VE LISTENED TO THAT ADVICE BEFORE THEY GOT HERE AND TRIED A LITTLE HARDER TO LIMIT THE COMMERCIAL USES IN THAT AREA.

THE FACT THAT THEY, THE DEVELOPER HAS BEEN ABLE TO PERSUADE A

COUPLE OF NEIGHBORS WHO ARE THERE RIGHT NOW THAT TO GO ALONG WITH IT IS, I MEAN, YOU HAVE TO CONSIDER THE FACT THAT THOSE NEIGHBORS MAY OR MAY NOT BE THERE FOREVER.

WE HAVE TO THINK ABOUT THE LONG-TERM PLAN FOR THE AREA.

SO I'LL MOVE THE RECOMMENDATION THAT HAS COME BEFORE US OF DENIAL.

>> PAT KEMP: WE HAVE A MOTION BY COMMISSIONER SMITH.

IS THERE -- OH, COMMISSIONER OVERMAN -- IS THERE A SECOND?

>> GWEN MYERS: SECOND.

>> PAT KEMP: OKAY.

COMMISSIONER OVERMAN AND COMMISSIONER OVERMAN, YOU'RE RECOGNIZED.

>> KIMBERLY OVERMAN: THANK YOU.

AND I HAVE SIMILAR CONCERNS.

I THINK THIS IS -- YOU KNOW, MARTIN LUTHER KING IS AT THIS POINT, IS AN AREA WHERE IT MAKES SENSE TO HAVE EITHER COMMERCIAL OR MULTIFAMILY BECAUSE YOU HAVE THE BARRIER TO THE RESIDENTS ON THE INSIDE.

AND WHILE I'M NOT REALLY EVER A BIG FAN OF CAR SALES LOTS, BUT JUST IT'S MY BIAS, THERE ARE OTHER PURPOSES FOR THIS PARTICULAR PROPERTY THAT ALSO COULD MAKE SENSE AND A CAR LOT COULD MAKE SENSE.

BUT HAVING THE, YOU KNOW, WIDE OPEN CG ZONING CODE OR APPROVAL DOES SORT OF COMPROMISE THE IDEA THAT AN INTENSE USE ON A, A STREET THAT IS, HAS BECOME A MANAGER CORRIDOR WOULD MAKE SENSE EXCEPT FOR IN THIS PARTICULAR CASE YOU'RE BACKED UP RIGHT AGAINST HOMES.

SO THAT TRANSITION TO A NEIGHBORHOOD IS LESS ABLE IN THIS PARTICULAR CIRCUMSTANCE.

AND AS A CONSEQUENCE OF THAT, HAVING A, AN APPROVAL WITH CERTAIN RESTRICTIONS IN ORDER TO PROTECT THOSE RESIDENTS UNTIL THOSE HOMES ARE NO LONGER HOMES, I THINK IS AN APPROPRIATE COURSE OF ACTION.

WHAT I AM HAPPY TO SEE ABOUT THIS PARTICULAR PIECE THOUGH, WHICH ACTUALLY I THINK THE PLANNING COMMISSION AND THE DEPARTMENT HAD A, SOME CONCERN ABOUT, WAS THAT THERE WAS TWO WAYS TO COME IN AND OUT OF THE PROPERTY, WHICH DOES PROVIDE SOME RELIEF ON MLK AND PROVIDES FOR SOME CIRCULATION WHICH I ALWAYS LIKE TO SEE, BUT WITHOUT ANY UNDERSTANDING OF HOW THAT'S REALLY GOING TO WORK AT THIS POINT.

IT WOULD BE DIFFICULT TO MOVE FORWARD AS IT STANDS.

THERE IS REAL POTENTIAL HERE.

I THINK WE JUST REALLY NEED TO TAKE A LOOK AT HOW THAT ZONING WOULD APPLY TO THE PEOPLE THAT ACTUALLY LIVING RIGHT ON THAT CORRIDOR.

WHICH YOU KNOW IS CHALLENGING FOR THE PEOPLE LIVING ON THAT CORRIDOR.

BUT I THINK WITHIN IN THIS CASE THERE IS, THERE IS A SOLUTION.

I'M JUST DON'T THINK WE'RE THERE YET.

I'LL STOP THERE.

>> PAT KEMP: WE HAVE A MOTION BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER OVERMAN.

>> KIMBERLY OVERMAN: MYERS.

>> PAT KEMP: MYERS.

MOTION TO DENY.

AND I DON'T SEE -- COMMISSIONER COHEN, YOU'RE RECOGNIZED.

>> HARRY COHEN: THIS IS REALLY A SHAME FOR THIS TO GO DOWN IN FLAMES BECAUSE I THINK THAT COMMISSIONER SMITH AND OVERMAN ARE RIGHT.

I MEAN, THERE'S, THERE COULD BE A FEW MORE RESTRICTIONS PLACED ON THIS THAT WOULD PROVIDE SOME ADDITIONAL BENEFIT TO THE OWNER WITHOUT THE ENTIRE, THE ENTIRE THING HAVING TO BE SCRAPPED. I MEAN, I THINK, I THINK IT'S SALVAGEABLE, AND I ALWAYS HATE TO SEE IT, IT SEEMS TO ME IT'S, IT'S ALWAYS UNFORTUNATE WHEN THINGS COME THROUGH HERE AND YOU JUST CAN'T GET IT A LITTLE FURTHER ALONG.

I DON'T KNOW HOW MUCH CONTROL THE APPLICANT HAS OVER THAT AT THIS POINT IN THE PROCESS.

>> PAT KEMP: COMMISSIONER WHITE, YOU'RE RECOGNIZED. >> STACY WHITE: TO COMMISSIONER COHEN'S POINT, WOULD A CONTINUANCE BE AN OPTION TO WORK THAT OUT, OR WHAT ARE THE OPTIONS AVAILABLE? >> YOU HAVE TWO OPTIONS.

ONE WOULD BE A CONTINUANCE IF THE APPLICANT WANTED TO OFFER MORE RESTRICTIONS.

IF THAT WAS THE ROUTE, IT WOULDN'T HAVE ANOTHER REVIEW OR BENEFIT BY THE ZONING HEARING MASTER, BUT IT COULD BE AN OPPORTUNITY TO FURTHER RESTRICT THE APPLICATION.

IT OTHER WOULD BE TO REMAND IT BACK TO THE ZONING HEARING MASTER FOR A HEARING ON A MODIFIED APPLICATION THAT WOULD INCLUDE ADDITIONAL RESTRICTIONS CONSISTENT WITH WHAT THE BOARD'S -->> STACY WHITE: SO IF THE APPLICANT HAS SOME MORE TIME TO DO SOME MORE WORK AND DECIDE WHETHER OR NOT THEY WANT TO ADD ADDITIONAL RESTRICTIONS, THEY COULD DO THAT IN THE ABSENCE OF A REMAND.

THAT COULD JUST BE DONE ON CONTINUANCE?

>> IT COULD BE DONE ON CONTINUANCE TO FURTHER RESTRICT WHAT'S BEING REQUESTED RIGHT NOW.

AND IT WOULDN'T HAVE THE -- IT WOULDN'T GET ANOTHER ZHM REVIEW. >> STACY WHITE: COMMISSIONER COHEN, THAT WOULD BE AVAILABLE TO YOU AS A SUBSTITUTE MOTION.

>> HARRY COHEN: WELL, I, I DON'T KNOW IF I CAN MAKE THAT WITHOUT THE APPLICANT COMING FORWARD AND REQUESTING IT.

THAT I GUESS WAS MY, WAS MY QUESTION.

PROCEDURALLY, ON CITY COUNCIL YOU COULDN'T DO THAT.

THE APPLICANT HAD TO ASK FOR IT IN ORDER FOR IT TO, AND IF THAT'S

A DIFFERENT THAN THE RULE IS HERE, I, I, SO THAT WAS WHY I WAS A LITTLE UNCLEAR WHETHER IT WAS APPROPRIATE TO TRY TO DO THAT. >> PAT KEMP: I BELIEVE IT'S DIFFERENT, BUT --

>> AND THERE IS, THERE IS AN ELEMENT HERE SINCE THIS IS A STANDARD ZONING DISTRICT WITH RESTRICTIONS, WE CAN ONLY IMPOSE THOSE RESTRICTIONS THAT ARE AFFIRMATIVELY OFFERED UP BY THE

APPLICANT.

SO IT'S NOT LIKE A PLANNED DEVELOPMENT WHERE WE HAVE ADDITIONAL CONDITIONS.

THE APPLICANT HAS TO MAKE THAT REQUEST FOR, FOR, FOR ADDING ADDITIONAL RESTRICTIONS.

I THINK IT WOULD BE APPROPRIATE TO HEAR IF THE BOARD'S WOULD LIKE TO WHETHER THE APPLICANT IS WILLING TO SUGGEST OR PROPOSE ADDITIONAL RESTRICTIONS ON WHAT IS --

>> COMMISSIONERS?

>> PAT KEMP: YES?

>> I JUST IN SAUNDERS, THE APPLICANT HAS ADVISED US THEY'RE WILLING TO MAKE SOME ADDITIONAL CHANGES TO THE APPLICATION TO RESTRICT USE.

I DON'T KNOW IF THAT INFORMS THE DISCUSSION OR NOT, BUT THEY'RE AMENABLE TO EITHER A CONTINUANCE OR REMAND.

>> KIMBERLY OVERMAN: LET'S DO A CONTINUANCE.

>> HARRY COHEN: I'D LIKE TO MAKE A SUBSTITUTE MOTION FOR A CONTINUANCE.

>> STACY WHITE: SECOND.

>> PAT KEMP: OKAY.

WE HAVE A SUBSTITUTE MOTION FOR CONTINUANCE WITH COMMISSIONER COHEN AND SECONDED BY COMMISSIONER WHITE.

WE HAVE SEVERAL COMMISSIONERS IN THE QUEUE.

OKAY.

YOU'RE OUT.

OKAY.

COMMISSIONER SMITH, YOU'RE RECOGNIZED.

>> MARIELLA SMITH: YES, AND I'M GOING TO SUPPORT GIVING THE APPLICANT MORE TIME.

I WOULD'VE PREFERRED A REMAND BECAUSE THAT WOULD ALLOW THE PLANNING COMMISSION AND THE ZONING HEARING MASTER TO REVIEW AND WEIGH IN ON WHETHER THEY BECOME COMFORTABLE WITH THE CONDITIONS OR NOT.

MR. GORMLY, IS THERE, I THINK WHAT HAPPENS IF IT'S A CONTINUANCE IS THEN WE CAN ASK QUESTIONS OF THE PLANNING COMMISSION STAFF, WE CAN ASK QUESTIONS OF YOU IN OUR BRIEFINGS, AND BUT IF IT'S, IF IT'S COMMERCIAL GENERAL WITH -- IF IT STAYS COMMERCIAL GENERAL RATHER THAN SAY GOING TO COMMERCIAL NEIGHBORHOOD OR BUSINESS PROFESSIONAL OFFICE, WOULD YOU BE ABLE TO ADVISE US THAT THE RESTRICTIONS HAVE THAT THEY PROPOSE HAVE OVERCOME THE PROBLEMS THAT ARE, YOU CURRENTLY SEE COULD HAPPEN WITH THE WIDE RANGE OF USES ALLOWED? >> DEPENDING ON WHAT THE APPLICANT OFFERS, WE WOULD ENDEAVOR TO GIVE THAT TYPE OF FEEDBACK TO THE BOARD.

THE RECORD WILL STILL BE SET IN TERMS OF FACTUAL EVIDENCE THAT COULD BE CONSIDERED, BUT YOU KNOW, IF THE APPLICANT WERE TO PROPOSE ADDITIONAL RESTRICTIONS ON THIS PROJECT, WE'D CERTAINLY COME BACK AND PROVIDE SOME, SOME PERSPECTIVE ON THE BOARD OF HOW THOSE ADDITIONAL RESTRICTIONS RELATE TO WHAT OR -->> MARIELLA SMITH: GOOD AND LET ME JUST ASK MS. LEINHARD FROM

THE PLANNING COMMISSION.

WOULD YOU BE ABLE TO ADVISE US, YOU KNOW, IN A NUANCED WAY ABOUT WHETHER OR NOT THE RESTRICTIONS PROPOSED BY THE APPLICANT HAVE OVERCOME YOUR CONCERNS ABOUT TRANSITION TO RESIDENTIAL USES, OR ARE YOU MORE RESTRICTED IN YOUR FINDING OF CONSISTENCY OR INCONSISTENCY WITH COMMERCIAL GENERAL?

CAN YOU, CAN YOU INCORPORATE REVIEW AND ADVICE ABOUT THE RESTRICTIONS THEY PUT ON COMMERCIAL GENERAL RESTRICTED USE AND ADVISE US IF THIS COMES BACK WITH STRONGER RESTRICTIONS? >> SURE, I'D BE HAPPY TO ANSWER THAT QUESTION. FOR THE RECORD, MELISSA LIENHARD, PLANNING COMMISSION STAFF. AS ADAM DID MENTION, THE CONTINUANCE WOULD ALLOW US TO MAKE GENERAL STATEMENTS ABOUT THE CHANGES AND SAY WHETHER AN APPLICANT IS MOVE IN THE RIGHT DIRECTION, BUT AGAIN, FOR THE RECORD WE WOULD NOT BE ABLE TO CHANGE OUR FINDING. IN ORDER TO DO THAT AND TO ALLOW MY TEAM AND I TO TAKE MORE OF A DEEP DIVE INTO THE PROPOSED CHANGES, WE WOULD NEED TO HAVE THE ITEM REMANDED.

>> MARIELLA SMITH: THANK YOU VERY MUCH.

>> THANK YOU.

>> MARIELLA SMITH: THANK YOU.

IN THIS CASE I WILL GO ALONG WITH THE CONTINUANCE INSTEAD OF THE REMAND BECAUSE IT JUST SEEMS LIKE SOMETHING THAT AS YOU SAID, COMMISSIONER COHEN, WE'RE CLOSER AND COMMISSIONER OVERMAN, SO I'LL GO ALONG WITH IT, BUT IT'S JUST GOOD TO UNDERSTAND THAT, YOU KNOW, THERE MIGHT BE OTHER CASES WHERE THE REMAND WOULD BE MORE APPROPRIATE PROCEDURALLY.

THANK YOU.

>> PAT KEMP: OKAY.

AND SEEING NO FURTHER DISCUSSION AT THIS POINT, WE HAVE A MOTION FOR A CONTINUANCE.

IT WAS MADE BY COMMISSIONER COHEN, SECONDED BY COMMISSIONER WHITE.

SEEING NO FURTHER DISCUSSION, PLEASE RECORD YOUR VOTE.

>> AND BOARD MEMBERS, THIS DATE WILL BE JUNE 8th AT 9:00 A.M. >> PAT KEMP: THANK YOU.

>> MOTION CARRIED 7-0.

>> PAT KEMP: THANK YOU.

OKAY.

AND WE ARE ON G2 AT THIS TIME.

MR. MOREDA, I SEE THAT WE, ORAL ARGUMENT HAS BEEN FILED IN THIS CASE, SO WE'LL NEED A MOTION AND A VOTE TO OPEN FOR ORAL ARGUMENT. WHO DID YOU SEE?

[LAUGHTER]

>> STACY WHITE: SO MOVED.

I WAS TRYING TO GET THE MIC ON.

[LAUGHTER]

>> PAT KEMP: OKAY.

SO WE HAVE --

>> KIMBERLY OVERMAN: AND I WILL SECOND THAT FOR YOU.

>> PAT KEMP: OKAY, WE HAVE COMMISSIONER WHITE, A MOTION TO OPEN FOR ORAL ARGUMENT, SECONDED BY COMMISSIONER OVERMAN.

COMMISSIONER WHITE, DID YOU WANT TO BE RECOGNIZED?

>> STACY WHITE: I'D LIKE TO, TO BE FIRST IN LINE AT THE END WHEN WE GET TO BOARD DISCUSSION.

>> PAT KEMP: I HAVE IT.

THANK YOU.

OKAY.

AND SO WITH THAT, PLEASE RECORD YOUR VOTE.

>> MOTION CARRIED 7-0.

>> PAT KEMP: OKAY.

AND MR. MOREDA, YOU ARE RECOGNIZED.

>> THANK YOU, COMMISSIONERS.

THIS BRINGS US TO ITEM G2, REZONING PD20-0394.

THIS APPLICATION IS LOCATED ABOUT 500 FEET NORTH OF THE INTERCESSION OF BOYETTE ROAD, CHANNING PARK ROAD. THE APPLICATION IS PROPOSING RESIDENTIAL DEVELOPMENT WITHIN RES 2 OF THE COMP PLAN.

CURRENT ZONING IS AR WHICH PERMITS ONE UNIT PER FIVE ACRES. THIS APPLICATION WAS OPEN TO CONTINUE THIS HEARING AT THE LAST BOARD MEETING.

PRIMARILY TO DEAL WITH A TRANSPORTATION MATTER, REEVALUATE IT. THE APPLICANT HAS SINCE PROPOSED WORKING WITH STAFF A NEW CONDITION NUMBER 9, MR. MIKE WILLIAMS OF OUR STAFF IS GOING TO SPEAK TO THAT ITEM.

>> GOOD MORNING, COMMISSIONERS, MIKE WILLIAMS HERE WITH DEVELOPMENT SERVICES STAFF.

SO AT THE BOARD'S DIRECTION FROM LAST MONTH, WE WENT BACK AND DISCUSSED WITH THE APPLICANT OPTIONS FOR WHAT COULD BE DONE HERE AND POSED A CONDITION.

I BELIEVE THAT CONDITION HAS BEEN HANDED OUT TO EACH OF YOU THIS MORNING.

ESSENTIALLY WE HAVE THE BOARD -- THE APPLICANT WOULD EXTEND THE SIDEWALK FROM THE EXISTING CHANNING PARK ROAD THAT IT GOES MAYBE 100 FEET NORTH OF THE INTERSECTION NOW AND BE EXTENDED ANOTHER 500 FEET OR SO TO THE NORTH, AND THAT WOULD ALSO INCLUDE EXTENDING THE CURB UP THERE TO BE ABLE TO FIT THE SIDEWALK IN. IF YOU HAVE ANY QUESTIONS ABOUT THAT, I'D BE HAPPY TO ANSWER THOSE.

>> PAT KEMP: THANK YOU AND AT THIS TIME, IF WE CAN RECOGNIZE THE APPLICANT.

>> GOOD MORNING, MADAM CHAIR AND BOARD MEMBERS.

I'M MICHAEL HORNER, 14502 NORTH DALE MABRY HIGHWAY, TAMPA, 33618.

I'LL BE BRIEF.

COMMISSIONERS, THANK YOU FOR YOUR CONSIDERATION ON THIS ITEM. WE WORKED DILIGENTLY AS MR. WILLIAMS NOTED AND MR. MOREDA. THIS CONDITION HAS BEEN AMENDED.

IT DOES PROVIDE FOR WHAT WE THINK IS AN EQUITABLE SOLUTION TO PROVIDE SIDEWALK IMPROVEMENTS AND CONNECTIVITY.

AGAIN, THIS IS 13.2 ACRES.

20 LOTS.

1.5 UNITS PER ACRE, URBAN SERVICE AREA, NO OBJECTIONS, UNANIMOUS RECOMMENDATIONS OF APPROVAL.

AND WE BELIEVE IT'S A REASONABLE AND FAIR CONDITION THAT MY CLIENT AND OUR TEAM ARE HAPPY TO ACCEPT AND WE WOULD ASK FOR YOUR GRACIOUS SUPPORT OF THIS AMENDED CONDITION AS WELL. THANK YOU.

>> PAT KEMP: THANK YOU.

AND WE HAVE NO ONE SIGNED UP TO SPEAK IN OPPOSITION OR SUPPORT. SO AT THIS TIME, AND I'M ASSUMING YOU'LL WAIVE REBUTTAL. AND. >> YES, MA'AM.

>> PAT KEMP: AT THIS TIME WE'LL MOVE TO THE PLANNING COMMISSION. >> THANK YOU, MELISSA LIENHARD, PLANNING COMMISSION STAFF. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RESIDENTIAL 2 FUTURE LAND USE CATEGORY.

THE SITE IS LOCATED IN THE URBAN SERVICE AREA AND ALSO WITHIN THE LIMITS OF THE SOUTH SHORE AREA-WIDE SYSTEMS PLAN.

THE APPLICANT IS REQUESTING A PLANNED DEVELOPMENT TO DEVELOP THE SITE WITH SINGLE-FAMILY RESIDENTIAL.

THE PROPOSED USE IS CONSISTENT WITH AND IS AN ALLOWABLE USE WITHIN THE RESIDENTIAL 2 FUTURE LAND USE CLASSIFICATION.

THE SUBJECT SITE IS LOCATED WITHIN THE URBAN SERVICE AREA WHERE MOST NEW GROWTH SHOULD BE DIRECTED PER THE COMPREHENSIVE PLAN. AS PER POLICY 1.2 OF THE FUTURE LAND USE ELEMENT, THESE SITES ARE TO BE DEVELOPED AT A MINIMUM OF 75% OF THE ALLOWABLE DENSITY PER EACH LAND USE CATEGORY.

THERE IS A TOTAL OF 13.2 ACRES WITHIN THIS SITE AND THAT TOTALS 26 UNITS THAT CAN BE PROPOSE.

THE APPLICANT IS REQUESTING A DENSITY BELOW WHAT CAN BE CONSIDERED ON THE SITE BUT IT IS MEETING THE MINIMUM DENSITY CONSISTENT WITH POLICY 1.2 OF THE FUTURE LAND USE ELEMENT. THE IMMEDIATE DEVELOPMENT PATTERN CONSISTS OF A MIXTURE OF LOT SIZES.

THERE ARE LARGE LOT SINGLE-FAMILY DETACHED RESIDENTIAL USES TO

THE NORTH AND EAST ACROSS BOYETTE ROAD, AND SMALLER LOTS THAT ARE APPROXIMATELY A QUARTER ACRE IN SIZE THAT ARE LOCATED TO THE WEST.

ACCORDING TO POLICY 1.4 OF THE FUTURE LAND USE ELEMENT, COMPATIBILITY DOES NOT MEAN THE SAME AS, RATHER REFERS TO THE SENSITIVITY OF DEVELOPMENT PROPOSALS IN MAINTAINING THE CHARACTER OF EXISTING DEVELOPMENT.

PLANNING COMMISSION STAFF HAS DETERMINED THAT THE PROPOSED USE MEETS THE INTENT OF FUTURE LAND USE ELEMENT OBJECTIVE 16, AND ITS ACCOMPANYING POLICIES REGARDING COMPATIBILITY.

THESE POLICIES REQUIRE COMPATIBILITY OF RESIDENTIAL

DEVELOPMENT TO THE SURROUNDING AREA.

THE APPLICANT IS PROPOSING A MINIMUM LOT SIZE OF 9,750 SQUARE FEET WHICH IS COMPARABLE TO THE LOT SIZES IN THE SURROUNDING DEVELOPMENT PATTERN.

AND BASED UPON THOSE CONSIDERATIONS, PLANNING COMMISSION STAFF FINDS THE PROPOSED PLANNED DEVELOPMENT CONSISTENT WITH THE FUTURE OF HILLSBOROUGH COMPREHENSIVE PLAN FOR UNINCORPORATED HILLSBOROUGH COUNTY, SUBJECT TO THE CONDITIONS PROPOSED BY THE DEVELOPMENT SERVICES DEPARTMENT.

THANK YOU.

>> PAT KEMP: THANK YOU.

AND CAN WE HAVE THE ZONING HEARING MASTER'S RECOMMENDATION? >> YES, THANK YOU.

THE ZONING HEARING MASTER CONSIDERED THE REQUEST FOR A REZONING OF THIS SUBJECT PROPERTY WHICH CONSISTS OF APPROXIMATELY 13.2 ACRES OF UNDEVELOPED LAND LOCATED ON THE WEST SIDE OF BOYETTE ROAD AND NORTH OF CHANNING PARK ROAD. THE SUBJECT PROPERTY IS CURRENTLY ZONED AGRICULTURAL RURAL DESIGNATED RESIDENTIAL 2 ON THE FUTURE LAND USE MAP. THE REQUEST IS TO REZONE THE PROPERTY TO PD TO ALLOW A MAXIMUM OF 20 SINGLE-FAMILY LOTS.

AND THIS IS WITHIN THE URBAN SERVICE AREA WITH WATER AND WASTEWATER SERVICES PROVIDED BY THE COUNTY.

WITHIN THE SOUTH SHORE AREA-WIDE SYSTEMS COMMUNITY PLAN AREA. THE ZONING HEARING MASTER LOOKED AT THE SURROUNDING PROPERTIES AND FOUND THAT SURROUNDING PROPERTIES ARE ZONED AGRICULTURAL RURAL TO THE NORTH, DEVELOPED WITH LARGE LOTS FOR USES RESIDENTIAL AND OPEN SPACE.

PROPERTIES TO THE WEST ARE ZONED PD AND DEVELOPED IN RESIDENTIAL USE IN THE CHANNING PARK NEIGHBORHOOD WITH LOT SIZES OF APPROXIMATELY 8700 SQUARE FEET, 60 TO 70 FEET OF LOT WIDTH. PROPERTIES TO THE EAST ARE ZONED AR DEVELOPED WITH SINGLE-FAMILY RESIDENTIAL AND PROPERTY TO THE SOUTH IS ZONED PLANNED DEVELOPMENT, DEVELOPED WITH OPEN SPACE ADJOINING CHANNING PARK ROAD.

THE ZONING HEARING MASTER'S REPORT EXPLAINED THE APPLICANT'S ORIGINAL OBJECTION TO CONDITION 9 AS STATED IN THE DEVELOPMENT

SERVICES STAFF REPORT ORIGINALLY REGARDING IMPROVEMENTS TO BOYETTE ROAD.

AS YOU'VE HEARD FOR TODAY'S MEETING, THE APPLICANT HAS AGREED TO THE REVISED CONDITION 9 PROPOSED LANGUAGE REGARDING THESE TRANSPORTATION IMPROVEMENTS, AND SO THAT ISSUE WAS CHANGED FROM THE ORIGINAL ZONING HEARING MASTER RECOMMENDATION.

THE PROPOSED PLANNED DEVELOPMENT WITH THE MINIMUM LOT SIZE OF 97,750 -- I'M SORRY, 9,750 SQUARE FEET IS COMPARABLE TO LOT SIZES IN THE SURROUNDING DEVELOPMENT PATTERN WITH NO ISSUES OF COMPATIBILITY WITH REGARD TO SUBJECT SURROUNDING PROPERTIES TO THE SUBJECT PROPERTY.

THE ZONING HEARING MASTER FOUND THAT THE PROPOSED PLANNED DEVELOPMENT WITH THE APPROVAL CONDITIONS AS RECOMMENDED BY DEVELOPMENT SERVICES IS CONSISTENT WITH THE RESIDENTIAL 2 FUTURE LAND USE DESIGNATION AND FOUND THE REQUEST TO BE CONSISTENT OVERALL WITH THE COMPREHENSIVE PLAN. THE ZONING HEARING MASTER THEREFORE RECOMMENDED APPROVAL.

>> PAT KEMP: THANK YOU.

AND WITH THAT WE'LL MOVE TO BOARD DISCUSSION.

COMMISSIONER WHITE, YOU'RE RECOGNIZED.

>> STACY WHITE: THANK YOU, MADAM CHAIR.

COMMISSIONERS, AS I SAID AT THE LAST MEETING, I WAS READY TO VOTE ON THIS ONE LAST TIME.

THIS IS A SMALL INFILL DEVELOPMENT SITE.

THE SIZE OF IT PALES IN COMPARISON TO CHANNING PARK AND FISH HAWK THAT IT'S SURROUNDED BY, AND THOSE AND OTHER DEVELOPMENTS ARE REALLY THE ONES THAT ARE PUTTING PRESSURE ON BOYETTE ROAD. ONE THING THAT I FAILED TO ASK STAFF AT THE LAST MEETING, THIS DEVELOPMENT'S PORTION OF BOYETTE ROAD IF YOU WILL IS JUST A FEW HUNDRED FEET, RIGHT?

>> YES, THAT'S CORRECT.

>> STACY WHITE: AND UNDER THE ORIGINAL CONDITION 9 IF THAT FEW HUNDRED FEET WERE APPROVED TO COUNTY STANDARDS, WHAT WOULD HAPPEN TO THE FEW HUNDRED FEET WHEN THE COUNTY GETS READY TO, YOU KNOW, BRING ALL OF BOYETTE ROAD UP TO COUNTY STANDARDS? >> THE EXISTING IMPROVEMENT WOULD HAVE TO EITHER BE BLENDED IN OR REDONE DEPENDING ON HOW THE PROJECT WOULD BE.

>> STACY WHITE: PROBABLY REDONE.

I MEAN I WOULD THINK YOU ARE GOING TO HAVE TRUCKS, YOU KNOW, DRIVING ALL OVER IT AND EVERYTHING.

LOOK, I THINK THIS NEW CONDITION IS REASONABLE.

I THINK THE APPLICANT HAS MADE A GOOD FAITH EFFORT TO DO THEIR PART FOR TRANSPORTATION INFRASTRUCTURE AROUND THIS DEVELOPMENT SO I WILL MOVE APPROVAL OF THE ITEM.

>> PAT KEMP: SO WE HAVE A MOTION BY COMMISSIONER WHITE AND SECONDED BY COMMISSIONER SMITH.

AND COMMISSIONER SMITH, YOU ARE RECOGNIZED.

>> MARIELLA SMITH: RIGHT.

AND I AGREE, COMMISSIONER, THAT YOU KNOW, THEIR SECTION WOULD'VE BEEN SMALL FOR A FULL BLOWN BRING UP TO COUNTY STANDARDS. BUT I DO FEEL LIKE WE ARE IN SUCH A PICKLE WITH TRANSPORTATION TO TURN A PHRASE THAT WE NEED TO ASK EVERYBODY TO PITCH IN TO HELP ALLEVIATE THEIR IMPACTS.

AND THIS CONTINUANCE HAS ALLOWED THIS PROPOSAL TO BE MADE BETTER IN TWO IMPORTANT WAYS.

BOYETTE ROAD IS ONE OF THOSE SUBSTANDARD COUNTY ROADS THAT'S BARELY WIDE ENOUGH FOR TWO-WAY CAR TRAFFIC WITHOUT THE SIDEWALKS AND BIKE LANES, AND THE ROAD DROPS OFF INTO STEEP DRAINAGE DITCHES ON EITHER SIDE SO IT'S NOT AS SAFE AS IT SHOULD BE FOR PEDESTRIAN AND CYCLISTS.

ONE OF THE SUGGESTIONS I MADE WAS THIS DEVELOPER COULD HAVE CONTRIBUTED TO THE ROUNDABOUT THAT IS GOING IN ABOVE I THINK THAT DOORMAN AND BOYETTE ROAD.

THAT WOULD'VE BEEN REASONABLE BUT I AGREE THESE ARE REASONABLE IMPROVEMENTS.

WHEN SOMEONE WANTS TO DEVELOP IN A WAY THAT IS ADDING TRAFFIC TO OUR ROADS, WE NEED TO, WE NEED THEM TO STEP UP AND MAKE THE ROADS SAFE FOR THE CARS AND THE PEOPLE THEY ARE ADDING TO THE ROADS AND DO THEIR PART IN THAT.

THIS REZONING PROPOSAL INITIALLY CAME TO US WITH THE APPLICANT ASKING US TO DO NOTHING TO IMPROVE THIS SUBSTANDARD ROAD. SO I'M GLAD TO SEE THEY ARE NOW WILLING TO DO A LITTLE SOMETHING TO IMPROVE THE SAFETY OF THE ROAD WHERE THEY ARE ADDING TO THE TRAFFIC.

SO THAT'S THE FIRST WAY THIS PROPOSAL HAS BEEN MADE BETTER WITH ROAD IMPROVEMENTS.

THE SECOND WAY THIS PROPOSAL HAS BEEN MADE BETTER IS THAT THE PROCESS OF NEGOTIATING THE ROAD IMPROVEMENTS HAS BEEN BROUGHT UP TO OUR CURRENT PROCESS WHICH YOU CAN SEE IN THE NEW CONDITIONS WITH THE STRIKETHROUGH OF THAT OLD FASHIONED

LANGUAGE -- OUTDATED LANGUAGE LET'S SAY.

THIS NEW CURRENT PROCESS IS A MORE TRANSPARENT, ACCESSIBLE, ACCOUNTABLE PROCESS OF NEGOTIATING ROAD IMPROVEMENTS AND DESIGN EXCEPTIONS.

ORIGINALLY THIS CAME TO US WITH THE OUTDATED LANGUAGE THAT USED TO ALLOW THE DEVELOPER TO WORK OUT THE DESIGN EXCEPTIONS AFTER THE ZONING IS GRANTED IN AN ADMINISTRATIVE PROCESS BEHIND THE SCENES.

AND THAT OLD WAY OF DOING THINGS KEEPS THE DESIGN EXCEPTIONS AND ROAD IMPROVEMENTS OUT OF REACH OF THIS BOARD AND OUTSIDE THE PUBLIC'S VIEW.

THE WAY THIS IS BROUGHT TO US NOW, EVERYONE CAN SEE SPECIFICALLY WHAT THE ROAD IMPROVEMENTS THE DEVELOPER IS COMMITTING TO IN THIS PUBLIC HEARING, AND WE CAN AGREE OR NOT AS A BOARD RATHER THAN LEAVING THAT TO THE APPLICANT AND STAFF TO NEGOTIATE LATER PRIVATELY AFTER WE GRANT THE REZONING. THAT'S A DIFFERENT KIND OF NEGOTIATION THAN WHEN IT'S DONE ALONG WITH THE, WITH THE REZONING, AND AFTER THE PUBLIC HAS ANY CHANCE TO REVIEW OR PARTICIPATE.

NOW, ACTUALLY I DO THINK IT'S IMPORTANT THAT ALL THE ROAD IMPROVEMENTS ARE LAID OUT PUBLICLY IN THE REZONING APPLICATION, NOT JUST HERE, BUT BEFORE IT GOES TO THE ZONING HEARING MASTER SO THE PUBLIC CAN FULLY UNDERSTAND WHAT IS BEING PROPOSED FOR THEIR LOCAL ROADS FROM THE START, AND THAT WOULD ALLOW THE PUBLIC TO COMMENT ON THE ROAD IMPROVEMENTS OR THE LACK THEREOF AT THE ZONING HEARING BEFORE THIS FINAL COUNTY COMMISSION HEARING. AND THAT WOULD ALLOW THEM TO COMMENT TO THE ZONING HEARING MASTER AND THEN TO COMMENT TO US BECAUSE REMEMBER THAT IN HILLSBOROUGH COUNTY, IF YOU DON'T MAKE YOUR COMMENTS AT THE ZONING HEARING ON SOMETHING, YOU DON'T GET TO MAKE THEM HERE.

SO YOU KNOW, I KNOW THAT WE ARE DOING MOST OF OUR REZONING PROPOSALS THAT WAY NOW.

BUT I WANT TO GO ON RECORD SAYING THAT TO ME, WHEN THIS IS NOT DONE, IT WOULD BE A GOOD REASON FOR A REMAND ALL THE WAY BACK TO THE ZONING HEARING MASTER TO ENSURE THAT THE PUBLIC HAS AN OPPORTUNITY TO SEE HOW THE ROADS WILL BE HANDLED AND TO PROVIDE PUBLIC COMMENT ON THAT CRITICAL PIECE SO THEN THEY HOLD THEIR PLACE AND THEY CAN TALK TO US ABOUT IT AND THE ZONING HEARING MASTER AND US CAN HEAR PUBLIC COMMENT ABOUT THAT. SO IN THIS CASE, I'LL SUPPORT THIS ITEM NOW THAT IT HAS INCORPORATED THESE IMPROVEMENTS, BUT I WANTED TO MAKE THOSE POINTS WITH, WITH STAFF AND THE BOARD ABOUT THE IMPROVEMENTS -- THE DIRECTION WE'RE HEADED WITH IMPROVING THIS PROCESS FOR ROAD IMPROVEMENTS AND DESIGN EXCEPTIONS TO BE INCORPORATED IN THE ZONING AT THE ZONING HEARING MASTER. THANK YOU.

>> PAT KEMP: THANK YOU.

COMMISSIONER OVERMAN, YOU'RE RECOGNIZED.

>> KIMBERLY OVERMAN: THANK YOU.

I'M ALSO GOING TO SUPPORT MOVING THIS FORWARD.

BUT I DO WANT TO REMIND ALL OF US TO YOUR POINT, YOU KNOW, THERE ARE ISSUES THAT ARE CHALLENGING WITH ANY DEVELOPMENT IN THIS AREA, AND WHILE YOU'VE INDICATED THAT IT'S REALLY NOT THE DENSITY THAT'S ALREADY BEEN CREATED IN THE AREA THAT COMPROMISES THIS, SOME OF THE ISSUES HERE.

BECAUSE THIS IS REALLY ONLY BEING PROPOSED FOR APPROXIMATELY 20 UNITS, WHICH IS GREAT.

BUT WE HAVE ACCORDING TO THE BACKUP MATERIALS, THERE IS NO SCHOOL CAPACITY IN THIS AREA TO ADDRESS THE FEWER NUMBER OF STUDENTS BUT THE CAPACITY'S ALREADY BEEN EXCEEDED IN THE AREA, AND THERE'S STILL SOME SIGNIFICANT WETLAND ISSUES THAT PROBABLY IN THE PROCESS OF GOING THROUGH THIS PROCESS FOR DEVELOPMENT THAT WILL HAVE TO BE ADDRESSED.

SO WHILE THIS PARTICULAR PROJECT HAD SEVERAL SORT OF BARRIERS

TO MOVING FORWARD, MANY OF THOSE THINGS HAVE BEEN ADDRESSED, AND I THINK LOOKING AT THE PROCESS AND ADDRESSING THOSE ISSUES, BECAUSE SCHOOL CAPACITY, WETLAND, AND TRANSPORTATION FOR ANY DEVELOPMENT IN THIS AREA IS GOING TO BE THOSE ISSUES THAT WE'RE GOING TO FIND ARE MAKING IT REALLY CHALLENGING TO MOVE FORWARD, AND TO GIVE POTENTIAL DEVELOPMENT THAT MAKES SENSE FOR THE AREA A CLEAR ROAD TO SUCCESS.

SO TAKING INTO CONSIDERATION THE PRESSURES AND THE CHALLENGES THAT ARE IN THIS PARTICULAR AREA, IT IS INSIDE THE SERVICE AREA, SO WE HAVE THE, THE SERVICE AVAILABLE FOR UTILITIES AND OTHER INFRASTRUCTURE, WHICH IS POTENTIALLY DOABLE.

BUT TO THE, TO YOUR POINT, IF WE ADDRESS SOME OF THOSE OTHER CAPACITY RELATED TYPES OF CHALLENGES, OR DEVELOPMENT CHALLENGES ESPECIALLY IN WETLANDS CIRCUMSTANCES, YOU KNOW, IT'LL MAKE IT EASIER FOR THESE PROJECTS TO MOVE FORWARD, AND I'M LOOKING FORWARD TO SEEING THAT PROCESS IMPROVED WITH THE RECENT CHANGES. SO I'LL STOP THERE.

>> PAT KEMP: AND I DON'T SEE ANY OTHER COMMISSIONERS WHO ARE LOOKING TO SPEAK, BUT GOOD POINTS, COMMISSIONER OVERMAN, BUT COMMISSIONER SMITH, I REALLY WANT TO THANK YOU I THINK FOR BRINGING THIS BACK, AND I UNDERSTAND, COMMISSIONER WHITE, IT LOOKS KIND OF DE MINIMIS IN COMPARISON TO THE HUGE PROJECTS THAT WE FACE AND EVERYTHING, BUT I, I'M WITH COMMISSIONER SMITH ON THIS IN THAT I REALLY APPRECIATE THAT YOU HIGHLIGHTED THIS SMALL

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PROJECT BUT YOU KNOW LOOKED FOR A CONTRIBUTION TO BE MADE, AND MADE THAT, THAT ARGUMENT THAT HIGHLIGHTED THAT LAST MEETING BECAUSE I THINK IT'S REALLY IMPORTANT AND ALSO AGAIN, I'M SO, I THINK IT'S ABSOLUTELY CRITICAL THAT WE CHANGE THE, AND I KNOW THAT THAT'S HAS BEEN SOMETHING THAT YOU HAVE JUST WORKED ON SO HARD.

BUT CHANGED THE DESIGN EXCEPTION AND START MOVING THAT OUT OF THE STAFF BEHIND CLOSED DOORS AND INTO THE PUBLIC LIGHT AND WITH THE PUBLIC KNOWLEDGE.

AND I'LL ALSO, IT DOES SEEM LIKE IT WOULD MAKE A LOT OF SENSE TO HAVE THAT BEFORE THE ZONING HEARING MASTER WHEN THE PUBLIC ARE THERE AND ACTUALLY GETTING THE PROJECT.

SO I APPRECIATE HOW YOU HAVE HIGHLIGHTED THIS AND MOVED IT FORWARD AND I KNOW IT'S A SMALL PROJECT BUT I THINK IT'S AN IMPORTANT EXAMPLE OF THE PROCESS AND IT'S A GOOD WAY TO DO IT RIGHT AND DO IT WELL.

AND THIS IS NOT INEQUITABLE.

I THINK THAT'S THE WORD THAT ACTUALLY THE APPLICANT MAY HAVE USED OR, AN EQUITABLE TYPE OF REQUIREMENT IN TERMS OF THE LESSER IMPACTS.

BUT THANK YOU FOR THAT.

AND WITH THAT, SEEING NO FURTHER DISCUSSION, WE DO HAVE A MOTION BY COMMISSIONER WHITE, AND SECONDED BY COMMISSIONER SMITH. PLEASE RECORD YOUR VOTE.

55

- >> MOTION CARRIED 7-0.
- >> PAT KEMP: THANK YOU.
- AND MR. MOREDA.
- >> THANK YOU, BOARD MEMBERS.
- >> NO, MA'AM, THAT CONCLUDES THE AGENDA FOR TODAY.
- >> PAT KEMP: OKAY.
- THAT'S WHAT -- I WASN'T SURE IF WE -- IN TERMS OF G3.
- OKAY, THANK YOU.
- AND WITH THAT, SEEING NO FURTHER DISCUSSION, -- DID WE SET ANY KIND OF RECORD TODAY?
- [LAUGHTER]
- WITH THAT, WE'LL ADJOURN.
- >> THANK YOU.

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## PRIOR RECORD

## PROPOSED CONDITIONS OF APPROVAL

- 1. The maximum floor are ration (FAR) for the proposed PD project shall be 0.13.
- 2. The yards shall be in accordance with Section 6.06.00 of the Hillsborough County Land Development Code.
- 3. Buffering and screening shall be provided in accordance with Section 6.06.00 of the Hillsborough County Land Development Code.
- 4. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- 5. Concurrent with each plat/site/construction plan submittal, the developer shall submit a trip generation and site access analysis to Hillsborough County. Such analysis will be utilized to determine whether auxiliary (turn) lanes are warranted pursuant to Section 6.04.04.D. of the LDC. The developer shall construct all turn lanes meeting warrants.
- 6. Prior to or concurrent with the initial increment of development, the developer shall:
  - a. Improve Balm Riverview Rd., between the project driveway and Rhodine Rd., to current County standards for a TS-7 (Typical Section 7) roadway as found within the Hillsborough County Transportation Technical Manual (TTM); and,
  - Improve Rhodine Rd., between Balm Riverview Rd. and a point +/- 100 feet west of the intersection of Balm Riverview Rd. and Rhodine Rd., to current County standards for a TS-7 (Typical Section 7) roadway as found within the Hillsborough County Transportation Technical Manual (TTM).
- 7. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, deviations to building, parking, and buffer locations shall be permitted at the time of plat/site/construction plan review without requiring a modification of this PD, provided such modifications are necessary to provide right-of-way for a required or potentially required auxiliary (turn) lane.
- 8. Notwithstanding anything shown on the PD site plan to the contrary, the developer will be required to construct internal sidewalk connections or any other required site elements in accordance with LDC, Transportation Technical Manual and/or other applicable standards.
- 9. The developer shall be required to utilize public water and shall pay all costs to connect for service delivery. The project shall be subject to all applicable public water utility regulations from the Land Development Code for water and wastewater connections.
- 10. The developer shall provide illumination for all project access points sufficient to provide safe ingress and egress. The access point shall be visible at night from a distance of 200 feet in all directions which vehicles travel. However, no lighting shall adversely effect adjacent properties. The site lighting shall be in accordance with the LDC Part 6.10.00 for Exterior Lighting.
- 11. Stormwater detention/retention pond design requirements for the development shall be as listed below, unless otherwise approved by the Hillsborough County Environmental Protection Commission and the Hillsborough County Drainage engineer:

- a. The side slopes shall be no greater than 4:1.
- b. The banks shall be completely vegetated to the design low water elevation.
- c. The sides and the bottom of each pond shall not be constructed of impervious material.
- 12. The developer shall provide (a) fire hydrants, and/or (b) a Fire Protection Plan as determined by the Hillsborough County Fire Department.
  - a. If (a) is required, the developer shall install at the developer's expense, prior to the issuance of Certificates of Zoning Compliance, fire hydrants and, if necessary, water lines of a size necessary to meet minimum fire low and pressure requirements to provide adequate water resources for firefighting. The location and installation of the hydrants and water lines shall be subject to approval of the County Fire Department and the County Department of Water and Wastewater Utilities.
  - b. If (b) is required, the developer shall prepare a Fire Protection Plan for the site and development thereof. The Plan shall be submitted to the County Department of Development Coordination prior to issuance of Zoning Compliance Permits along with evidence of approval, from the County Fire Department, of the Plan as submitted.
- 13. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 14. 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.
- 15. 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).
- 16. 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.
- 17. Development must be in accordance with all applicable regulations in the Hillsborough County Zoning Code and in accordance with all other applicable ordinances.
- 18. If the notes and/or graphics on the site plan are in conflict with these zoning conditions and/or Land Development Code (LDC) regulations, the more restrictive regulation and/or greater requirement shall prevail, unless specifically conditioned otherwise herein. 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. Commercial Neighborhood (CN) uses are permitted. However, the following CN uses are specifically excluded due to increased traffic generation: daycare, pharmacy (with or without drive-thru) and restaurant (with or without drive-thru).

#### PETITION NUMBER: PD RZ 20-1266 FINAL CONDITIONS MEETING DATE: March 15, 2021 OF APPROVAL DATE TYPED: March 15, 2021

20. Within ninety days of the rezoning approval by Hillsborough County Board of County Commissioners, the developer shall submit to the County's Development Services Department a revised General Development Site Plan for certification reflecting all the conditions outlined above.

## COUNTY OF HILLSBOROUGH

## **RECOMMENDATION OF THE LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ PD 20-1266 REMAND*
DATE OF HEARING:	October 18, 2021
APPLICANT:	Revestart, LLC
PETITION REQUEST:	A request to rezone property from AS 0.4 to PD to permit up to 10,640 square feet of Variety Store Retail land use
LOCATION:	11841 Balm Riverview Road
SIZE OF PROPERTY:	4.86 acres, m.o.l.
EXISTING ZONING DISTRICT:	AS 0.4
FUTURE LAND USE CATEGORY:	RES-4
SERVICE AREA:	Urban
COMMUNITY PLAN:	Riverview, SouthShore Areawide

\*This is the second remand of RZ PD 20-1266

## DEVELOPMENT REVIEW STAFF REPORT

## 1.0 Summary

## **1.1 Project Narrative**

The applicant is requesting to rezone a 4.86-acre parcel from AS.04 (Agricultural, Single-Family) to Planned Development to allow 10,640 square feet of retail/commercial uses in a single building. The parcel is located on west side of Balm-Riverview Road, 226 feet southeast of the intersection of Balm Riverview Road and Rose Lane.

The application was original heard at the March 15, 2021 Zoning Hearing Master Hearing. The applicant requested a remand to make changes to the request. The changes to the request were as follows:

- Reduced requested entitlements from 28,190 to 10, 640 square feet.
- Limited proposed uses from CN (Commercial Neighborhood) district uses to single use of Variety Store Retail
- Proposing enhanced and enlarged buffers/open space
- Proposed operating hours of 7 am to 9 pm
- Enhanced Architectural Design.

The remand hearing was conducted on July 26, 2021. At the subsequent BOCC Land Use Meeting on September 8, 2021, the application was remanded by the Board of County Commissioner. While no items/issues were specifically directed to be addressed as part of the remand, topics of discussion at the September 8, 2021 BOCC Land Use Meeting did include the placement of a conservation easement on the existing wetlands, the building design/rendering to be more consistent with Riverview Community Plan, connectivity and amount of existing/available retail in the area.

In response to the remand the applicant has offered the following changes/amendments and additional information for the record:

\*A commitment to place a conservation easement over the existing wetland.

\*A revised building rendering incorporating the following additional design features:

- Window glazing for the building sides visible from the right-of-way
- The sides of building visible from the roadway include split-face block the base along with lap siding, glazing and shake siding accents
- Portion of the window glazing include awnings
- o Enhance cornice detail on the parapet
- Revised color scheme for the building
- Full length entrance doors with glazing

## \*Parking

## \*Enhanced landscaping

\*Information comparing the suitability for development of the subject parcel versus undeveloped commercially zoned parcels at the intersection of Balm Riverview Road and Rhodine Road. Revised exhibit showing extent of sidewalks to be provided along Balm Riverview to the north and south of the parcel (based on sidewalks to be provided by applicant and those to be constructed by the County).

## **Compliance Overview with Land Development Code and Technical Manuals**

The application does not require any variations to Land Development Code Part 6.05.00 (Parking and Loading) 6.06.00 (Landscaping/Buffering) or 6.07.00 (Fences and Walls).

## **1.3 Evaluation of Existing and Planned Public Facilities**

The project area is located in the Urban Service Area with water and wastewater service provided by the Hillsborough County.

Transportation staff offered no objection. The proposed project is anticipated to increase (by 666 average daily trips, 33 a.m. peak hour trips, and 72 p.m. peak hour trips) the maximum trip generation potential of the subject property.

Balm Riverview Rd. is a substandard collector roadway. The applicant is requesting a Design Exception for the roadway. The Design Exception would generally allow the roadway to remain in its existing configuration; however, the developer is proposing to construct +/- 690 feet of additional sidewalk north of the project. If the zoning is approved, the County Engineer will approve the Design Exception.

The applicant requested a Section 6.04.02.B Administrative Variance from the Section 6.04.07 access spacing standards. If the zoning is approved, the County Engineer will approve the Administrative Variance request.

Per the Impact & Mobility Fee Coordinator, various use types allowed. Below are estimates of sample of potential development and related fees).

Industrial (Per 1,000 s.f.) Mobility: \$2,727.00 Fire: \$57.00

Retail - Conv Mkt. w/Gas (Per 1,000 s.f.) Mobility: \$29,658.00 Fire: \$313.00

Retail - Shopping Center (50k s.f. or less) (Per 1,000 s.f.) Mobility: \$8,382.00 Fire: \$313.00 Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$56,660.00 Fire: \$313.00

Warehouse

(Per 1,000 s.f.) Mobility: \$877.00 Fire: \$34.00

## **1.4 Natural Resources/Environmental**

Staff with the Environmental Protection Commission noted the presence of wetlands on the site and offered no objection to the Planned Development as presently designed.

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

## **1.5 Comprehensive Plan Consistency**

Planning Commission staff has found the revised request to be **INCONSISTENT** with the *Future of Hillsborough* Comprehensive Plan. The parcel does not meet Commercial Location Criteria. The applicant has submitted a request for waiver to the Commercial Location Criteria but is not being recommended for approval by Planning Commission staff. The updated staff report from the Planning Commission includes additional information/clarification regarding the basis for non-compliance with location criteria. Planning Commission staff acknowledged the applicant has moved closer towards meeting the intent through the recent amendments to the project but concluded that the project would still allow for development that is not compatible with the existing development and not provide for a gradual transition from commercial to residential uses.

## **1.6 Compatibility**

The parcel is immediately surrounded by large lot agricultural zoned properties to the north (AS-1), west (AS-0.4), south (AS-04) and east (AS-1), across Balm Boyette Road. These zoning districts permits agricultural, residential and residential support uses. Further to the southeast at the intersection Balm Boyette Road and Rhodine Road are commercial zoned and developed parcels. The subject parcel is separated from those parcels by an intervening parcel developed with a single-family home. As noted, the subject parcel does not meet commercial location criteria and Planning Commission staff is not in support of the requested waiver to location criteria based on concerns about the compatibility of the proposed use with the surrounding development pattern. Staff acknowledges that the revised proposal which includes additional architectural enhancements, enhanced landscaping and placement of the parking further from Balm Riverview Road helps to improve compatibility with the surrounding development area. However, staff concurs with Planning Commissions findings of inconsistency based upon locational criteria policies of the Hillsborough County Comprehensive Plan. The

extension of a commercial use at this location, despite the revised proposal, will expand the area of commercial development beyond the intersection and conflict with the planning objective of creating appropriate transitions of lesser intense uses between residential and non-residential areas of the community.

## **1.7 Agency Comments**

The following agencies have reviewed the application and offer no objections:

Water Resource Services Conservation and Environmental Land Management Transportation

## 1.8 Exhibits

Exhibit 1: Future Land Use Map Exhibit 2: Aerial/Zoning Map – General Area

Exhibit 3: Aerial/Zoning Map - Immediate Area

Exhibit 4: Proposed Site Plan

## 2.0 Recommendation

Based on the above consideration, staff finds the request not supportable

## Staff's Recommendation: Not Supportable

## SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on October 18, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Truett Gardner, 400 North Ashley Drive Tampa testified on behalf of the applicant. Mr. Gardner showed a PowerPoint presentation and stated that he hopes this was the last time this application came back to the Zoning Hearing Master as it has been back two times. He identified the location of the property and stated that the parcel is under five acres in size and was previously used as a fishpond but is now abandoned. Mr. Gardner described the use to the south as being developed with a residential structure which is under the same ownership as the auto repair store immediately to its south. He added that there are other commercial and single-family land uses in the area. The proposed use is variety store retail. The maximum size is proposed to be 10,640 square feet which equates to an FAR of 0.05 which is under the 0.25 which could be considered. Mr. Gardner explained the history of the rezoning petition and how the proposed land uses were narrowed down from all CN uses with a couple of exclusions to one land use which is variety store retail. Additionally, the maximum square footage

was reduced from 28,000 to 10,640 square feet. Three buildings were initially proposed but now one building is proposed on-site. The buffer on the southern property boundary has been increased and a commitment to place a conservation easement over the wetland area is included in the proposed zoning conditions. Mr. Gardner discussed the comments made by the Board of County Commissioners on September 8<sup>th</sup> and stated that they seemed to indicate that the Board wanted neighborhood serving commercial in the area. Commissioner Smith wanted a conservation easement which has provided in the proposed zoning conditions. The proposed sidewalk was clarified such that it will be constructed 700 feet to the north to connect it to the residential subdivision as well as the intersection to the south. Commissioner Overman asked if the property at the northwest corner was heavily treed and if the subject property was better suited for development. The applicant retained Naylor Engineering to evaluate the property at the northwest corner who concluded that the corner property has greater anthropogenic disturbance which means greater disturbance and less wetlands than the subject property which in summary means that the subject property is a better site to develop that the northwest corner parcel. Mr. Gardner concluded his presentation by stating that to the north of the corner parcel previously discussed is the auto repair store and singlefamily. Mr. Gardner concluded his presentation by stating that Commissioner Smith asked the applicant to review the architectural elements of the project to see if they could be made better with the Riverview area. Mr. Gardner stated that there is not much in the Land Development Code or the Riverview plan that provides guidance, but they were inspired by the Riverview library.

Mr. Jeff Lazenby with the Palmetto Capital Group testified as the developer of the project. He stated that Commissioner Smith asked for further enhancements of the building consistent with the Riverview Community Plan however there are no specific requirements from the Plan. Therefore, he looked at the Riverview Downtown District standards, the Keystone Odessa Rural development standards, and the Lutz Rural Area development standards as well as other stores in rural areas that received positive comments. Mr. Lazenby discussed one specific store located in Wimauma and showed a rendering of the building with window glazing on the street visible sides. That feature was taken from the Riverview downtown standards. The street level enhancements such as awnings was taken from the Keystone and Lutz standards. The parapet with cornice details with a stepped height to try to keep it looking like a box and muted colors are proposed to provide a light residential feel to the building. The alcove entryway provides a patio feel in the front. The Keystone and Lutz Rural standards specifically prohibit unsurfaced cement or block or stucco exterior finishes therefore the building is proposed to have a slat style siding. There will be shade style shingles to provide a local neighborhood store type look.

Mr. Gardner continued his presentation by stating that he wanted to focus on the directives from the Board of County Commissioners and would be happy to answer any questions.

Hearing Master Finch stated that she had read the Board of County Commissioners meeting minutes in detail from when the application was remanded. She added that

she would like Mr. Gardner to detail the points that were raised by the Board. Hearing Master Finch asked Mr. Gardner if there was any changed in the request in terms of the maximum square footage or the proposed use of the property as was previously submitted at the July Zoning Hearing Master hearing. Mr. Gardner replied no.

Hearing Master Finch asked Mr. Gardner about the issue raised by Commissioner Smith about the traffic associated with the proposed use as compared to the possible 18 homes that could be considered under the RES-4 plan category. Mr. Gardner replied that they have not run the exact comparison from the proposed 10,640 square foot store to the possible 18 homes but that the proposed use will generate 22 external am peak hour two-way trips which is probably comparable to the 18 homes but that he did not have exact figures. Hearing Master Finch asked Mr. Gardner if he was calculating the traffic based on the credit given for the 18 homes due to the RES-4 plan category and then identifying the increase based on commercial development. Mr. Gardner replied yes.

Hearing Master Finch stated that Mr. Gardner had answered the concern about the conservation easement as it now is a proposed zoning condition.

Hearing Master Finch asked about Commissioner Kemp's question of whether the site was ever designated as a Brownfield. Mr. Gardner replied that he did not believe the property was ever designated as a Brownfield.

Hearing Master Finch asked Mr. Gardner about Commissioner Overman's questions regarding the parcel at the northwest of the intersection of Rhodine and Balm Riverview which is currently zoned Commercial Neighborhood (CN). Commissioner Overman also discussed the sidewalk issue which is addressed as part of the applicant's proposal. Commission Cohen asked if the parcel at the intersection was developable. Hearing Master Finch asked Mr. Gardner if it was his testimony based on his analysis that the intersection parcel had a wetland on-site of about 23 percent. Mr. Gardner replied yes and added that the subject property has a wetland of 8.31 percent of the site. Hearing Master Finch asked Mr. Gardner if it would be fair to say that the parcel at the intersection of Rhodine and Balm Riverview was approximately 75 percent upland and developable as a conclusion of the applicant's analysis. Mr. Gardner replied yes.

Hearing Master Finch stated that Mr. Gardner had addressed in his presentation the comments by Commissioner Smith regarding consistency with the Riverview Community Plan.

Mr. Brian Grady, Development Services Department testified regarding the County's staff report. Mr. Grady stated that the application was remanded by the Board of County Commissioners and that the request in terms of the proposed square footage and use as a variety retail store remained the same. He added that the applicant has committed to placing a conservation easement over the existing wetland as well as revisions to the building renderings to incorporate various design features. The applicant analyzed the suitability for development of the subject parcel as compared to the undeveloped parcel

at the intersection of Balm Riverview and Rhodine Road. Mr. Grady stated that the applicant provided a revised exhibit showing the sidewalks that will be provided along Balm-Riverview to the north and south. The Planning Commission reevaluated the request and additional information as well as the non-compliance with commercial locational criteria. The parcel does not meet commercial locational criteria and the Planning Commission does not support the requested waiver. Mr. Grady testified that the Development Services Department acknowledges the revised proposal however staff continues to concur with the inconsistency with the locational criteria and the policies of the Comprehensive Plan. Staff finds the extension of the commercial uses will expand the commercial development beyond the intersection and conflicts with the planning objectives created to provide an appropriate transition of lesser intense uses between residential and non-residential land uses. Therefore, the staff report remains as finding the application no supportable.

Ms. Jillian Massey of the Planning Commission staff testified that the property is within the Residential-4 Future Land Use category and located in the Urban Service Area and the Riverview Community Planning Area. She testified that the application has been remanded twice by the Board of County Commissioners. Staff has reexamined the site however the changes do not satisfactorily address staff's compatibility concerns with the existing development pattern therefore there is no change to the Planning Commissioner's staff recommendation. The parcel does not meet commercial locational criteria. It is located three parcels to the northwest of the Balm Riverview Road and Rhodine Road intersection. Commercial locational criteria is based on the Future Land Use category of the property and whether the roadways are shown on the adopted 2040 Highway Cost Affordable Long Range Transportation Plan. Roadways listed in the table have two or four lane roadways that must be shown on the Highway Cost Affordable Long Range Transportation Plan to be considered to meet commercial locational criteria. Ms. Massey testified that per Policy 22.2, 75 percent of the site needs to be located within 900 feet of the intersection node. The applicant contends that the site meets commercial locational criteria as it is 903 feet from the intersection. The measurement does not take into account how sites are measured. Policy 22.2 states that all measurements should begin at the edge of the road right-of-way and the site must meet distance requirements within 75 percent of the site. The Planning Commission staff has determined that 75 percent of the project site is over 1,200 feet from the intersection therefore no meeting commercial locational criteria. Ms. Massey testified that the Planning Commission acknowledges that the proposed site planning techniques help to mitigate the impacts to residential uses, meeting commercial locational criteria does not guarantee approval of a commercial use. Consequently, the application that does not meet commercial locational criteria must demonstrate how it will further the goals, objectives and policies of the Comprehensive Plan. Policy 22.7 identifies several considerations that carry more weight than commercial locational criteria. These include compatibility. The use does not contribute to a gradual transition of uses within the area. Nor would the requested variety store provide an appropriate or compatible transition to the single-family residential immediately adjacent. She concluded her remarks by stating that the request is not consistent with the Riverview

Community Plan and that the rezoning request is inconsistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application.

Mr. Dennis Fackler 11808 Balm Riverview Road testified in opposition and stated that he lives directly across the street from the subject property. He described traffic problems in the area due to inadequate road infrastructure. He added that the traffic backs up in the morning and evening. Mr. Fackler stated that it sometimes takes him 10 minutes to exit his driveway and go one-half mile to the streetlight. He testified that if he goes to Rhodine Road it takes approximately thirty minutes because of traffic. The request is inconsistent with the residential neighborhood. Mr. Fackler concluded his comments by stating that there is a tremendous amount of wildlife in the area and he would like to keep it.

Ms. Zoe Fackler, 11808 Balm Riverview Road testified in opposition. Mrs. Fackler stated that the proposed building will be more than 10,000 square feet in size with a concrete floor. The stormwater drainage in the area is provided via ditches. The wetlands on-site are a collection point for the entire neighborhood. Ms. Fackler stated that the lots in the neighborhood are each 1.25 acres in size. Instead of an alley, there is a ditch behind the lots for drainage. She described the effect on the drainage in the area when the little mall to the south of them was developed due to its extensive amount of asphalt parking which removed the ground which would have normally percolated the stormwater runoff. She testified that a general store would generate more traffic than 18 homes. 18 homes would generate 18 cars going to work and coming home. The store would generate 10 to 20 cars every 30 minutes. Ms. Fackler testified that Balm Riverview Road is a narrow two-lane road which was installed in the 1980's. There is not enough area to install a sidewalk. While she would appreciate a sidewalk which is proposed by the developer, Ms. Fackler testified that it is not worth getting a commercial building. She stated that the home to the south of the subject property includes a car repair shop, but it is a home with a beautiful yard. Ms. Fackler concluded her remarks by stating that the area is residential and has a residential look and fee.

Hearing Master Finch asked Mr. Ratliff of the Development Services Department Transportation section to discuss the issue initiated by Commissioner Smith regarding the traffic generated by 18 homes that could be considered under the RES-4 land use category and how much traffic would be generated by the proposed 10,640 square foot store. Mr. Ratliff replied that 18 homes would generate 170 average daily trips, 13 am peak hour trips and 18 pm peak hour trips. He stated that the difference between the variety store and the 18 homes would be an increase of 505 average daily trips and an increase of 21am peak hour trips and an increase of approximately 55pm peak hour trips.

County staff did not have additional comments.

Mr. Gardner testified during the rebuttal period that the applicant is not asserting that the property meets commercial locational criteria. He added that the property is short three feet of the 900-foot requirement. The property also does not meet the required 75 percent threshold for locational criteria standards. Mr. Gardner testified that he is asserting and what the Board of County Commissioners seemed to pick up on was the mitigative measures that are proposed which are clearly stated in Policy 22.7 of the Comprehensive Plan. Those mitigative measures should be granted higher weight than the technical reading of the requirement for 900 feet and 75 percent. Mr. Gardner addressed the neighbors concerns regarding traffic by stating that they have provided specifics in their application regarding traffic issues. The concerns regarding wetlands are resolved by the commitment to connect to public water and sewer. Additionally, a zoning condition is proposed to require a conservation easement to protect the wetland.

The hearing was then concluded and Hearing Master Finch turned the remainder of the hearing over to Hearing Master Hatley.

## **EVIDENCE SUBMITTED**

No documents were submitted into the record.

## PREFACE

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

## **REMAND FINDINGS OF FACT**

- The following represents Findings of Fact regarding the second Remand of RZ PD 20-1266. The Findings of Fact found in the Zoning Hearing Master's Recommendation from the July 26, 2021 Remand hearing and the March 15, 2021 original hearing is referenced and incorporated into the Hearing Master's complete Recommendation.
- The subject site is 4.86 acres in size and is zoned Agricultural Single Family (AS-0.4). The property is designated Residential-4 (RES-4) by the Comprehensive Plan and located in the Urban Service Area and the Riverview Community Planning Area.

- 3. The request to rezone from AS-0.4 to Planned Development (PD) is for the purpose of permitting up to 10,640 square feet of the single land use of Variety Store Retail.
- 4. The Board of County Commissioners remanded the application to the Zoning Hearing Master to address several issues which are detailed in the Recommendation with responses from the applicant's representative and County staff.
- 5. The Planning Commission staff reexamined the site and rezoning application and found that the changes do not satisfactorily address staff concerns regarding compatibility with the existing development pattern. Staff found that the parcel does not meet commercial locational criteria as it is more than 900 feet from the qualifying intersection and less than 75 percent of the site is not located within the required distance. Additionally, the Planning Commission staff determined that 75 percent of the site is over 1,200 feet from the qualifying intersection. The Planning Commission acknowledged that the proposed site planning techniques help mitigate the impacts to residential uses however, the proposed variety retail store use does not contribute to a gradual transition of uses within the area nor would the requested variety store provide an appropriate or compatible transition to the single-family residential immediately adjacent. Therefore, the Planning Commission continues to find the rezoning request inconsistent with the Riverview Community Plan and the Comprehensive Plan.
- 6. The Development Services Department acknowledged the revised proposal however staff continues to concur with the inconsistency with locational criteria and policies of the Comprehensive Plan. Staff found that the extension of the commercial uses will expand the commercial development beyond the intersection and conflict with the planning objectives created to provide an appropriate transition of lesser intense uses between residential and non-residential land uses. Therefore, the Development Services Department does not support the rezoning request.
- 7. The applicant's representative testified that the proposed variety store retail use and proposed square footage of 10,640 square feet is the same request as was last heard by the Zoning Hearing Master on July 26, 2021.
- 8. Below is a summary of the responses to the Board of County Commissioner's questions subject of the Remand hearing.
  - a. Commissioner Smith: How does the traffic for the possible 18 homes (that could be considered under the RES-4 Future Land Use category) compared to the proposed 10,640 square foot variety store retail land use?

\**Applicant Response*: the applicant replied that they had not run the exact comparison from the proposed 10,640 square foot store compared to the possible 18 homes but that the proposed use will generate 22 external a.m. peak hour two-way trips which was probably comparable to the 18 homes but that they did not have exact figures.

\**County Response*: A Development Services Department Transportation Section staff person responded that the 18 homes would generate 170 average daily trips, 13 a.m. peak hour trips and 18 p.m. peak hour trips. The staff person further stated that the difference between the variety store and the 18 homes would be an increase of 505 average daily trips and an increase of 21 a.m. peak hour trips and an increase of approximately 55 p.m. peak hour trips.

b. Commissioner Smith: Could the applicant place a Conservation Easement on the existing wetlands?

\**Applicant Response*: The applicant's representative stated that a new zoning condition was proposed that would require a Conservation Easement on the existing wetlands.

\**County Response*: The Development Services Department staff person affirmed that a new zoning condition was proposed to ensure a Conservation Easement would be required.

c. Commissioner Smith: Can the project be consistent with the Riverview Community Plan in terms of design standards that would go along with the Riverview community's sense of place?

\**Applicant Response*: The applicant's representative stated that there was not much in the Land Development Code or the Riverview Community plan that provides guidance regarding design standards but they were inspired by the Riverview library. Further, the contract purchaser for the property testified that the building could have window glazing on the street visible sides which is a feature taken from the Riverview downtown standards. The street level enhancements such as awnings was taken from the Keystone and Lutz standards. The parapet with cornice details with a stepped height will prevent the building from looking like a box and muted colors are proposed to provide a light residential feel. Finally, shade style shingles are proposed to provide a local neighborhood store type look.

\**County Response*: The Development Services Department staff testified that the applicant committed to revisions to the building renderings to incorporate various design features.

d. Commissioner Kemp: Has the subject property been designated as a Brownfield area?

\**Applicant Response*: The applicant's representative testified that to his knowledge the property has not been designated as a Brownfield.

e. Commissioner Overman: Is the parcel that is located at the northwest corner of Rhodine and Balm Riverview Road which is heavily treed developable?

\**Applicant Response*: The applicant retained Naylor Engineering to evaluate the property at the northwest corner. The engineering firm concluded that the corner property has greater anthropogenic disturbance which means greater disturbance and less wetlands than the subject property which in summary means that the subject property is a better site to develop that the northwest corner parcel. The Naylor Engineering analysis stated that the northwest corner parcel is approximately 23% comprised of wetlands. The applicant's representative testified that the subject property has a wetland that encompasses 8.31% of the site. The Hearing Master asked the applicant's representative if it would be fair to say that the vacant parcel at the northwest corner of Rhodine and Balm Riverview Road was approximately 75 percent upland and therefore developable as a conclusion of the applicant's analysis. The applicant's representative replied yes.

f. Commissioner Overman: Why does the proposed sidewalk go to the north rather than the south?

\**Applicant's Response*: The applicant's representative testified that the proposed sidewalk will be constructed 700 feet to the north to connect to the existing residential subdivision and will also be installed to connect with the intersection to the south.

\**County Response*: Development Services staff confirmed that the applicant provided a revised exhibit showing the sidewalks will be provided along Balm-Riverview Road to the north and south.

g. Commissioner Cohen: If the parcel at the northwest corner of Rhodine and Balm Riverview Road is not developable, does that present an opportunity for a waiver of locational criteria for the subject property?

\*Applicant's Response: The applicant's representative stated that their analysis showed that the intersection parcel had an on-site wetland that comprised about 23 percent of the property and that the subject property has a wetland on-site of approximately 8.31 percent of the site thereby concluding that the subject property is a better site.

\**County Response*: The Planning Commission staff found that the parcel does not meet commercial locational criteria as it is more than 900 feet from the qualifying intersection and less than 75 percent of the site is not

located within the required distance. Additionally, the Planning Commission staff determined that 75 percent of the site is over 1,200 feet from the qualifying intersection. The Planning Commission staff does not support a waiver of commercial locational criteria as the proposed variety retail store use does not contribute to a gradual transition of uses within the area and does not provide an appropriate or compatible transition to the single-family residential immediately adjacent.

- 4. In response to the Board of County Commissioners comments, the applicant provided an analysis of the parcel at the northwest corner of Rhodine and Balm Riverview Road which shows that the parcel is comprised of approximately 75% upland acreage and therefore potentially developable. Further, the corner parcel is zoned Commercial Neighborhood (CN) and entirely located within the commercial locational criteria boundary. The vacant and yet to be developed parcel at the intersection should not be used as justification to extend the commercial node contrary to the standards of the Comprehensive Plan.
- 5. Testimony in opposition to the request was provided by the same neighbors that testified at the July 26, 2021 Zoning Hearing Master hearing. Their concerns focused on the impact to the adjacent residential area in terms of an increase in traffic, potential for flooding and compatibility of a commercial use adjacent to residential development.
- 6. County transportation staff testified that the difference between the proposed variety store and the possible 18 homes (under the current RES-4 Future Land Use category) would be an increase of 505 average daily trips and an increase of 21 a.m. peak hour trips and an increase of approximately 55 p.m. peak hour trips. It is noted that County transportation staff is not objecting to the proposed rezoning.
- 8. The land uses immediately to the south, west and north of the property are agricultural and single-family residential and are zoned AS-0.4 and AS-1. The parcels directly across Balm Riverview Road are large lot residential parcels zoned AS-1. Commercial land uses are located at the northwest and northeast corners of the intersection in accordance with commercial locational criteria defined node.
- 9. Policy 22.7 of the Future Land Use Element supports neighborhood serving commercial land uses when the proposed use is compatible with the surrounding development which is not the case with the subject property and existing development pattern.
- 10. The requested Planned Development for 10,640 square feet of Variety Store Retail use is inconsistent with the existing development pattern, the surrounding zoning districts and the Comprehensive Plan standard for commercial locational criteria.

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

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

## CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is not substantial competent evidence to demonstrate that the requested Planned Development rezoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

## SUMMARY

The request is to rezone 4.86 acres from AS-0.4 to PD to develop up to 10,640 square feet of Variety Store Retail use. The rezoning was remanded by the Board of County Commissioners to provide additional information regarding several land use issues. The applicant did not revise the request or the proposed square footage but did commit to certain design features and the establishment of a Conservation Easement on the existing wetlands.

The Board of County Commissioner questions and responses from the applicant's representative and staff can be found in the Findings of Fact above.

The Planning Commission found the request to be inconsistent with the Comprehensive Plan as the property does not meet commercial locational criteria. The Planning Commission does not support the requested waiver to the commercial locational criteria as it found that the surrounding existing development consists of large lot residential and agricultural operations. The Planning Commission acknowledged that the applicant has utilized site planning techniques but concluded that a variety store use would disrupt the gradual transition of the uses from the intersection to the residential area. In summary, the Planning Commission found the request to be inconsistent with the Comprehensive Plan.

The Development Services Department does not support the request as it found that the expansion of commercial uses on the subject property will expand the commercial development beyond the intersection and conflict with the planning objective of creating appropriate transitions of lesser intense uses between residential and non-residential areas in the community.

Testimony in opposition was provided by homeowners residing across the street from the subject property. The testimony focused on the existing transportation issues on Balm Riverview Road and concerns that the proposed development would worsen the traffic congestion and create the potential for flooding. Additionally, concerns were expressed regarding the incompatibility of the commercial use in the area. The requested Planned Development for 10,640 square feet of Variety Store Retail is inconsistent with the existing development pattern, the surrounding zoning districts and the requirement for commercial locational criteria.

## RECOMMENDATION

Based on the foregoing, this recommendation is for **DENIAL** of the Planned Development rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

Sum M. Fine

Susan M. Finch, AICP Land Use Hearing Officer

Date: November 8, 2021



Unincorporated Hillsborough County Rezoning		
Hearing Date: October 18, 2021 Report Prepared: October 8, 2021	Petition: PD 20-1266 REMAND 11841 Balm Riverview Road Northwest of the Balm Riverview Road and Rhodine Road intersection	
Summary Data:		
Comprehensive Plan Finding:	INCONSISTENT	
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)	
Service Area:	Urban	
Community Plan:	Riverview, SouthShore Areawide Systems	
Rezoning Request:	Rezone from Agricultural Single-Family Estate (AS-0.4) to a Planned Development (PD) allowing for a 10,640 sq. ft. variety store retail use	
Parcel Size (Approx.):	4.85 +/- acres	
Street Functional Classification:	Rhodine Road – <b>Collector</b> Balm Riverview Road – <b>Collector</b>	
Locational Criteria:	Does not meet; waiver submitted	
Evacuation Area:	None	



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#### <u>Context</u>

- The subject property is located on approximately 4.85 acres northwest of the Balm Riverview Road and Rhodine Road intersection. The subject property is located in the Urban Service Area. It falls within the Residential District of the Riverview Community Plan and is also located within the Southshore Areawide Systems Plan limits.
- The property is designated Residential-4 (RES-4) on the Future Land Use Map. Typical uses within the Residential-4 (RES-4) Future Land Use category include 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.
- The Residential-4 (RES-4) category is located to the north, south, and west of the subject property. Residential-1 (RES-1) is located to the east across Balm Riverview Road.
- The subject property is currently vacant and zoned Agricultural Single-Family Estate (AS-0.4). Single-family and vacant lots with Agricultural Single-Family (AS-1) zoning are located to the north. Single-family and vacant lots with AS-0.4 zoning are located to the west and south. Light Commercial and vacant lots with Commercial General (CG), Business, Professional Office (BP-O) and Commercial Neighborhood (CN) zoning are also located to the south of the property. Single-family residential with Agricultural Single-Family (AS-1) is located to the east across Balm Riverview Road.
- The applicant requests to rezone the subject property from Agricultural Single-Family Estate (AS-0.4) to a Planned Development (PD) allowing for a 10,640 sq. ft. variety store retail use.

#### Compliance with Comprehensive Plan:

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

#### **Future Land Use Element**

#### Urban Service Area (USA)

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

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

#### Neighborhood/Community Development

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

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

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

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

#### **Objective 17: Neighborhood and Community Serving Uses**

Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

#### **Policy 17.1:**

Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories consistent with the following criteria:

a) The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning;

#### 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.

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

**Policy 22.3:** In order to address instances where a site does not exactly meet the dimension requirements of the Chart in Policy 22.2, the following will apply:

- Where a proposed neighborhood commercial use is located such that the major roadway frontage associated with the proposed use exceeds the maximum distance specified in the Chart in Policy 22.2 but at least 75% of the frontage associated with the use is within that distance and under single ownership, then such proposed use may also be considered for approval.
- When an intersection is shown on the adopted Highway Cost Affordable Long Range Transportation Plan, as a three way, or "T" intersection, consideration for commercial development can occur as if there were a full intersection for locational purposes, but when determining the appropriate size development for each quadrant the configuration of the road may not support maximum square footage's due to the limiting nature of the intersection.

**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.

**Policy 22.9:** During the Zoning Conformance process, the Board of County Commissioners recognized the existence of neighborhood serving commercial uses or zoning which did not comply with the Locational Criteria for Neighborhood Serving Commercial uses. These sites are exempt from further review under the locational criteria, (location and specific square footage limitations outlined in the Chart) but are not exempt from review under all other policies of the Comprehensive Plan.

#### Community Design Component

- 5.0 NEIGHBORHOOD LEVEL DESIGN
- 5.1 COMPATIBILITY

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

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

#### **Conservation and Aquifer Recharge Element**

#### Wetlands and Floodplain Resources

**Objective 4:** The County shall continue to apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and other surface waters authorized for projects in Hillsborough County, consistent with the Uniform Mitigation Assessment Method. The County shall work with the Environmental Protection Commission, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Tampa Bay Estuary Program to achieve a measurable annual increase in ecological values provided by the functions performed by wetlands and other surface waters. It shall be the County's intent to maintain optimum wetland functions as well as acreage.

**Policy 4.1:** The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration.

**Policy 4.3:** The County shall, through the land planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to prohibit unmitigated encroachment into wetlands.

**Policy 4.12:** Priority shall be given to avoiding the disturbance of wetlands in the County and to encourage their use only for purposes which are compatible with their natural functions and environmental benefits.

**Policy 4.13:** Development which impacts wetlands may be deemed appropriate only as a last resort; where:

- 1. reasonable use of the property is otherwise unavailable and/or onsite preservation of a functioning wetland system is deemed unsustainable;
- 2. the adverse impact is offset by the benefit of the development to the public such that it is reasonable, in the public interest and an acceptable mitigation plan is proposed.

This determination shall be made by Hillsborough County and/or the Environmental Protection Commission of Hillsborough County.

**Policy 4.14**: The development review process, part of a comprehensive program for the protection of wetlands, shall make every effort to maintain natural undisturbed wetlands by way of a sequential review process that first evaluates all means of avoiding wetland impacts in regard to a particular project; if necessary, secondly, evaluates and requires measures to minimize wetland impacts; and if necessary, thirdly, evaluates and requires the mitigation of wetland impacts.

**Objective 5:** The County shall continue to prevent net loss of 100-year floodplain storage volume in Hillsborough County. The County shall continue to protect and conserve natural wildlife habitat attributes where they exist within the 100-year floodplains of major rivers and streams.

#### Livable Communities Element: Riverview Community Plan

#### **III. Vision Statements**

#### **Community Vision**

As the community has grown, Riverview's small-town charm and atmosphere has been maintained. The community has a town center containing a peaceful, family-oriented and pedestrian-friendly atmosphere in which all safely live, work and play.

A strong sense of "community identity" and spirit, with versatile recreational and economic opportunities as well as cultural and educational resources, stimulates both the young and elderly. The recreational and economic opportunities uniquely afforded them by the Alafia River were maximized while also prioritizing the protection of it and other natural resources.

#### Vision Concept

Physically, Riverview is a diverse community sharing the characteristics of both suburban and rural areas, loosely defined by historical development patterns and predominant land uses. The Advisory Committee and the Planning Team addressed these issues and illustrated their vision graphically by developing the "Riverview District Concept Map". See attached figure 10.

It identifies distinct visions for the Riverfront, Downtown, Highway 301, Residential, Industrial, Open Space, and Mixed-Use districts. These unique districts reflect community assets and guide development.

#### 5. Residential District Vision

The area south of the Alafia River along US Highway 301 has been developed as primarily residential. The residential district appeals to people of many economic and cultural backgrounds. In this area, managed growth permits higher densities. The improved infrastructure containing fiber optic communications, sidewalks, pedestrian-friendly crosswalks, adequate lighting and signage is well maintained and controlled by strict code enforcement. Local government promptly addresses houses that fall into disrepair and neglect.

The residential areas are convenient to all other areas of Riverview due to the transit system, pedestrian-friendly streets and bike trails. Thoughtful planning has controlled the traffic and the intelligent highway system speeds residents to and from their destinations.

#### IV. Goals

#### Goal 1 Achieve better design and densities that are compatible with Riverview's vision.

• Develop Riverview district-specific design guidelines and standards. The standards shall build on recognizable themes and design elements that are reflective of historic landmarks, architecture and heritage of Riverview. The mixed-use, residential, non-residential and roadway design standards shall include elements such as those listed.

Mixed Use-Commercial-Residential

- Incorporate traditional neighborhood development (TND) and Crime Prevention through Environmental Design (CPTED) techniques and principles in design standards.
- Develop visually pleasing sign standards that prohibit pole signs and require monument signs. It also is the desire of the community to limit or keep out any additional billboard signs.
- Avoid "strip" development patterns for commercial uses.
- Enhance the ability to walk or bike between adjoining commercial areas.
- Promote aesthetically pleasing subdivision entrances, formal and manicured landscapes and other amenities such as street furniture, public art, and creative paving techniques.
- *Promote diversity in housing type and style to counter generic subdivision look.*
- Provide appropriate and compatible buffers and transitions to existing, adjacent land uses particularly with agricultural operations and the lands acquired for preservation and/or open space.
- Require natural and attractive stormwater retention facilities, such as standards for gently sloping grass sides/banks and prohibiting hard (i.e. concrete, asphalt) surfaces and aeration techniques: screen and buffer ponds with natural vegetation

or berms or at a minimum vinyl fencing with vines, prohibit plain exposed chain link fencing. Encourage master stormwater facilities.

#### Transportation

- Develop distinctive roadway design and landscape standards for new developments and redevelopment projects that complement the community's uniqueness as well as encourage buffers to parking areas, water retention areas and sidewalks. Techniques may include landscaping, berming and median enhancements.
- Use standards for new and redeveloped projects that incorporate transit-friendly street design along bus routes (bus stops, bus bulges, bus lanes, etc.). such as those found in the Traditional Neighborhood Development (TND) Infill code.

#### Miscellaneous

- Develop key design elements and landscape designs for local parks that would promote a unique sense of place and establish community landmarks.
- Improve drainage standards to enhance aesthetics and ensure adequate drainage prior to onsite development.
- In appropriate areas, as described in the District Map, identify and reduce residential densities in the Future Land Use Element.
- Consult with developers regarding residential site design and the creation of neighborhood character.
- Improve enforcement of all county land development codes.

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

The subject property is located on approximately 4.85 acres northwest of the Balm Riverview Road and Rhodine Road intersection. The subject property is located in the Urban Service Area. It falls within the Residential District of the Riverview Community Plan and is also located within the Southshore Areawide Systems Plan. The applicant requests to rezone the subject property from Agricultural Single-Family Estate (AS-0.4) to a Planned Development (PD) allowing for a 10,640 sq. ft. variety store retail use.

The application has been remanded twice. At their regularly scheduled Land Use public meeting on May 11, 2021, the Hillsborough Board of County Commissioners remanded the application to the June 14, 2021, ZHM meeting. The applicant requested the application be continued to the July 26, 2021, Zoning Hearing Master (ZHM) meeting. The first remand did not identify any Comprehensive Plan concerns or issues and did not result in a change to Planning Commission staff's recommendation.

For the second remand, at their regularly scheduled Land Use public meeting on September 8<sup>th</sup>, 2021, the Hillsborough Board of County Commissioners remanded the application a second time to the October 18, 2021, ZHM meeting. The second remand identified Comprehensive Plan issues that the applicant has attempted to address. Planning Commission staff have reexamined the site and the following changes do not satisfactorily address staff's compatibility concerns with the existing development pattern and consequently have not resulted in a change to the Planning Commission staff's recommendation. The applicant has proposed the following changes for the second remand:

- The wetland area noted on the site plan will be preserved in a conservation easement;
- A condition of approval was added requiring the recording of the conservation easement over the wetland area;
- An exhibit was provided that shows how the proposed sidewalk will connect to the existing Capital Improvement Plan (CIP) projects. The developer will be required to construct a 700' extension of the sidewalk from the front of its property to the residential subdivision to the north;
- A letter from Naylor Environmental was submitted stating the property has greater anthropogenic disturbance and fewer wetlands than the parcel in the northwest quadrant of Balm Riverview Road and Rhodine Road;
- Residential design details were submitted that attempt to complement the Riverview Community Plan by providing:
  - New residential elevations
  - Window glazing for the building sides visible from the right-of-way
  - Concrete masonry units, enhanced elevations visible from the right-of-way
  - Portions of the glazing are enhanced with awnings, pedestrian elevations
  - Parapet has a proposed cornice detail, entryway height increase
  - Alcove entryway accessible from the parking lot, full length glazing and doors
  - Parking behind the building setback line, southern side; and
- Enhanced landscaping for the entire development has been proposed.

The subject property does not meet Commercial Locational Criteria. The subject property is located three parcels to the northwest of the Balm Riverview Road and Rhodine Road intersection. Commercial Locational Criteria is based on the Future Land Use category of the property and whether the roadways are shown on the adopted 2040 Highway Cost Affordable Long-Range Transportation Plan. Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long-Range Transportation Plan. Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long-Range Transportation Plan (Policy 22.2, FLUE) in order to be considered to meet Commercial Locational Criteria. Per Policy 22.2, 75% of the site need to be located within 900 of the intersection node. The applicant contends that the site meets Commercial Locational Criteria, stating the project is located 903 feet from the intersection. This measurement does not take into account that Comprehensive Plan policy direction dictates how sites should be measured. Per FLUE Policy 22.2, all measurements should begin at the edge of the road right-of-way and a site must meet the distance requirement within 75% of the site. Planning Commission staff has determined that 75% of the project site is over 1,200 feet from the intersection. Therefore, the site does not meet Commercial Locational Criteria.

In the waiver request submitted in July, the applicant asserts that though the site does not fall within 75% of the node, substantial measures have been taken to mitigate against adverse impacts. The waiver request states that there are two proposed Capital Improvement Projects at the Balm Riverview Road and Rhodine Road intersection that will widen the right-of-way. The waiver cites FLUE Policy 22.7, which states that Commercial Locational Criteria are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. According to the waiver, the variety store retail use proposed is compatible with adjacent and proximate commercial land uses. According to the applicant, the intersection of Balm Riverview Road and Rhodine Road is an emerging commercial node that features personal services businesses, a new child daycare facility and a convenience store and gas station.

The waiver request states that to the south, adjacent to the project, is an auto repair store with open storage. To the west, the land is undeveloped and ultimately transitions to agricultural fields. Easterly and northerly adjacent to the parcel is a single-family residential community that serves as a barrier to further commercial development northwards. The waiver states that adjacency to residential use does not make the neighborhood commercial project incompatible. The waiver also states that, to address compatibility concerns, the proposed development is 60 feet from the northern residential property line, which provides more than enough buffering between the commercial and residential uses. In addition, the development is limited to a proposed FAR of 0.05 (10,640 square feet) with only variety store retail as the allowable use. The applicant also states that the site has been designed in order to ensure there are zero impacts to existing wetlands. The waiver states the building has been designed to have a residential appearance and an extension of a pedestrian connection/sidewalk north to the residential subdivision. The waiver also asserts that the distance also satisfies the element of the Riverview Community Plan that requires adequate transitional buffering between uses.

Planning Commission staff acknowledges that the applicant utilizes site planning techniques that result in the commercial buildings being located adjacent to Balm Riverview Road, a collector. The applicant has improved the application and reduced the intensity of the site from 28,190 to 10,640 sq. ft. The application proposes a 20 ft. buffer along the northern and western portions and a 20 ft. building setback on the southern portion of the property. The applicant has proposed enhanced landscaping and placing parking behind the building setback line. The applicant has placed the stormwater area in the northwestern corner of the site and the stormwater and flood plain compensation area in the southwestern corner of the site. In addition, the floodplain has been placed under a conservation easement. The southern portion of the site that includes a floodplain is being maintained as open space for the site plan with over 172 ft. of separation to the residential building to the south. The applicant proposes operating hours, architectural facades and residential design details to provide a more residential aesthetic.

Staff also acknowledges that Commercial General (CG) and Commercial Neighborhood (CN) zoning districts are located within 900 feet of the Rhodine Road and Balm Riverview Road intersection. The parcel immediately south of the subject property, has split zoning: Agricultural - Single-Family Estate-0.4 (AS-0.4) and Commercial General (CG). The applicant has submitted an exhibit showing parcels south of the site to be vegetated areas. Consequently, the zoning and development pattern transitions from commercial to low-density residential moving away from the intersection. A variety store retail use would disrupt the gradual transition of uses from the intersection and the overall development pattern of the residential area that is located further away from the node. While the application has attempted to move closer towards the intent of Comprehensive Plan policies through site planning, Planning Commission staff finds that the proposed development does not meet Commercial Locational Criteria and does not fulfill the intent of Objective 16 and Policies 16.1, 16.2, and 16.3 of the Future Land Use Element (FLUE).

The intent of the Residential-4 (RES-4) Future Land Use category is to designate areas that are suitable for low-density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose and mixed-use projects serving the area may be permitted subject to the Goals, Objectives, and Policies of the Future Land Use Element and applicable development regulations and conforming to established locational criteria for specific land use.

The Community Design Component (CDC) in the FLUE contains policy direction about designing developments that relate to the predominant character of the surroundings (CDC Goal 12). The application does state the proposed use will have a residential appearance and elevation and the request does move closer towards the intent of the Comprehensive Plan (CDC Objective 12-1). While a commercial use with a residential appearance can help to mitigate impacts to nearby residential development the placement of commercial uses outside of the designated commercial node is not consistent with Objective 16 and Policies 16.1, 16.2 and 16.3 in the Future Land Use Element.

While Planning Commission acknowledges that the proposed site planning techniques help to mitigate impacts to residential uses and moves closer to the intent of the Comprehensive Plan, a site meeting commercial locational criteria never guarantees the approval of a commercial use (Policy 22.7, FLUE). Consequently, an application that does not meet the criteria must demonstrate in its proposal how it will further the Goals, Objectives and Policies of the Comprehensive Plan. Policy 22.7 identifies several considerations that carry more weight than Commercial Locational Criteria including land use compatibility. The request for a commercial land use outside of the established node does not fulfill the intent of Policy 22.7 (FLUE). The request would not contribute to a gradual transition of uses within the area.

The site is located within the Residential District of the Riverview Community Plan area, which has a primarily residential development pattern. The Riverview Community Plan also requires the provision of appropriate and compatible buffers and transitions to existing, adjacent land uses, particularly with agricultural operations and the lands acquired for preservation and/or open space (Goal 1). While utilizing residential design and elevations, locating the building close to the roadway, 60 feet from the residential lots to the north, over 172 ft. from the south residential properties, providing a conservation easement and locating the stormwater facilities to the west help to mitigate for impacts to single-family residential lots, a request for a commercial use will disrupt the gradual transition from commercial to residential from the Rhodine Road and Balm Riverview intersection. Planning Commission staff recommends that the Hillsborough Board of County Commissioners (BOCC) not approve the waiver to Commercial Locational Criteria.

Planning Commission staff acknowledges the application has moved closer towards meeting the intent of the plan through site planning and buffering, architectural and elevation enhancements, addition of a conservation easement, additional open space, hours of operation and a reduction in intensity. The proposed Planned Development request for a variety retail store would not provide an appropriate and compatible transition to the single-family residential land uses and low-density AS-0.4 and AS-1 zoning immediately adjacent to the site and within the general area. Consequently, the request is not consistent with the Riverview Community Plan.

Wetlands are located on the subject property, approximately 0.40 acres. The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. According to the EPC, the project as submitted is conceptually justified to move forward through the zoning review process as long as certain conditions are met. Overall, the proposed Planned Development does not meet Commercial Locational Criteria and would allow for development that is not compatible with the existing development pattern found in the surrounding area. It would not provide a gradual transition from commercial to residential uses within the area. Therefore, it is not consistent with the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

#### Recommendation

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

# GENERAL SITE PLAN FOR CERTIFICATION



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

## HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

## **GENERAL SITE PLAN REVIEW/CERTIFICATION**

#### BOARD OF COUNTY COMMISSIONERS Harry Cohen Ken Hagan Pat Kemp Gwendolyn "Gwen" Myers Kimberly Overman Mariella Smith Stacy R. White COUNTY ADMINISTRATOR Bonnie M. Wise COUNTY ATTORNEY Christine M. Beck INTERNAL AUDITOR Peggy Caskey

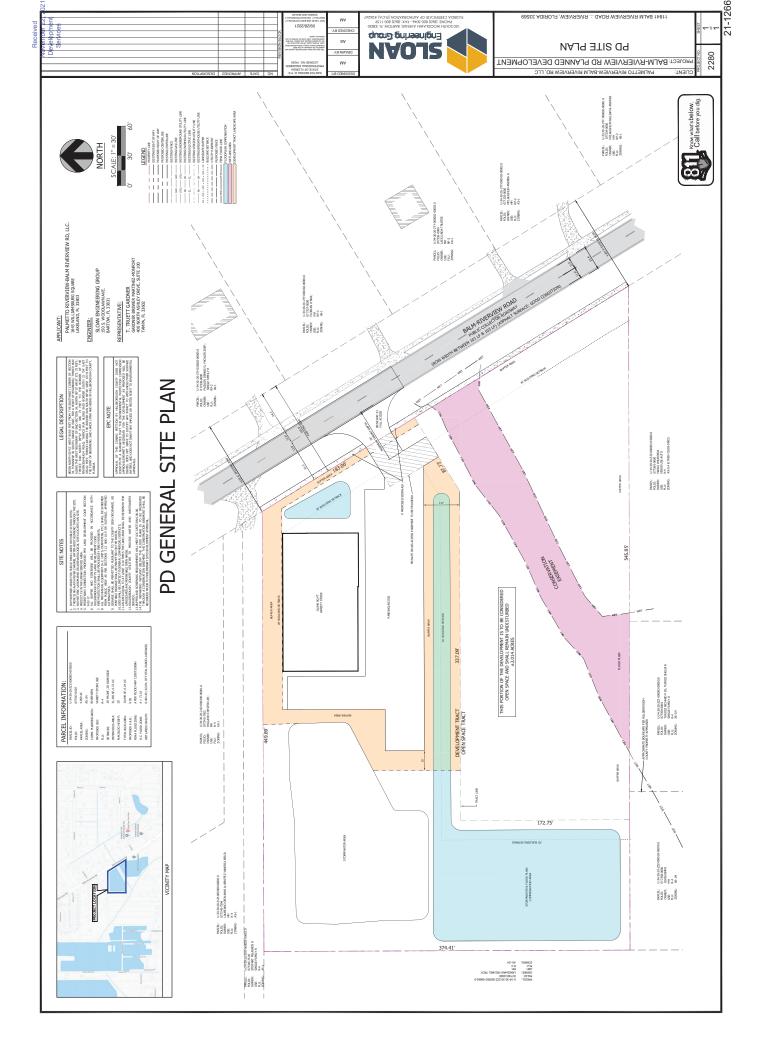
DEPUTY COUNTY ADMINISTRATOR Gregory S. Horwedel

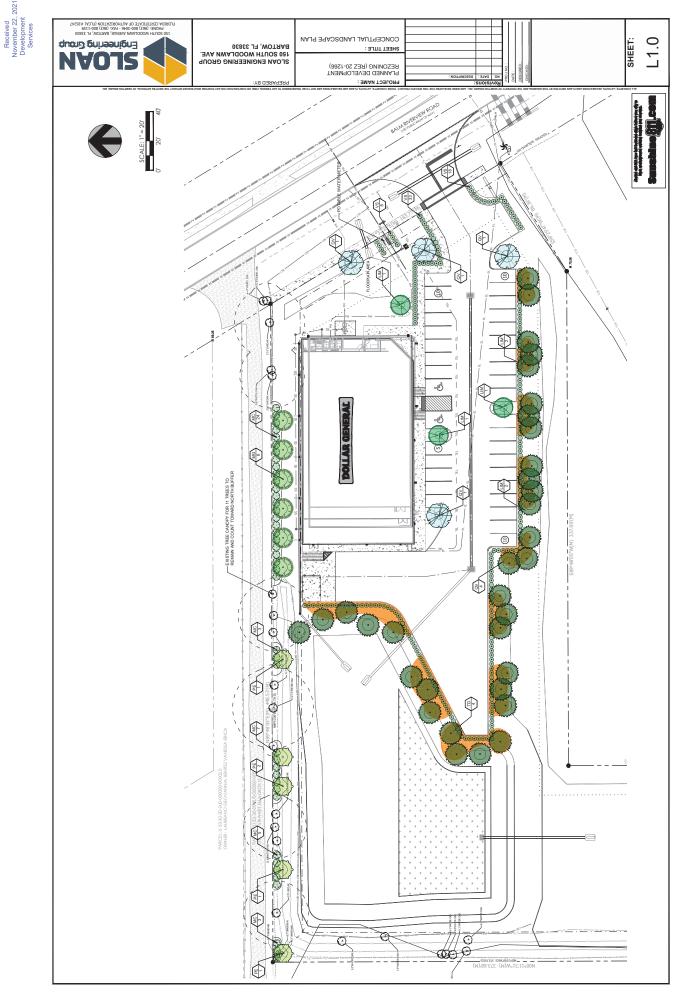
Project Name: Palmetto- Bal	m	
Zoning File: RZ-PD 20-1266	Modification: None	
Atlas Page: None	_ Submitted: 11/22/21	
To Planner for Review: 11/22/21	Date Due: ASAP	
T Truett Gardner and GBMM	<sup>4</sup> Phone:813-221-9600/landuse@gbmmlaw.com	
Right-Of-Way or Land Required for Dedication: Yes No		
The Development Services Departr	nent HAS NO OBJECTION to this General Site Plan.	
The Development Services Departr Site Plan for the following reasons:	nent RECOMMENDS DISAPPROVAL of this General	

Date: 11/24/21 Reviewed by:

Date Agent/Owner notified of Disapproval:

HCFLGOV.NET





21-1266

Received November 22, 2021 Development Services







SOUTH ELEVATION

Palmetto Capital Group Riverview - Balm Riverview Rd, LLC Riverview, Florida

## AGENCY COMMNENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: James Ratliff, AICP, PTP

PLANNING AREA/SECTOR: RV/ South

DATE: 1/11/2021 Revised: 2/15/2021 Revised: 7/19/2021

AGENCY/DEPT: Transportation

PETITION NO: RZ 20-1266

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

#### **PROJECT SUMMARY AND CONCLUSIONS**

- The proposed project is anticipated to increase (by 666 average daily trips, 33 a.m. peak hour trips, and 72 p.m. peak hour trips) the maximum trip generation potential of the subject property.
- Balm Riverview Rd. is a substandard collector roadway. The applicant is requesting a Design Exception for the roadway. The Design Exception would generally allow the roadway to remain in its existing configuration; however, the developer is proposing to construct +/- 690 feet of additional sidewalk south of the project. If the zoning is approved, the County Engineer will approve the Design Exception.
- The applicant requested a Section 6.04.02.B Administrative Variance from the Section 6.04.07 access spacing standards. If the zoning is approved, the County Engineer will approve the Administrative Variance request.
- Transportation Review Section staff has no objection to this rezoning, subject to the conditions proposed hereinbelow.

### **CONDITIONS OF APPROVAL**

- 1. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- 2. If PD 20-1266 is approved, the County Engineer will approve a Design Exception (dated June 14, 2021) which was found approvable by the County Engineer (on June 25, 2021) for the Balm Riverview Rd. substandard road improvements. As Balm Riverview Rd. is a substandard collector roadway, the developer will be required to make certain improvements to Balm Riverview Rd. consistent with the Design Exception. Specifically, prior to or concurrent with the initial increment of development, the developer shall construct a minimum 5-foot wide sidewalk on the west side of Balk Riverview Rd. (between their northern project boundary the existing sidewalk terminus +/-690 feet to the north). No other improvements will be required along Balm Riverview Rd., except for sidewalks required pursuant to Sections 6.02.08 or 6.03.02. of the LDC (i.e. along the project's frontage).
- 3. If PD 20-1266 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated November 24, 2020) from the Section 6.04.07 access spacing requirements, which was found approvable by the County Engineer (on December 9, 2020). Approval of this

Administrative Variance will permit the reduction of the minimum access spacing between the project driveway and the next closest driveway to north to +/- 118 feet.

4. The developer shall construct a pedestrian sidewalk stubout within the area shown as "Private Access Easement to Be Provided". Such stubout shall connect the "Open Space Tract" to the internal sidewalk network within the "Development Tract".

#### Other Conditions

- Prior to PD Site Plan Certification, the developer shall revise the PD site plan to:
  - Modify the label stating "Private Cross Access Easement to Be Provided" to read "Private Access Easement to Be Provided".
- Prior to PD Site Plan Certification, the developer shall revise the Section 6.04.02.B. Administrative Variance (dated November 24, 2020) to revise the entitlement program and any attachments as necessary to reflect the revised development program.

### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/-4.86 ac. parcel from Agricultural Single-Family Estate 0.4 (AS-0.4) to Planned Development (PD). The proposed PD is seeking entitlements for up to 10,640 s.f. of variety store uses.

Per Development Review Procedures Manual (DRPM), the applicant was required to submit a trip generation and site access analysis for the proposed project, as it generates more than 50 peak hour trips. However, the applicant did not submit a worst-case trip generation scenario. Subsequent to this report, the developer reduced requested entitlements. As such, the applicant's analysis overestimates trip impacts from the subject site.

Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 10<sup>th</sup> Edition.

Approved	Uses:
----------	-------

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips		
	way volume	AM	PM	
AS-0.4, 1 Single Family Detached Dwelling Unit (ITE LUC 210)	9	1	1	

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips		
	Way Volume	AM	PM	
PD, 10,640 s.f. Variety Store (ITE LUC 841)	675	34	73	

#### Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips		
	way volume	AM	PM	
Difference	(+) 666	(+) 33	(+) 72	

### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Balm Riverview Rd. is a 2-lane, undivided, publically maintained, substandard, collector roadway characterized by +/-11-foot wide travel lanes in above average condition. The roadway lies within a +/-100-foot wide right-of-way There are no bicycle facilities present along Balm Riverview Rd. in the vicinity of the proposed project. There are +/-4 to 5-foot wide sidewalks along the east side of Balm Riverview Rd. in the vicinity of the proposed project.

Along the project's frontage, Balm Riverview Rd. is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway. Although there is no typical section for 2-lane enhanced roadways, the minimum right-of-way necessary is calculated by taking the typical section for a 2-lane urban, undivided, collector roadway (TS-4 within the Hillsborough County Transportation Technical Manual), which requires a minimum of 64-feet, and adding an additional 12 feet for enhancements (for a total of 76 feet of right-of-way required). Given there is +/- 100 feet of right-of-way available, no right-of-way preservation is required.

### SITE ACCESS AND CONNECTIVITY

One (1) project access connection is proposed to Balm Riverview Rd. Previously, staff had objected to the proposed rezoning believing cross access was required. Subsequent to this, the applicant updated the PD site plan to correct the zoning labeling on the adjacent property to the south, which is actually a split zoned parcel (AS-0.4 and CG), with the areas directly adjacent to the subject PD being AS-0.4 (rather than the CG previously shown). As such, vehicular and pedestrian cross access is not required pursuant to Section 6.04.03.Q. of the LDC.

The applicant is indicating a "Primary Cross Access Easement to be Provided" on the site plan; however, this is actually internal access within the PD, presumably indictive of the applicant's desire to subdivide and sell the "Open Space Tract" separately, perhaps in anticipation of future potential development on this parcel. As such, staff has requested a condition requiring the developer to construct a pedestrian sidewalk stubout internally within this designated area, as would be required pursuant to Section 6.03.02.B. and other applicable sections of the LDC. Staff has also required the applicant to delete the words "cross access" as this will be the primary access for whatever uses may end up on that parcel in the future.

### **REQUESTED ADMINISTRATIVE VARIANCE**

The applicant is proposing project access on Balm Riverview Rd. (a Class 6 roadway) in a location approximately 118 feet from an existing residential driveway to the north of the site. Section 6.04.07 of the Land Development Code (LDC) requires a minimum access spacing of 245 feet. As such, the applicant submitted a Section 6.04.02.B. Administrative Variance from the spacing requirement on November 24, 2020. For reasons stated in the variance request, the County Engineer found the request approvable on December 9, 2020. If the rezoning is approved, the County Engineer will approve the Administrative Variance.

### **REQUESTED DESIGN EXCEPTION**

As Balm Riverview Rd. is a substandard collector roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request for Balm Riverview Rd. (dated June 14, 2021) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on June 25, 2021). The deviations from Hillsborough County Transportation Technical Manual (TTM) TS-7 Typical Section (for 2-Lane, Undivided, Local and Collector Rural Roadways) include:

1. The existing +/- 11-foot wide lanes shall be permitted to remain in their existing configuration, in lieu of the minimum 12-foot wide lanes required by TS-7;

- 2. The existing unpaved, stabilized shoulders, the width of which did not appear to be documented in the Design Exception request, shall be permitted to remain in their existing configuration in lieu of the 8-foot wide stabilized shoulders of which 5-feet are paved;
- 3. In addition to constructing a sidewalk only along their project frontage as required by Section 6.03.02 of the Hillsborough County LDC, the developer is proposing to construct a minimum 5-foot wide sidewalk between their northern project boundary and the existing sidewalk terminus approximately 690 feet north of the project's northern boundary.

As noted in the Design Exception, the County currently has two active CIP Projects in various stages of development, more specifically CIP #69645106 (Balm Riverview Rd. at Rhodine Rd.) and CIP #69679039 (Balm Riverview Rd. at Rhodine Rd.). The developer noted "CIP #69679039 proposes to replace the existing flashing beacon at the Balm Riverview/Rhodine intersection with a signal. This project is fully funded and expected to be completed by the end of 2021. CIP #69645106 proposes intersection and road improvements along Balm Riverview Rd, starting at the intersection with Rhodine Rd. This is currently partially funded and is in the design phase. A design option has been Received June 21, 2021 Development Services 20-1266 prepared and plans have been prepared and show the improvements to Balm Riverview Rd. would extend from the intersection and overlap approximately halfway along the project site frontage. The current estimated schedule for CIP #69645106 has an expected construction closeout in Mid-2023."

Staff has included the latest status sheets for both projects as an attachment to this staff report. If this zoning is approved, the County Engineer will approve the Design Exception request.

### **ROADWAY LEVEL OF SERVICE**

Level of Service (LOS) information is reported below.

Roadway	From	То	LOS Standard	Peak Hour Directional LOS
Balm Riverview Rd.	Big Bend Rd.	Boyette Rd.	D	С

Source: Hillsborough County 2019 Level of Service Report.



### **Quick Facts**

Co unity Area: Su erfield Pro e t Ty e: Interse tions Current Pro e t Phase: Constru tion Co issioner Distri t: Distri t 4



### **Estimated Project Schedule**

Pro e t De elo ent Planning Co letion - N/A Design/Land A uisition Co letion - N/A Pro ure ent Co letion - N/A Constru tion Duration - Mid 2021 to Late 2021 Closeout - Late 2021

### **Project Cost Estimate**

Total: 682,594 Planning: 0 Design and Land: 57,406 Constru tion: 625,188

Funding Sour es ay in lude: De elo er Contributions, Finan ing, I a t Fees, Mobility Fees, and Ad Valore

### **Project Description**

The intent of this roet is to sulle ent the roadway i roe ents being i le ented along both Bal Rier iew Road and Rhodine Road as art of CIP 69645106.

The e isting flashing bea on will be re la ed with a signal.

### **Project Objectives**

I ro e trans ortation obility and safety for ehi les and edestrians.

U grade e isting trans ortation fa ilities, in luding retrofitting for A eri ans with Disability A t, or ADA o lian e, to ro ide ser i es that i ro e a ess for all users.



NOTE: E ery reasonable effort has been ade to assure the a ura y of this a . Hillsborough County does not assu e any liability arising fro use of this a . THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, eithere ressed or i lied, in luding, but not li ited to, the i lied warranties of er hantability and filmes for a and utar ur ose.

SOURCES: This a has been re ared for the in entory of real ro erty found within Hillsborough County and is o iled fro re orded deeds, lats, and other ubli re ords it is based on BEST AVAILABLE data.

Questions?

Turner, Jason Pro e t Manager 813 635-5400

Data Date: May 2021

Note: The ost and s hedule data shown here are the County's urrent best esti ates and are sub e t to fre uent hange. Changes if any are u dated on e a onth. rs of this a are hereby notified that the afore entioned ubli ri ary infor ation sour es should be onsulted for enfi ation of the infor ation ontained on this a .



Balm Riverview Rd at Rhodine Rd Intersection Improvements Capital Improvement Program Project Fact Sheet <u>Project Number: 69645106</u>

### **Quick Facts**



ulti oint

### **Project Description**

Closeout - Mid 2023

I ro e ents in luding but not li ited to: on erting unsignali ed interse tions to signali ed with turn lane i ro e ents and edestrian enhan e ents alternati e to odify the edian o ening at both interse tions.

Sidewal s will be added or re la ed to i ro e edestrian onne ti ity through the orridor s e ifi ally, ADA ra s, urbing and a e ent ar ings.

### **Project Objectives**

I ro e trans ortation obility and safety for ehi les and edestrians.

U grade e isting trans ortation fa ilities, in luding retrofitting for A eri ans with Disability A t, or ADA o lian e, to ro ide ser i es that i ro e a ess for all users.

Questions? Wor an, Steffanie Pro e t Manager 813 635-5400

Data Date: Jan 2021



NOTE: E ery reasonable effort has been ade to assure the a ura y of this a . Hillsborough County does not assu e any liability arising fro use of this a . THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, eithere resead or i lied, in luding, but not li ited to, the i lied warranties of er hantability and fitness for a arti ular ur ose.

SOURCES: This a has been re ared for the in entory of real ro erty found within Hillsborough County and is o iled fro re orded deeds, lats, and other ubil re ords it is based on BEST AVAILABLE data.

Users of this a are hereby notified that the afore entioned ubli ri ary infor ation sour es should be onsulted for erifi ation of the infor ation ontained on this

Note: The ost and s hedule data shown here are the County's urrent best esti ates and are sub e t to fre uent hange. Changes if any are u dated on e a onth.

From:	Williams, Michael
То:	Andy Medina
Cc:	Tirado, Sheida; Ratliff, James; Heinrich, Michelle; Grady, Brian; PW-CEIntake; Padron, Ingrid
Subject:	FW: RE RZ PD 20-1266
Date:	Friday, June 25, 2021 10:07:58 AM
Attachments:	image001.png
	20-1266 DEReq 06-21-21.pdf

Andy – The attached design exception related to PD 20-1266 for substandard road has been reviewed and found to be APPROVABLE.

Mike

From: Rome, Ashley <RomeA@hillsboroughcounty.org>

Sent: Friday, June 25, 2021 9:24 AM

**To:** Ackett, Kelli <AckettK@hillsboroughcounty.org>; Albert Marrero <marreroa@plancom.org>; Alvarez, Alicia <AlvarezA@hillsboroughcounty.org>; Amber Dickerson <amber.dickerson@hcps.net>; Andrea Papandrew <papandrewa@plancom.org>; Blinck, Jim <BlinckJ@HillsboroughCounty.ORG>; Brown, Gregory < BrownGr@hillsboroughcounty.org>; Cabrera, Richard <CabreraR@HillsboroughCounty.ORG>; Castro, Jason <CastroJR@HillsboroughCounty.ORG>; Santos, Daniel <daniel.santos@dot.state.fl.us>; David Skrelunas <David.Skrelunas@dot.state.fl.us>; DeWayne Brown <br/>
<br/>
brownd2@gohart.org>; Dickerson, Ross <DickersonR@HillsboroughCounty.ORG>; Ellen Morrison <ellen.morrison@swfwmd.state.fl.us>; Franklin, Deborah <FranklinDS@hillsboroughcounty.org>; Greg Colangelo <colangeg@plancom.org>; Hansen, Raymond <HansenR@hillsboroughcounty.org>; Holman, Emily - PUD <HolmanE@HillsboroughCounty.ORG>; Hudkins, Michael <HudkinsM@hillsboroughcounty.org>; Hummel, Christina <HummelC@hillsboroughcounty.org>; Impact Fees <ImpactFees@hillsboroughcounty.org>; James Hamilton <jkhamilton@tecoenergy.com>; Jillian Massey <masseyj@plancom.org>; Jiwuan Haley <haleyj@plancom.org>; Justin Willits <WillitsJ@gohart.org>; Kaiser, Bernard <KAISERB@HillsboroughCounty.ORG>; Katz, Jonah <KatzJ@hillsboroughcounty.org>; Kelly O'Connor <kelly.oconnor@myfwc.com>; landusezoningreviews@tampabaywater.org; Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>; Lindstrom, Eric <LindstromE@hillsboroughcounty.org>; Mackenzie, Jason <MackenzieJ@hillsboroughcounty.org>; Matthew Pleasant <matthew.pleasant@hcps.net>; McGuire, Kevin < McGuireK@HillsboroughCounty.ORG>; Melanie Ganas <mxganas@tecoenergy.com>; Melissa Lienhard <lienhardm@plancom.org>; Martin, Monica <MartinMo@hillsboroughcounty.org>; Olivia Ryall <oryall@teamhcso.com>; Perez, Richard <PerezRL@hillsboroughcounty.org>; Petrovic, Jaksa <PetrovicJ@HillsboroughCounty.ORG>; Pezone, Kathleen <PezoneK@hillsboroughcounty.org>; Ratliff, James <RatliffJa@hillsboroughcounty.org>; Hessinger, Rebecca <HessingerR@hillsboroughcounty.org>; Renee Kamen <renee.kamen@hcps.net>; Carroll, Richard <CarrollR@HillsboroughCounty.ORG>; Rochelle, Randy <RochelleR@HillsboroughCounty.ORG>; Rodriguez, Dan <RodriguezD@gohart.org>; Sanchez, Silvia <sanchezs@epchc.org>; Schipfer, Andy <Schipfer@epchc.org>; Shelton, Carla <SheltonC@HillsboroughCounty.ORG>; Tapley, Kimberly <tapleyk@epchc.org>; Thompson, Mike <Thompson@epchc.org>; Tony Mantegna <tmantegna@tampaairport.com>; Salisbury, Troy <SalisburyT@hillsboroughcounty.org>; Turbiville, John (Forest) <TurbivilleJ@HillsboroughCounty.ORG>; Valdez, Rick <ValdezR@HillsboroughCounty.ORG>; Yeneka

Mills <millsy@plancom.org> **Cc:** Grady, Brian <GradyB@HillsboroughCounty.ORG>; Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Padron, Ingrid <PadronI@hillsboroughcounty.org>; Williams, Michael <WilliamsM@HillsboroughCounty.ORG> **Subject:** RE RZ PD 20-1266

Good Day All,

Please be advised, we have received and uploaded to Optix **revised documents/plans** for the above mentioned application. Please review and comment.

For further information regarding the change/update please contact the assigned planner.

Planner assigned: Planner: Michelle Heinrich Contact: <u>heinrichm@hillsboroughcounty.org</u>

Have a good one,

Ashley Rome Planning & Zoning Technician Development Services Dept.

P: (813) 272-5595 E: <u>romea@hillsboroughcounty.org</u> W: <u>HCFLGov.net</u>

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.



P.O. Box 253, Bartow, Florida 33831 Office: (863) 800-3046 Fax: (863) 800-1159

June 14, 2021

Hillsborough County Development Services Sheida L. Tirado, PE Transportation Review Manager Development Services Department

#### RE: Dollar General Store #22979 Balm Riverview Hillsborough County PI #5705 SEG Project No: 2280-1

To whom it may concern, This is in response to your request for additional information.

### **Reviewed by: Sheida Tirado**

- Comment: 1.) The request has to be Signed and Sealed by the EOR.
- Response: This request has now been signed and sealed.
- Comment: 2.) Please include in your letter the benefits of the sidewalk construction (safety of pedestrians, it eliminates a sidewalk gap, etc.).
- Response: This has been added to the report at the end of the "Reasoning" for Deviation #1.

If you have any questions regarding this response, please call our office at (863) 800-3046 or email me at amedina@sloaneg.com.

Sincerely, SLOAN ENGINEERING GROUP

Andy Medina Project Manager





P.O. Box 253, Bartow, Florida 33831 Office: (863) 800-3046 Fax: (863) 800-1159

June 14, 2021

Mr. Mike Williams, P.E. Hillsborough County Engineer c/o Mr. Benjamin Kniesly, P.E. Hillsborough County Public Works 601 E Kentucky Blvd; 22<sup>nd</sup> Floor Tampa, FL 33602

RE: Narrative Report for Design Exception to: Roadway Improvements to Balm Riverview (Substandard Roadway) Dollar General Store #22979 (Balm Riverview) Hillsborough County Project ID #5705 & PD #20-1266 Folio No. 77357.0007 SEG Project No: 2280-1

Dear Mr. Williams,

This signed and sealed Narrative Report is meant to serve as justification for the design exception on the above-mentioned project to deviate from the item mentioned below:

### 1. Requirement to improve the Balm Riverview Road and bring to County standards, from the subject site to the Rhodine Road intersection.

### **Existing Conditions**

Balm Riverview Road is considered a County substandard road with lanes averaging  $\pm 11.5'$  wide, with no existing curb or paved shoulder on either side. The existing right of way is  $\pm 100'$  wide. At this stretch of Balm Riverview Rd., the speed limit is 45 mph. Hillsborough County classifies this roadway as a 2-Lane Enhanced Collector Road. The site in question is lower than the existing elevations of Balm Riverview Rd., but the road has well defined roadside ditches, collecting roadway runoff. The subject site is currently containing excavated ponds previously used for fish harvesting and is fully within the County flood zone. There are wetlands on-site. According to the Traffic Impact Study (See Appendix), Balm Riverview Rd. produced approximately 16,900 annual average daily traffic trips and has an actual annual growth rate of 4.37%.

### **Existing CIP Projects**

There are currently (2) CIP projects. They are CIP #69679039 (Balm Riverview Rd. at Rhodine Rd.) and CIP #69645106 (Balm Riverview Rd. at Rhodine Rd. Intersection Improvements). CIP #69679039 proposes to replace the existing flashing beacon at the Balm Riverview/Rhodine intersection with a signal. This project is fully funded and expected to be completed by the end of 2021. CIP #69645106 proposes intersection and road improvements along Balm Riverview Rd, starting at the intersection with Rhodine Rd. This is currently partially funded and is in the design phase. A design option has been



prepared and plans have been prepared and show the improvements to Balm Riverview Rd. would extend from the intersection and overlap approximately halfway along the project site frontage. The current estimated schedule for CIP #69645106 has an expected construction closeout in Mid-2023.

### **Proposed Improvements**

We are currently proposing no improvements to Balm Riverview Rd., due to the fact that CIP #69645106 proposes improvements that would negate any work our project would perform on the Balm Riverview Rd cross section. As an alternative, we propose the construction of a 5' concrete sidewalk from our project to connect to the existing sidewalk constructed as part of the Albatross Lane subdivision, approximately ±700 LF of sidewalk (See Appendix).

### Deviation #1

We propose to forego the requirement of improvement to Balm Riverview Rd. up to the Rhodine Rd. intersection, due to the incoming CIP project improvements. In lieu of the road improvements, we propose the construction of sidewalk from the end of the CIP project to connect to the existing sidewalk south of Albatross Ln.

### **Reasoning**

• Due to the fact that the incoming CIP projects are proposing improvements that would overlap and negate any construction proposed as part of our project, we feel that alternative improvements are warranted. Per correspondence with County staff (05/11/2021 Microsoft Teams Call), we feel that it is a practical alternative for us to provide the ±700 LF of 5' concrete sidewalk from our project to the end of the existing sidewalk located south of the Albatross Ln. subdivision. Additionally, this proposed agreement will benefit all pedestrians in the area, eliminating any potential gap in sidewalk construction between the CIP projects and the Albatross Lane subdivision. This will make for a safer means of traversal for all pedestrians.

An Appendix has been added to this report to support this narrative, including a Site Plan and other pertinent information, as reference for the reviewer, outlining the features of the proposed project.



If you have any questions regarding this letter or the attachments, please call our office at (863) 800-3046 or email me at smedina@sloaneg.com.

Sincerely, SLOAN ENGINEERING GROUP, INC \*= and sealed by Santos Medina III, PE using a Digital Signature and Date. Printed copies is document are not considered sign and sealed and the signature must be verified on any electronic copies. Santos Medina IIk FL. Reg. # 74539

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

\_\_\_\_\_ Disapproved

\_\_\_\_\_ Approved

If there are any further questions or you need clarification, please contact Benjamin Kniesly, P.E. at (813) 307-1758.

Sincerely,

Michael J. Williams, P.E. Hillsborough County Engineer

MW/BK

Attachment

Cc: Richard Cabrera, P.E., Development Services, Development Review Director Benjamin Kniesly, P.E., Public Works Engineering Technical Services





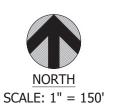
(PROPOSED SIDEWALK PLAN, TRAFFIC IMPACT STUDY, CIP PROJECT FILES, SITE PLAN)



### **PROPOSED SIDEWALK PLAN**









150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830 PHONE: (863) 800-3046 - FAX: (863) 800-1159 FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247 DOLLAR GENERAL STORE #22979 BALM RIVERVIEW Section 34, Township 30S, Range 20E

> PROPOSED SIDEWALK PLAN

SLOAN ENGINEERING GROUP, INC.

### **TRAFFIC IMPACT STUDY**



20-1266



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> TRAFFIC ENGINEERING TRANSPORTATION PLANNING SIGNAL SYSTEMS/DESIGN

### **TRAFFIC IMPACT ANALYSIS**

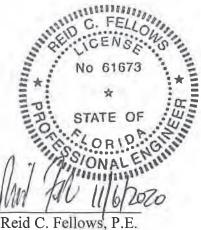
FOR

### DOLLAR GENERAL (a) BALM RIVERVIEW ROAD HILLSBOROUGH COUNTY, FLORIDA

PROJECT NO. F2010.09

PREPARED BY: TR Transportation Consultants, Inc. 2726 Oak Ridge Court, Suite 503 Fort Myers, Florida 33901-9356 (239) 278-3090

November 6, 2020



Reid C. Fellows, P.E. License No. 61673

### **TRANSPORTATION** CONSULTANTS, INC

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# **ZTR TRANSPORTATION** CONSULTANTS, INC

### I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Hillsborough County for projects seeking a site plan approval. The project site is located at 11841 Balm Riverview Road in Riverview area of Hillsborough County, Florida. **Figure 1** illustrates the approximate location of the subject site.

Upon approval of this application, the subject site will be developed with an approximately 10,640 square foot Dollar General store. Access to the subject site is proposed to Balm Riverview Road via a single connection.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the site access drives will be completed and analysis conducted to determine the impacts of the development on the surrounding streets.

### II. EXISTING CONDITIONS

The subject site is currently vacant. The subject site is bordered by Balm Riverview Road to the east, residential uses to the north, vacant land to the west, and by a residential use and vacant land to the south.

**Balm Riverview Road** is a north/south two-lane undivided collector that borders the subject site to the east. Balm Riverview Road has an adopted Level of Service Standard "D". Balm Riverview Road has a posted speed limit of 45 mph and is under the jurisdiction of Hillsborough County.



PROJECT LOCATION MAP CONSULTANTS, INC DOLLAR GENERAL @ BALM RIVERVIEW RD. 50946266



### III. PROPOSED DEVELOPMENT

Upon approval of this application, the subject site will be developed with an approximately 10,640 square foot Dollar General store. **Table 1** summarizes the land use utilized for the purpose of this analysis.

T	able 1				
Land Use					
Dollar General @ Balm Riverview Rd					
Land Use Size					
Dollar General	10,640 sq. ft.				

Access to the subject site is proposed to Balm Riverview Road via a single connection.

### IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation Manual*, 10<sup>th</sup> Edition. Land Use Code 814 (Variety Store) was utilized for the trip generation purposes of the proposed Dollar General store. The trip generation equations used for this land use are included in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour as well as daily trip generation of the development the site as currently proposed.

Table 2Trip GenerationDollar General @ Balm Riverview Rd

	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
Land Use	In	Out	Total	In	Out	Total	(2-way)
Variety Store (10,640 Sq. Ft.)	19	15	34	38	35	73	675



The trips shown in Table 2 will not all be new trips added to the adjacent roadway system. ITE estimates that a variety store of a comparable size may attract a significant amount of its traffic from vehicles already traveling the adjoining roadway system. This traffic, called "pass-by" traffic, reduces the development's overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. ITE indicates an average "pass-by" traffic reduction for Land Use Code 814 of 34%.

For this analysis, the "pass-by" traffic was accounted for in order to determine the number of "new" trips the development will add to the surrounding roadways. **Table 3** summarizes the "pass-by" percentage for the proposed use. **Table 4** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the "pass-by" trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the "pass-by" reduction, only the traffic added to the surrounding streets and intersections.

Table 3
<b>Pass-by Trip Reduction Factors</b>
Dollar General @ Balm Riverview Rd

Land Use	Percentage Trip Reduction	
LUC 814	2.40/	
(Variety Store)	34%	

Table 4Trip Generation – New TripsDollar General @ Balm Riverview Rd

Land Has	Weekday			Weekday P.M. Peak Hour		Daily	
Land Use	In	Out	Total	In	Out	Total	(2-way)
Total Trips	19	15	34	38	35	73	675
Less Pass-By Trips	-6	-6	-12	-12	-12	-24	-230
Net New Trips	13	9	22	26	23	49	445

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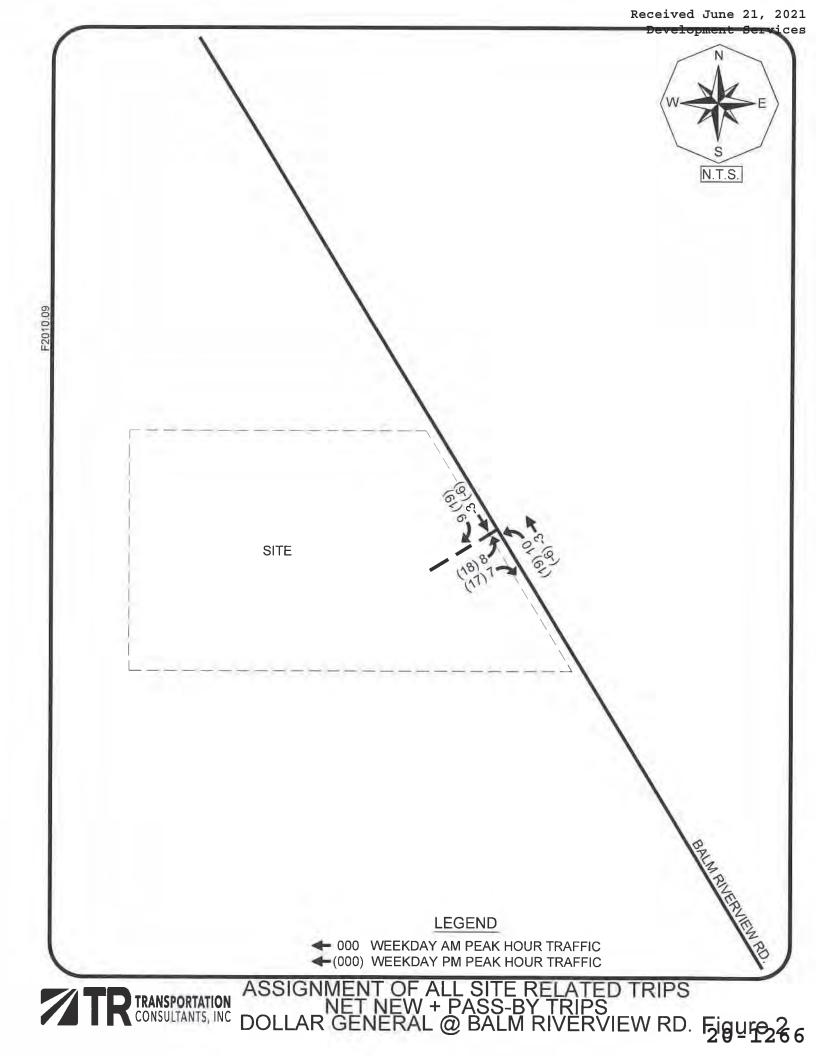
### V. TRIP DISTRIBUTION

The trips the proposed development is anticipated to generate as shown in Table 4 were then assigned to the surrounding roadway network. The new trips anticipated to be added to the surrounding roadway network were manually assigned based upon the routes drivers are anticipated to utilize to approach the subject site. Figure A-1, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. Figure A-2, included in the Appendix of this report, illustrates the percent project related trips (net new + pass-by).

### VI. LEVEL OF SERVICE ANALYSIS

A Level of Service analysis was conducted on the surrounding roadway links. Per County's *Transportation Sufficiency Review Checklist* and Land Development Code Section 6.2.1, all traffic data must be field collected. It is further emphasized that it will be not be permitted to use the traffic data from the current *Hillsborough County LOS Report*. Therefore, TR Transportation obtained the required existing traffic data through traffic counts conducted on Balm Riverview Road adjacent to the site from September 29, 2020 through October 1, 2020.

Based on the project traffic distribution illustrated on Figure 2, the link data was analyzed for the existing conditions, year 2022 without the development and year 2022 with the development. **Table 1A** in the Appendix of this report indicates the Level of Service threshold volumes utilized for each roadway segment in the study area. These threshold volumes were obtained from the Florida Department of Transportation *Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas*, Table 7.



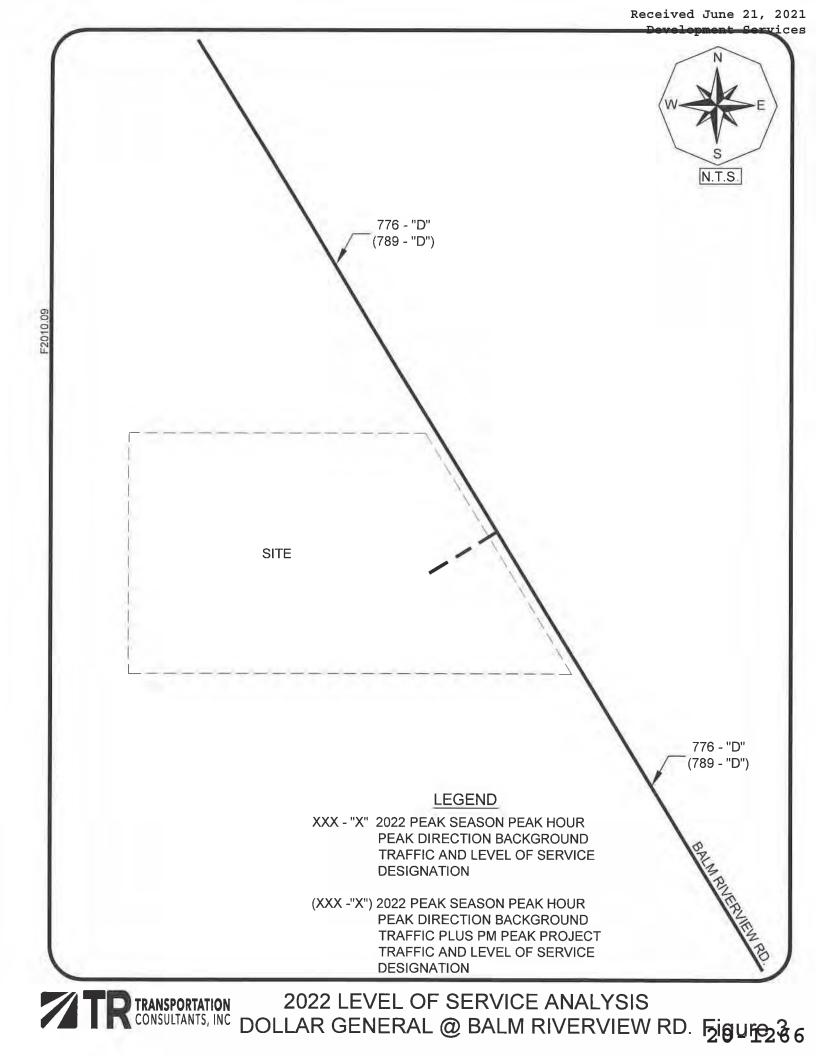


**Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2022 traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The existing 2020 peak hour peak direction volumes were obtained from the traffic counts conducted on Balm Riverview Road adjacent to the site. These counts were then adjusted for peak season conditions based on a peak season factor as provided by FDOT in their *Traffic Information Online* resource. The projected 2022 background peak hour peak season peak direction volumes were then calculated by growing the resultant volumes by the appropriate growth rates for each roadway segment as indicated within Table 2A. **Table 3A** of the Appendix illustrates the methodology utilized to formulate the appropriate annual growth rates for each roadway segment.

Level of Service analysis was then performed by adding the project traffic volumes that will result with the proposed development to the projected 2022 background peak hour peak season peak direction volumes. The Level of Service analysis as illustrated in Table 2A and summarized on **Figure 3** indicates that Balm Riverview Road adjacent to the site will operate at or above the minimum acceptable Level of Service both with and without the project in the year 2022. Therefore, no roadway capacity improvements will be required as a result of this analysis.

### VII. TURN LANE ANALYSIS

Turn lane analysis was completed at the proposed site access connection to Balm Riverview Road based on the proposed Dollar General Store development. Per Hillsborough County's Land Development Code Section 6.04.04., a separate right turn lane will be warranted if there are more than 50 right turning vehicles per hour on a collector roadway. As shown in Figure 2, the projected number of right turning vehicles in the peak hour is less than 50 at the proposed site access connection. Therefore, a separate right turn lane will NOT be warranted at the proposed site access drive connection to Balm Riverview Road.





Per the County's guidelines, a separate left turn lane will be warranted if there are more than 20 left turning vehicles per hour on the collector roadways. As shown in Figure 2, the projected number of left turning vehicles in the peak hour is less than 20 vehicles at the proposed site access connection. Therefore, a separate left turn lane will NOT be warranted at the proposed site access connection to Balm Riverview Road.

### VIII. INTERSECTION ANALYSIS

Intersection analysis was also conducted at the proposed site access drive connection on Balm Riverview Road utilizing the latest version of *Highway Capacity Software (HCS<sup>TM</sup>)*. The intersection analysis was based on the projected 2022 weekday AM and PM peak hour traffic conditions both with the project traffic added to the intersection. Traffic counts were conducted on Balm Riverview Road adjacent to the site from September 29, 2020 through October 1, 2020. A copy of the raw turning movement count data is included in the Appendix of this report for reference.

The peak hour traffic counts were then adjusted for peak season conditions based on peak season factor data as provided by FDOT in their *Traffic Information Online* resource. The FDOT peak season correction factor is included in the Appendix of this report for reference. The existing peak season traffic volumes were then increased by a growth rate factor to determine the projected 2022 background turning movement volumes. **Table 3A** of the Appendix illustrates the methodology utilized to formulate the appropriate annual growth rates for each roadway segment. The turning volumes projected to be added to Balm Riverview Road as illustrated on Figure 2 were then added to the 2022 background volumes to estimate the future 2022 traffic volumes with the project. These volumes are based on the data from the spreadsheet contained in the Appendix of this report titled *Development of Future Year Background Turning Volumes*.

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Based upon the results of the capacity analysis at the proposed site access connection to Balm Riverview Road, all movements were shown to operate at acceptable Level of Service in 2022 AM and PM peak hour conditions. HCS summary sheets are attached to the Appendix of this report for reference.

### IX. CONCLUSION

The proposed development is located at 11841 Balm Riverview Road in Riverview area of Hillsborough County, Florida. The proposed request will allow the subject site to be developed with an approximately 10,640 square foot Dollar General store.

The results of the link Level of Service analysis conducted as part of this report indicated that Balm Riverview Road will operate at an acceptable Level of Service both with and without the project in the year 2022. Therefore, no roadway capacity improvements will be required as a result of this analysis.

Based upon the results of the turn lane analysis conducted as a part of this report, separate turn lanes will NOT be warranted at the proposed site access connection on Balm Riverview Road.

Intersection analysis was conducted at the proposed site access connection to Balm Riverview Road. Based on the results of the intersection analysis, all movements were shown to operate at acceptable Level of Service in 2022 AM and PM peak hour conditions.

K:\2020\10 October\09 Dollar General Riverview\11-6-20 TIS Report.doc

# APPENDIX

### TABLES 1A, 2A & 3A

20-1266

	NEW PROJ TRAFFIC	PM PEAK	13	13	
		AM PEAK	7	7	
	PROJECT TRAFFIC	DISTRIBUTION AM PEAK PM PEAK	50%	50%	
	LOS E	VOLUME	792	792	
9 23	TOS D	VOLUME	792	792	
OUT= OUT=	LOS C	VOLUME	747	747	gment
13 26	LOS B	VOLUME	0	0	roadway se
<u>=</u> = 2	A SOL	VOLUME	0	0	Ird for each
	SOJ	<u>STANDARD</u>	D	D	- Denotes the LOS Standard for each roadway segment
22 VPH 49 VPH	ROADWAY	CLASS	2LU	2LU	- Denotes th
RROJECT TRAFFIC =		SEGMENT	N. of Site	S. of Site	
TOTAL AM PEAK HOUR PROJECT TRAFFIC = TOTAL PM PEAK HOUR PROJECT TRAFFIC =		ROADWAY	Balm Riverview Rd		

PEAK DIRECTION PROJECT TRAFFIC & LOS THRESHOLDS DOLLAR GENERAL @ BALM RIVERVIEW ROAD

**TABLE 1A** 

\* The Level of Service thresholds for all roadway segments were obtained from 2020 FDOT Generalized Service Volume Table 7.

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out=

<del>0</del>

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22 VPH

TOTAL AM PEAK HOUR PROJECT TRAFFIC =

		BACKGROUND +	PM PROJECT	<b>LOS</b>	٥	٥
	2022			VOLUME *	789	789
			PM PROJ	TRAFFIC	13	13
			AM PROJ	TRAFFIC	7	7
		PERCENT	PROJECT AM PROJ PM PROJ	TRAFFIC	50%	50%
	8	DUR	N PK DIR	TOS	۵	٥
	2022	PK HOUR	PK SEASON PK DIR	VOLUME <sup>3</sup>	776	276
	_	UR	I PK DIR	<u>ros</u>	υ	υ
23	2020	PK HOUR	PK SEASON PK DIR	VOLUME <sup>2</sup>	712	712
OUT=				PSCF	1.04	1.04
26	2020	PK HOUR	PK DIR	VOLUME <sup>2</sup>	685	685
Ä			ANNUAL	RATE <sup>1</sup>	4.37%	4.37%
		S	DARD	<u>ros</u>	۵	۵
49 VPH		<b>SO1</b>	STANDARD	VOLUME	792	792
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 49 VPH				SEGMENT	N. of Site	S. of Site
TOTAL PM PEAK HOU				ROADWAY	Balm Riverview Rd	

<sup>1</sup> Annual Growth Rate (AGR) was obtained from Table 3A. The growth rates were determined based on historical traffic data obtained from FDOT's Florida Traffic Online resource.

<sup>2</sup> The existing peak hour peak direction traffic volume was obtained from the traffic counts conducted on Baim Riverview Road from 9/29/2020 through 10/1/2020.

<sup>3</sup> The projected 2022 peak hour peak season peak direction traffic volumes were obtained by adjusting the 2020 peak hour peak season peak direction volumes by appropriate growth rates. <sup>3</sup> It is the addition of project traffic and 2022 background peak hour peak season peak direction traffic volumes.

### TABLE 3A ANNUAL GROWTH RATE CALCULATIONS BASED UPON HISTORICAL AADT DATA

			2011	2019		ANNUAL	ACTUAL
		SITE	AADT	AADT	YRS OF	GROWTH	GROWTH
ROADWAY	SEGMENT	<u>ID#</u>	VOLUME	VOLUME	GROWTH	RATE	RATE
Balm Riverview Rd	N. of Rhodine Rd	109005	12,000	16,900	8	4.37%	4.37%

\* Traffic volumes were obtained from the FDOT's Florida Traffic Online resource.

\*\* In instances where the historical data indicates a reduction in traffic or insufficient data was available to calculate

a growth rate due to construction, a minimum annual growth rate of 2.0% was assumed.

#### SAMPLE GROWTH RATE CALCULATION

Annual Growth Rate (AGR) =  $\frac{2019 \text{ AADT}}{\text{BASE AADT}}$   $^{(1/Yrs of Growth)}$  -1 AGR (Balm Riverview Rd) =  $\frac{16,900}{12,000}$   $^{(1/8)}$  -1

AGR (Balm Riverview Rd) = 4.37%

# FDOT GENERALIZED PEAK HOUR DIRECTINOAL VOLUMES FOR FLORIDA'S URBANIZED AREAS TABLE 7

IABL			Generaliz	eu r cai				s for Florida's				
100 2 14	INITED				Urbar	nized Are				January 202		
	INTER	KUPTED F	LOW FAC	ILITIES		UNINTERRUPTED FLOW FACILITIES						
	STATE SIGNALIZED ARTERIALS					FREEWAYS						
	Class I (40 mph or higher posted speed limit)					Core Urbanized						
Lanes	Median	В	С	D	E	Lanes		С	D	Е		
	Undivided	*	830	880	**	2	2,230	3,100	3,740	4,080		
23	Divided Divided	*	1,910 2,940	2,000 3,020	**	3 4	3,280 4,310	4,570 6,030	5,620 7,490	6,130 8,170		
4	Divided	*	3,970	4,040	**	5	5,390	7,430	9,370	10,220		
		1		/		6	6,380	8,990	11,510	12,760		
Lanes	Class II (35) Median	mpn or sio B	wer posted C	D D	E E			Urbanized				
1	Undivided	*	370	750	1	Lanes	В	C	D	Е		
2	Divided	*	730	1,630		2	2,270	3,100	3,890	4,230		
3	Divided	*	1,170	2,520		3	3,410	4,650	5,780	6,340		
4	Divided	*	1,610	3,390	3,420	4	4,550	6,200	7,680	8,460		
						5	5,690	7,760	9,520	10,570		
	Non State Si	ignoligad	Doodwoy	Adjustma	mte		E					
	Non-State Si (Alte		ing state volu		ints		Auxiliary	reeway Adjustm	Ramp			
		by the indica	ted percent.)				Lane		Metering			
	Non-State	Signalized	Roadways	- 10%			+ 1,000		+ 5%			
	Median		ane Adju			т	INTERD	UDTED ELOY	V IIICIIWA	VC		
Tanan	Median	Exclusive			Adjustment	Lanes	Median	UPTED FLOV B (		E		
Lanes	Divided	Left Lane Yes	s Right l N		Factors +5%	1	Undivided	580 89		1,610		
1	Undivided	No	N		-20%	2	Divided	1,800 2,60	<i>c</i>	3,730		
Multi	Undivided	Yes	N		-5%	3	Divided	2,700 3,90		5,600		
Multi	Undivided	No	N Ye		-25% + 5%							
100	_	_	It	:5	+ 3%	Uninterrupted Flow Highway Adjustments						
	One-V	Way Facil	ity Adjust	ment		Lanes Median Exclusive left lanes Adjustment factors 1 Divided Yes +5%						
	Multiply the corresponding directional					Multi	Undivided	Yes		-5%		
	VC	olumes in thi	is table by 1.	2		Multi	Undivided	No		25%		
	BICYCLE MODE <sup>2</sup> (Multiply vehicle volumes shown below by number of						<sup>1</sup> Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not					
	directional roadw					constitute a standard and should be used only for general planning applications. The						
	volumes.)				computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for							
	Paved					corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of						
	lder/Bicycle	D	0	D	<b>P</b>	Service N						
	e Coverage 0-49%	В *	C 150	D 390	E 1.000			cle and pedestrian mod				
	0-49% 50-84%	110	340	1,000	>1,000	number o	of vehicles, not num	ber of bicyclists or pede	strians using the fac	ility		
	5-100%	470	1,000	>1,000	**	<sup>3</sup> Buses pe flow	er hour shown are on	y for the peak hour in the	single direction of th	e higher traffic		
	PI	DESTRI	AN MODI	R <sup>2</sup>			be achieved using t	able input value default	5.			
(M	fultiply vehicle ve					** Not applicable for that level of service letter grade. For the automobile mode,						
dire	directional roadway lanes to determine two-way maximum service					volumes	greater than level of	f service D become F be	cause intersection c	apacities have		
	volumes.)				been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input							
	alk Coverage	B	C *	D	E	value def						
	0-49%	*		140	480	Source:	anadana ST-					
	50-84% 5-100%	200	80 540	440 880	800 >1,000	Systems	epartment of Trans Implementation Off	ice				
°					1	https://ww	ww.fdot.gov/planni	ng/systems/				
	BUS MODE (Scheduled Fixed Route) <sup>3</sup> (Buses in peak hour in peak direction)											
Sidew	alk Coverage	В	C	D	Е	-22						
	0-84%	> 5	$\geq 4$	<u>≥ 3</u>	$\geq 2$	1.1						
8	5-100%	> 4	$\geq 3$	$\geq 2$	$\geq 1$	1		1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 - 1965 -				

TABLE 7 Ger

### Generalized **Peak Hour Directional** Volumes for Florida's

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## HISTORICAL TRAFFIC DATA FROM FLORIDA TRAFFIC ONLINE

# FLORIDA DEPARTMENT OF TRANSPORTATION TRANSPORTATION STATISTICS OFFICE 2019 HISTORICAL AADT REPORT

# COUNTY: 10 - HILLSBOROUGH

SITE: 9005 - BALM RIVERVIEW ROAD, N OF RHODINE ROAD

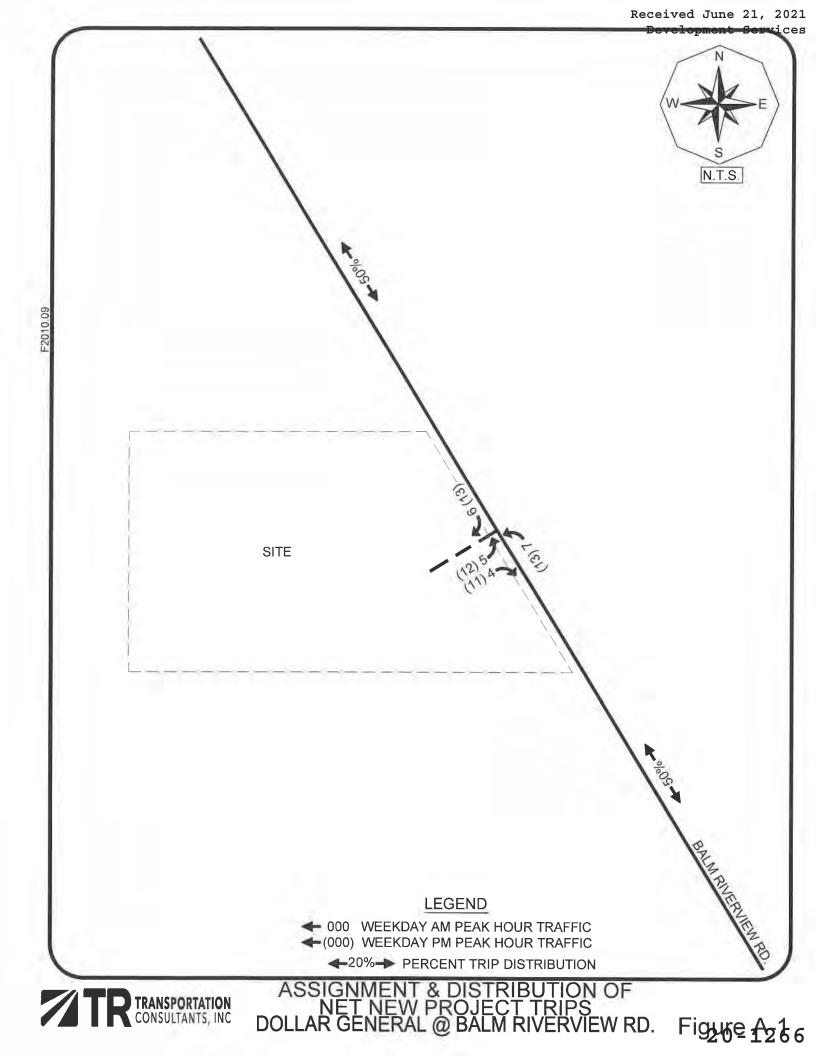
YEAR	AADT	DIF	RECTION 1	DII	RECTION 2	*K FACTOR	D FACTOR	T FACTOR
				L L				
2019	16900 F	N	N 8300	S	S 8600	9.00	58.90	7.20
2018	16500 C	N	8100	S	8400	9.00	59.70	5.70
2017	12100 V	Z	6100	S	6000	00.6	59.60	7.90
2016	11700 R	N	5900	S	5800	00.6	57.00	6.80
2015	11500 T	Ν	5800	ഗ	5700	9.00	56.80	6.90
2014	11500 S	N	5800	S	5700	00.6	58.60	9.10
2013	11500 F	N	5800	ഗ	5700	00°6	58.20	7.20
2012	11500 C	N	5800	S	5700	9.00	59.00	6.60
2011	12000 C	N	0	S	0	00 " 6	57.20	5.60

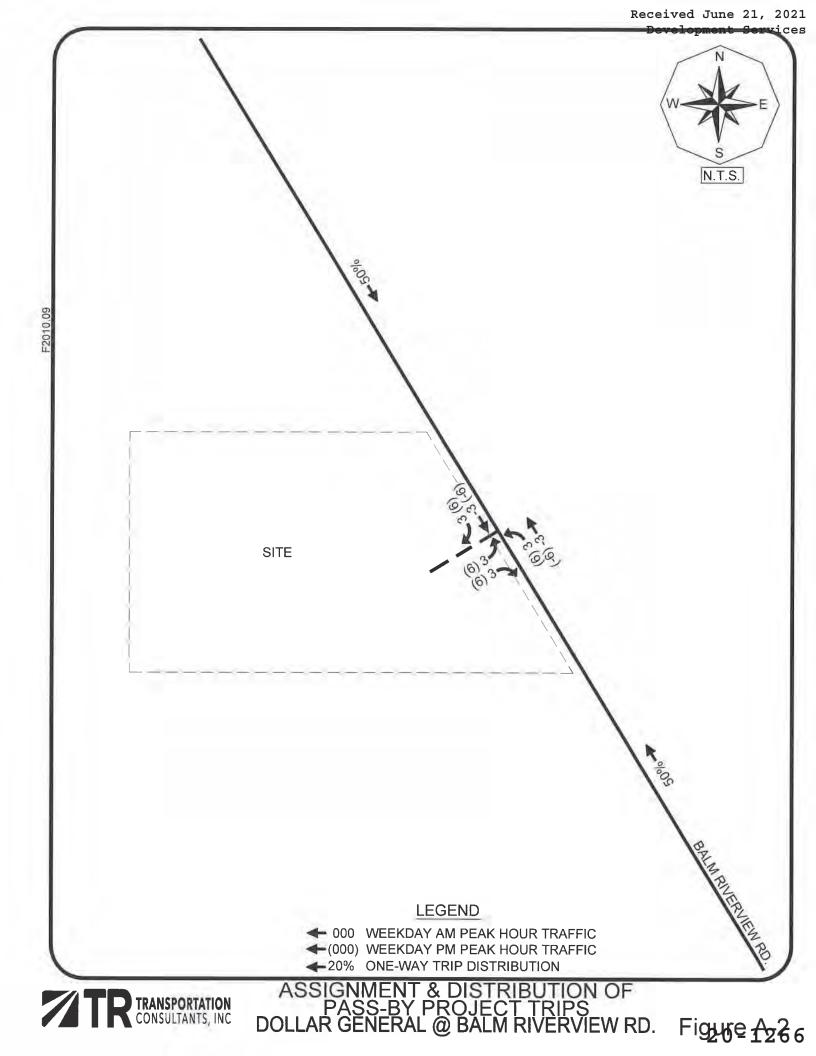
AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN 'K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES \*K FACTOR:

# **PEAK SEASON FACTOR**

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ILLSBOROU	
H 000	
TEGORY:	
	000 HILLSBOROUGH COUNTYWID

# **SUPPLEMENTAL FIGURES A-1 & A-2**





# HILLSBOROUGH COUNTY LAND DEVELOPMENT CODE SECTION 6.04.04

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### Sec. 6.04.04. - Design Standards

A. Driveway Width/Length

Driveways provide the physical transition between a site and the abutting roadway. Driveways should be located and designed to minimize impacts on traffic while providing safe entry and exit from the development served. The location and design of the connection must take into account characteristics of the roadway, the site, and the potential users.

The actual width and length of driveways shall be subject to internal and external traffic flow considerations. The driveway width considerations include, but are not limited to the number of lanes, the driveway geometrics, internal obstructions, traffic safety, etc. The length of driveways shall be designed to provide for an uninterrupted traffic flow on the public street. This will require that the entering vehicles not be confronted with maneuvering vehicles at the immediate point of entry, thus requiring other entering vehicle(s) to stop in the through traffic flow. The driveway length therefore, will be subject to the anticipated required stacking length of entering and exiting vehicle during the peak period.

 For driveways that will be signalized, driveway length should be determined by a traffic study of expected traffic and queues. An important measurement in determining the driveway length is the outbound queue.

Land Use	Driveway Length (In Feet)
Any major entrance with 4 or more total lanes in the in the driveway. Typically malls, and "Super" retail centers	300 or greater, based on
	traffic study
Regional Shopping Centers (over 150,000 sq. ft.)	250
Community Shopping Center (100-150,000 sq. ft.) (Supermarket, drug store, etc.)	150

2. For unsignalized driveways, the following minimum lengths will be used:

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Small Strip Shopping Center	50
Smaller Commercial Development (convenience store with gas pumps)	30

### 3. For residential developments, the maximum length shall be:

Land Use	Driveway Length (In Feet)	
Residential Developments	250	

### B. Driveway Grades

- Driveway grades shall conform to the requirements of FDOT Roadway and Traffic Design Standard Indices, latest edition.
- 2. For driveways with high volumes and where curve radii turnouts would be a prime benefit to traffic movements, the following factors should be considered:
  - a. It is desirable to have driveway slope upward from gutter line without any vertical curve. The upward slope with curbs will allow better control of drainage.
  - b. It is desirable to have a relatively flat area adjacent to the roadway, where vehicles may turn off without an immediate climbing or descending need.
     Then exiting vehicles may wait to enter traffic flow at approximately roadway level.
  - c. Within the limits of curve radii, no drop curb shall be allowed except as required for curb cut ramps.
- C. Traffic Control Devices
  - The installation of signs and pavement markings at private roadways and residential or commercial driveways, and the installation of traffic signals at high-volume commercial Type III driveways may be required in order to provide

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for safe and efficient movement of traffic. All traffic control devices shall be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the current County standards and specifications and shall be approved by the County Public Works Department, Traffic Section.

- 2. The approval to install traffic signals shall be based on a traffic engineering study which addresses the warrants, the design, and the operation of the signals. The study and design shall be approved by the County Public Works Department, Traffic Section and FDOT, if on the State Highway System. The responsibility for the engineering study shall rest with the permittee. If a traffic signal is installed, all signal elements and appropriate portions of the access approach to assure efficient signal operation, shall be on public right-of-way or on easements granted to the public.
- 3. Any required traffic control devices, including signs, signals or pavement markings shall be installed by the permittee. The permittee shall be responsible for all purchase and installation costs involved.
- D. Auxiliary Lanes

Auxiliary Lanes refer to left-turn, right-turn, acceleration, deceleration, and storage lanes. Developments which generate AM or PM Peak Hour Traffic which exceeds the following thresholds shall provide the following site related acceleration, deceleration, and storage lanes:

- 1. If more than 20 left turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
- 2. If more than 50 right turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
- 3. If more than 40 right turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
- 4. If more than 80 right turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
- 5. If more than 60 right turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
- 6. If more than 100 right turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
- 7. On multi-lane roadways, left turn lanes shall be constructed when there are

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more than 20 left turning vehicles.

(Ord. No. 00-38, § 2, 11-2-00; Ord. No. 05-22, § 2, 11-17-05; Ord. No. 07-18, § 2, 7-19-07, eff. 10-1-07)

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## **TRAFFIC COUNTS**

SPECIFIC LUCATION: CITY/STATE: Bivervie	SPECIFIC LOCATION: CITY/STATF: Biverview FI								Ĺ	DIRECTION: NB DATE: See 29 2020 - Oct 1 2020
Start Time		Tue 29 Sep 20	<b>Wed</b> 30 Sep 20	1 Oct 20	Fri	Average Weekday 15-min Traffic	Sat	Sun	Average Week 15-min Traffic	Average Week Profile
12:00 AM		12	. 11	13		12			12	
12:15 AM		11	13	11		12			12	
12:30 AM		11	00	13		11			11	
12:45 AM		6	10	6		6			6	
01:00 AM		9	7	7		7			7	
01:15 AM		7	12	6		6			6	
01:30 AM		6	11	6		10			10	
01:45 AM		5	9	6		7			7	
02:00 AM		9	9	00		7			7	
02:15 AM		6	9	6		7			7	
02:30 AM		10	6	10		10			10	
02:45 AM		10	6	7		6			ნ	
03:00 AM		7	00	6		8			00	
03:15 AM		6	4	7		7			7	
03:30 AM		17	15	23		18			18	
03:45 AM		15	11	13		13			13	
04:00 AM		20	22	18		20			20	
04:15 AM		20	17	23		20			20	
04:30 AM		31	33	24		29	C		29	
04:45 AM		29	31	33		31			31	
05:00 AM		36	35	28		33			33	
05:15 AM		49	57	57		54			54	
05:30 AM		80	85	74		80			80	
05:45 AM		91	85	101		92			92	
Day Total										
% Weekday Average										
% week Average										
AM Peak 15-min Vol										
Dat Deel.										
15-min Vol										
Comments.										

Type of report:	Type of report: Tube Count - Volume Data	lume Data								
LOCATION: B	LOCATION: Balm Riverview Rd btwn Rhodine Rd and Rose Ln	3d btwn R	hodine Rd an	d Rose Ln						QC JOB #: 15291301
SPECIFIC LOCATION:	CATION:									DIRECTION: NB
CITY/STATE:	CITY/STATE: Riverview, FL								DA	DATE: Sep 29 2020 - Oct 1 2020
Start Time	Mon 29	Tue 29 Sep 20	<b>Wed</b> 30 Sep 20	Thu 1 Oct 20	Fri	Average Weekday 15-min Traffic	Sat	Sun	Average Week 15-min Traffic	Average Week Profile
06:00 AM		129	104	106		113			113	
06:15 AM		115	144	149		136			136	
06:30 AM		134	126	139		133			133	
06:45 AM		149	148	149		149			149	
07:00 AM		173	163	182		173			173	
07:15 AM		177	195 166	168		170			170	
07:30 AM		177 6	07 159	174		170	1		170	
07:45 AM		158	156	157		157	2		157	
08:00 AM		164	155	177		165			165	
08:15 AM		122	96	148		120			120	
08:30 AM		109	80	118		102			102	
08:45 AM		143	95	137		125			125	
09:00 AM		109	115	135		120			120	
09:15 AM		126	112	142		127			127	
09:30 AM		116	126	124		122			122	
09:45 AM		122	128	110		120			120	
10:00 AM		117	111	117		115			115	
10:15 AM		<mark>95</mark>	100	117		104			104	
10:30 AM		138	139	138		138		C	138	
10:45 AM		118	96	117		110	2		110	
11:00 AM		100	113	107		107			107	
11:15 AM		133	132	150		138			138	
11:30 AM		131	127	109		122		2	122	
11:45 AM		128	121	127		125			125	
Day Total										
% Weekday										
Average										
% Week										
Average										
AM Peak										
15-min Vol										
PM Peak										
15-min Vol										
Comments:										
Report generat	Report generated on 10/26/2020 10:25 AM	0 10:25 AI	Σ					SOUF	<b>RCE: Quality Counts, LLC</b>	SOURCE: Quality Counts, LLC (http://www.gualitycounts.net)
										-

Type of report:	Type of report: Tube Count - Volume Data	ā					
LOCATION: B	LOCATION: Balm Riverview Rd btwn Rhodine Rd and Rose Lr	Rhodine Rd an	d Rose Ln				QC JOB #: 15291301
SPECIFIC LOCATION:	CATION:						DIRECTION: NB
CITY/STATE:	CITY/STATE: Riverview, FL					DA	DATE: Sep 29 2020 - Oct 1 2020
Start Time	Mon Tue 29 Sep 20	<b>Wed</b> 30 Sep 20	Thu Fri 1 Oct 20	Average Weekday 15-min Traffic	Sat Sun	Average Week 15-min Traffic	Average Week Profile
12:00 PM	156	123	124	134		134	
12:15 PM	129	106	147	127		127	
12:30 PM	124	133	128	128		128	
12:45 PM	133	126	110	123		123	
01:00 PM	107	130	137	125		125	
01:15 PM	113	130	140	128		128	
01:30 PM	107	125	111	114		114	
01:45 PM	92	134	105	110		110	
02:00 PM	127	164	125	139		139	
02:15 PM	133	140	145	139		139	
02:30 PM	156	139	133	143		143	
02:45 PM	158	131	91	127		127	
03:00 PM	138	147	147	144		144	
03:15 PM	137	162	153	151		151	
03:30 PM	144	91	59	98		98	
03:45 PM	80	72	62	71		71	
04:00 PM	54	74	78	69		69	
04:15 PM	59	107	57	74		74	
04:30 PM	66	121	1067	109		109	
04:45 PM	109	59	137	102		102	
05:00 PM	78	73	172 501	108		108	
05:15 PM	62	57	86	68		68	
05:30 PM	72	52	73	66		99	
05:45 PM	61	65	74	67		67	
Day Total							
% Weekday							
Average							
% Week							
Average							
AM Peak							
PM Peak 15-min Vol							
Comments:							
Renort generat	Report generated on 10/26/2020 10:25 AM	M			U\$	IRCF. Ouality Counte 116	SOLIBCE: Orrality Counts 11C (http://www.guality.counts.nat/
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OCALION: E	Jaim Kivervi	LUCATION: Baim Kiverview Kd btwn Khodine Kd and Kose Ln	hodine Kd ant	d Kose Ln						QC JOB #: 15291301
SPECIFIC LOCATION: CITY/STATE- Rivervie	SPECIFIC LOCATION: CITY/STATE- Riverview EI	- II							2	DIRECTION: NB
Start Time	Mon	Tue 29 Sen 20	Wed 30 Sen 20	1 Oct 20	Fri	Average Weekday 15-min Traffic	Sat	Sun	Average Week	Average Week Profile
06:00 PM		48	57	<u>+</u>		57			57	
06:15 PM		67	58	76		67			67	
06:30 PM		128	42	58		76			76	
06:45 PM		114	110	77		100			100	
07:00 PM		89	98	66		95			95	
07:15 PM		66	128	77		101			101	
07:30 PM		103	95	79		92			92	
07:45 PM		82	98	91		06			06	
08:00 PM		75	77	83		78			78	
08:15 PM		52	69	78		66			66	
08:30 PM		54	75	82		70			20	
08:45 PM		58	58	63		60			60	
M9 00:00		41	46	45		44			44	
09:15 PM		53	50	53		52			52	
09:30 PM		45	60	42		49			49	
09:45 PM		32	42	50		41			41	
10:00 PM		31	40	36		36			36	
10:15 PM		37	37	36		37			37	
10:30 PM		34	38	28		33		C	33	
10:45 PM		22	28	25		25			25	
11:00 PM		25	23	22		23			23	
11:15 PM		16	20	24		20			20	
11:30 PM		17	15	16		16			16	
11:45 PM		9	19	17		14			14	
Day Total		7648	7561	7840		7682		1.	7682	
% Weekday Average		%9 <sup>.</sup> 66	98.4%	102.1%						
% Week Average		89.66	98.4%	102.1%		100%				
AM Peak		7:15 AM	7:15 AM	7:00 AM		7:00 AM			7:00 AM	
15-min Vol		177	166	182		173			173	
PM Peak		2:45 PM	2:00 PM	5:00 PM		3:15 PM			3:15 PM	
15-min Vol		158	164	172		151			151	
Common on the										

SPECIFIC LOCATION:         CITT/STATE: Riverview, FL         Mon       Tue       Wed       Thu         Start Time       Mon       Tue       Wed       Thu         Start Time       Mon       Tue       Wed       Thu         12:00 AM       29 Sep 20       30 Sep 20       10 ct 20         12:01 AM       22       24       22         12:02 AM       12       14       10       7         12:02 AM       12       8       26       8         12:03 AM       12       8       26       8         01:03 AM       12       14       10       7         01:15 AM       14       10       7       10         01:15 AM       12       10       7       10         01:15 AM       12       10       7       10         02:10 AM       12       10       7       10         02:10 AM       12       12       12       10	Fri         Average Weekday           15-min Traffic         23           18         14           11         14           12         9           9         9           7         7           7         7           8         9           9         9           6         7           7         7           8         8           8         9           6         7           7         7           8         8           8         5           6         5           6         6           7         7           8         5           6         5           6         5           6         5           6         5	Sat	Sun Avera	Veek Traffic	DATE: Sep 29 2020 - Oct 1 2020
Tue         Wed         Thu           29 Sep 20         30 Sep 20         1 Oct 2           21         18         15           22         24         22           21         18         15           21         18         15           22         24         22           21         18         15           21         18         15           21         18         15           22         24         22           23         20         5           24         10         7           25         5         8         15           10         7         10         8         15           10         7         6         4         9           11         11         12         12         12           12         5         1         1         9         12           13         15         1         15         12         12           14         3         5         1         1         1         1           15         17         15         1         1         1 <th></th> <th></th> <th></th> <th></th> <th>TE: Sep 29 2020 - Oct 1 2020 Average Week Profile</th>					TE: Sep 29 2020 - Oct 1 2020 Average Week Profile
Mon         Tue         Wed         Thu           29 Sep 20         30 Sep 20         100:12           22         22         24         22           21         18         15         15           21         12         18         15           21         12         16         15           22         23         5         8         15           12         14         10         7         8         15           25         5         8         16         8         15           7         10         7         10         8         15           7         10         7         10         8         15           7         10         7         6         4         9           10         7         6         11         9         9           11         12         12         12         12         12           12         11         12         12         12         12           13         12         12         12         12         12           14         15         17         15 <td< th=""><th></th><th></th><th></th><th>age Week nin Traffic 23 14 11 14 11 10 10 10 10 10 16 6 6 6 6 6 7 7 7</th><th>Average Week Profile</th></td<>				age Week nin Traffic 23 14 11 14 11 10 10 10 10 10 16 6 6 6 6 6 7 7 7	Average Week Profile
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28 28	22			22	
Day Total 6 Weekday	29			29	
6 Weekday					
Average					
% Week					
Average					
AM Peak					
PM Peak 15-min Vol					
Commontes					

SPECIFIC LOCATION: CITY/STATE: Riverview, FL Mon				מ הטטב בון						QC JOB #: 15291301
city/state: ri	TION:									DIRECTION: SB
	iverview, FL								10	DATE: Sep 29 2020 - Oct 1 2020
Start Time	Mon 29	Tue 29 Sep 20	<b>Wed</b> 30 Sep 20	Thu 1 Oct 20	Fri	Average Weekday 15-min Traffic	Sat	Sun	Average Week 15-min Traffic	Average Week Profile
06:00 AM		33	33	33		33			33	
06:15 AM		48	53	50		50			50	
06:30 AM		71	76	76		74			74	
06:45 AM		73	86	77		52			62	
07:00 AM		73	82	94		83			83	
07:15 AM		98	95	91		95			95	
07:30 AM		120	97	101		106			106	
07:45 AM		1137	115	131		120			120	
08:00 AM		115 \ u72	12 137	116		123			123	
08:15 AM		107	71	117		98			98	
08:30 AM		137/	74	100		104			104	
08:45 AM		98	71	101		06			06	
MA 00:00		66	88	103		97			97	
09:15 AM		103	80	88		90			06	
09:30 AM		92	91	82		88			88	
09:45 AM		116	95	119		110			110	
10:00 AM		74	06	86		83			83	
10:15 AM		73	86	84		81			81	
10:30 AM		91	74	96		87			87	
10:45 AM		102	97	96		98			98	
11:00 AM		102	93	97		97			97	
11:15 AM		119	85	100		101			101	
11:30 AM		100	108	119		109			109	
11:45 AM		111	100	107		106			106	
Day Total										
% Weekday										
Average										
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Average										
AM Peak 15-min Vol										
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15-min Vol										
Comments:										

SPECIFIC LOCATION: CITY/STATE: Riverview, FL Start Time Mon 12:00 PM 12:15 PM 12:30 PM 01:50 PM 01:50 PM 01:50 PM 01:50 PM	, FL Tue 29 Sep 20 103 106 111 111 113 95	Wed					DIRECTION: SB
TY/STATE: Riverview,           Cart Time         Mon           2:00 PM         2:15 PM           2:15 PM         2:15 PM           12:30 PM         1:15 PM           11:00 PM         11:15 PM           11:30 PM         11:30 PM		Wed					
	Tue 29 Sep 20 105 106 111 111 123 95	Wed					DATE: Sep 29 2020 - Oct 1 2020
2:00 PM 2:15 PM 2:45 PM 11:00 PM 11:15 PM 11:130 PM	103 106 111 123 95	30 Sep 20	Thu Fri 1 Oct 20	Average Weekday 15-min Traffic	Sat S	Sun Average Week 15-min Traffic	eek Average Week Profile Iffic
2:15 PM 2:30 PM 2:45 PM 01:00 PM 01:15 PM 01:30 PM	106 111 123 95	126	134	121		121	
2:30 PM 2:45 PM 11:00 PM 11:15 PM 11:15 PM	106 111 123 95	122	119	116		116	
.2:45 PM 11:00 PM 11:15 PM 11:30 PM	111 123 95	111	120	112		112	
11:00 PM 11:15 PM 11:30 PM	123 95 120	118	115	115		115	
11:15 PM 01:30 PM	95 120	126	119	123		123	
11:30 PM	120	114	124	111		111	
11.4E DA4	C7T	146	122	132		132	
	113	140	57	117		117	
02:00 PM	89	109	117	105		105	
02:15 PM	112	115	127	118		118	
02:30 PM	128	117	119	121		121	
02:45 PM	116	137	113	122		122	
03:00 PM	120	138	124	127		127	
03:15 PM	138	118	120	125		125	
03:30 PM	127	104	54	95		95	
03:45 PM	100	62	46	69		69	
04:00 PM	65	79	82	75		75	
04:15 PM	73	95	( 99	78		78	
04:30 PM	82	94	104 452	93	C	63	
04:45 PM	93	52	155	100		100	
05:00 PM	102	58	127 J	96		96	
05:15 PM	70	42	52	55		55	
05:30 PM	55	51	35	47	Contraction of the local data	47	
05:45 PM	44	57	70	57		57	
Day Total							
% Weekday							
Average							
% Week							
AM Peak 15-min Vol							
PM Peak							
15-min Vol							
Comments:							

SPECIFIC LOCATION:										CC IOD #: TJCJTJOT
	ATION:									DIRECTION: SB
ITY/STATE: R	CITY/STATE: Riverview, FL								D/	DATE: Sep 29 2020 - Oct 1 2020
Start Time	Mon 25	Tue 29 Sep 20	<b>Wed</b> 30 Sep 20	Thu 1 Oct 20	Æ	Average Weekday 15-min Traffic	Sat	Sun	Average Week 15-min Traffic	Average Week Profile
06:00 PM		49	52	47		49			49	
06:15 PM		88	43	62		64			64	
06:30 PM		107	51	88		82			82	
06:45 PM		127	129	91		116			116	
07:00 PM		123	131	105		120			120	
07:15 PM		142	124	144		137			137	
07:30 PM		122	130	126		126			126	
07:45 PM		117	127	148		131			131	
08:00 PM		86	118	109		104			104	
08:15 PM		108	109	105		107			107	
08:30 PM		62	115	115		97			97	
08:45 PM		77	86	97		87			87	
M9 00:00		83	95	85		88			88	
09:15 PM		56	94	06		80			80	
09:30 PM		60	71	74		68			68	
09:45 PM		60	64	56		60			60	
10:00 PM		45	43	48		45			45	
10:15 PM		47	52	52		50			50	
10:30 PM		39	40	33		37			37	
10:45 PM		36	34	41		37			37	
11:00 PM		31	37	36		35			35	
11:15 PM		28	30	25		28			28	
11:30 PM		28	33	25		29			29	
11:45 PM		23	37	20		27			27	
Day Total		6673	6607	6817		6698			6698	
% Weekday Average		<u>99.6%</u>	98.6%	101.8%						
% Week Average		%9.66	98.6%	101.8%		100%				
And Dool	o	8-30 AM	8-00 AM	7.45 AM		8-00 AM			B-OD AM	
15-min Vol		137	137	131		123			123	
PM Peak		7:15 PM	1:30 PM	4:45 PM		7:15 PM			7:15 PM	
15-min Vol		142	146	155		137			137	
Comments:										

# DEVELOMENT OF FUTURE YEAR BACKGROUND TRAFFIC VOLUMES

**Development of Future Year Background Turning Volumes** 

Balm Riverview Road @ Site Access

Intersection

0.00% 2 0 0.00% 2 **0** WBR WBR 0.10 0 40 0 0 0 %00.0 %00.C WBT 0 40.0 WBT 0 1.0 0 10 0 10 0 0 0.00% 2 **0** 0.00% 0 <del>1</del> 0 WBL 0.1.04 WBL 0 0 0 0 0.00% %00.0 EBR EBR 0 1.04 0 40. 0 0 0 17 2 ~ ~ 0 %00.C 0.00% EBT 0 1.04 EBT 0 40 0 0 0 0 0 0 0 0.00% 0.00% PM Peak Hour SBR EBL AM Peak Hour SBR | EBL EBL 0 1.04 0 1.04 **2** 00 0 0 ω **ω** 0 0 %00.0 0.00% 2 **0** 0 1.04 04 10 **1** 0 0 0 ග **ග** 4.37% 2 4.37% 2 **535** SBT SBT 452 1.04 470 512 472 1.04 491 <sup>ب</sup> -9 206 0.00% 2 **0** 0.00% 2 **0** SBL 0 1.04 0 0 1.0 SBL 0 0 0.00% 2 **0** 0.00% NBR NBR 0 1.04 0 1.04 0 0 0 0 September 29, 2020 4.37% 4.37% NBT 776 NBT 685 1.04 712 -3 773 501 1.04 521 568 **562** θ 2 2 0.00% 2 **0** 0.00% 2 **0** NBL 0.1 04 NBL 0 40.0 **9** 9 19 19 2022 2022 Background Turning Volumes 2022 Background Turning Volumes RAW Turning Movement Counts RAW Turning Movement Counts Peak Season Correction Factor Peak Season Correction Factor Current Peak Season Volumes Current Peak Season Volumes 2022 Background + Project 2022 Background + Project Project Turning Volumes Project Turning Volumes Years to Build-out Years to Build-out Analysis Year **Growth Rate Growth Rate** Count Date

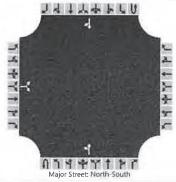
### Received June 21, 2021 Development Services

# HCS INTERSECTION ANALYSIS SUMMARY SHEETS

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# BALM RIVERVIEW ROAD @ SITE ACCESS AM PEAK HOUR CONDITIONS

<b>General Information</b>		Site Information	
Analyst		Intersection	Balm Riverview Rd/Site
Agency/Co.	TR Transportation Consult	Jurisdiction	
Date Performed	11/5/2020	East/West Street	Site Access
Analysis Year	2022	North/South Street	Balm Riverview Rd
Time Analyzed	AM Pk Hr W/ Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	F2010.09		



Approach		Easth	ound			West	ound		1	North	bound	-	1	South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority	-	10	11	12		7	8	9	10	1	2	3	40	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT					-	TE
Volume (veh/h)		8	-	7				1		10	773				532	9
Percent Heavy Vehicles (%)		3		3				-		3				-		-
Proportion Time Blocked		1										1				
Percent Grade (%)	1		0	-			_							_		-
Right Turn Channelized		-														
Median Type   Storage				Undiv	/ided											-
Critical and Follow-up H	eadway	/S	1													
Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.13						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						
Delay, Queue Length, an	d Level	of S	ervice													3
Flow Rate, v (veh/h)	1 1		16							11						
Capacity, c (veh/h)			213							982				1		
v/c Ratio			0.08							0.01						
95% Queue Length, Q <sub>95</sub> (veh)			0.2				-	153		0.0						
Control Delay (s/veh)			23.3							8.7				1		
Level of Service (LOS)			С							A						
Approach Delay (s/veh)	1	23	3.3			A				0	.3					
Approach LOS	1	(			-			_								-

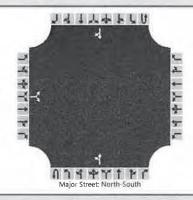
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Generated: 11/5/2020 12:43:24 PM

# BALM RIVERVIEW ROAD @ SITE ACCESS PM PEAK HOUR CONDITIONS

Southbound

<b>General Information</b>		Site Information	
Analyst		Intersection	Balm Riverview Rd/Site
Agency/Co.	TR Transportation Consult	Jurisdiction	
Date Performed	11/5/2020	East/West Street	Site Access
Analysis Year	2022	North/South Street	Balm Riverview Rd
Time Analyzed	PM Pk Hr W/ Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	F2010.09		



Westbound

Northbound

Α

0.5

Vehicle Volumes a	nd Adjustme	ents			
Approach		East	oound		Γ
Movement	U	L	Т	R	Γ
			1	1	-

11																
Movement	U	L	Т	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	10	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration	1		LR							LT						TR
Volume (veh/h)		18		17						19	562				506	19
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)			0							-						
Right Turn Channelized																
Median Type   Storage				Undi	vided								-			
Critical and Follow-up H	leadwa	ys														
Base Critical Headway (sec)		7.1		6.2						4.1					1	
Critical Headway (sec)		6.43		6.23			1			4.13						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						
Delay, Queue Length, ar	nd Leve	l of S	ervice													
Flow Rate, v (veh/h)	T		38						1	21						
Capacity, c (veh/h)			279							997						
v/c Ratio			0.14							0.02						
95% Queue Length, Q <sub>95</sub> (veh)			0.5							0.1					1	
Control Delay (s/veh)			19.9						-	8.7						

Level of Service (LOS)

Approach LOS

Approach Delay (s/veh)

С

19.9

С

# **LUC 814 PASS-BY RATES**

# Table E.5 Pass-By and Non-Pass-By Trips Weekday, PM Peak Period Land Use Code 814—Variety Store

SIZE (1,000		1.1.1.1.1.1.1				NON-F	ASS-BY TRIP	(%)	ADJ. STREET	1 -
SQ. FT. GFA)	LOCATION	WEEKDAY SURVEY DATE	NO. OF	TIME PERIOD	PASS-BY TRIP (%)	PRIMARY	DIVERTED	TOTAL	PEAK HOUR VOLUME	SOURCE
8	Tallahassee, FL	May 2010	145	3:00-7:00 p.m.	30	-	-	70	610	731
10	Jacksonville, FL	May 2010	127	3:00-7:00 p.m.	34	12.421	-	66	1,284	731
10	Tampa, FL	May 2010	247	3:00-7:00 p.m.	40	÷ 1	-	60	3,165	731
17	Tampa, FL	May 2010	50	3:00-7:00 p.m.	22	-		78	1,380	731
10	Daytona Beach, FL	May 2010	154	3:00-7:00 p.m.	44		-	56	1,573	731

Average Pass-By Trip Percentage: 34

"---" means no data were provided

# Table E.6 Pass-By and Non-Pass-By Trips Weekday, PM Peak PeriodLand Use Code 815—Free-Standing Discount Store

	ADJ. STREET	)	PASS-BY TRIP (%	NON				WEEKDAY		
SOURCE	PEAK HOUR VOLUME	TOTAL	DIVERTED	PRIMARY	PASS-BY TRIP (%)	TIME PERIOD	NO. OF INTERVIEWS	SURVEY DATE	LOCATION	SIZE (1,000 SQ. FT. GFA)
Bergmann Associates	1,490	71	37	34	29	4:00-6:00 p m,	80	Nov. 1994	Auburn, NY	116
Bergmann Associates	1,820	78	30	46	24	4:00-6:00 p.m.	80	Nov. 1994	Fredonia, NY	116
Raymond Keyes Assoc	1,380	78	27	51	22	4:155:15 p.m.	73	Nov. 1994	Marlton, NJ	122
Raymond Keyes Assoc	1,410	61	39	22	39	4:00-5:00 p.m.	23	Nov. 1994	Martton, NJ	127
Raymond Keyes Assoc	1,430	87	41	46	13	4:00-5:00 p.m.	137	Nov. 1994	Toms River, NJ	127
Raymond Keyes Assoc	1,290	93	33	80	7	4:00-5:00 p.m	89	Nov. 1994	Toms River, NJ	128
Raymond Keyes Assoc	2,580	92	50	42	8	4:15-5:15 p.m.	48	Nov. 1994	Brick, NJ	128
Raymond Keyes Assoc	2,550	86	39	47	14	4:00-5:00 p.m.	56	Nov. 1994	Brick, NJ	128
Reymond Keyes Assoc	1,230	93	18	75	7	4:30–5:30 p.m.	45	Feb. 1994	Bertin, NJ	126
Raymond Keyes Assoc	1,430	99	38	61	1	4:00-5:00 p.m.	95	Feb. 1994	Berlin, NJ	126
Raymond Keyes Assoc	3,640	91	9	82	9	4:00-5:00 p.m.	22	Feb. 1994	Mays Landing, NJ	133
Raymond Keyes Assoc	3,700	97	42	55	3	4:00-5:00 p.m.	40	Feb. 1994	Mays Landing, NJ	133
Raymond Keyes Assoc	1,380	88	21	65	14	4:00-5:00 p.m.	58	Sept, 1994	Toms River, NJ	127
Raymond Keyes Assoc	1,390	87	29	58	13	4:15–5:15 p.m.	83	Sept. 1994	Toms River, NJ	127
Raymond Keyes Assoc	2,840	73	26	47	27	4:30-5:30 p.m,	117	Sept. 1994	Brick, NJ	128
Raymond Keyes Asso	2,640	70	21	49	30	4:005:00 p.m.	98	Sept. 1994	Brick, NJ	128
Raymond Keyes Asso	1,240	91	20	71	9	4:00-5:00 p.m.	35	Sept. 1994	Berlin, NJ	127
University of Nebraska-Li		77	51	26	23	4:00-6:00 p.m.	-		Omaha, NE	88
University of Nebraska-L	-	78	46	32	22	4:00-6:00 p.m.	· -	÷	Omaha, NE	100
University of Nebraska-Li	-	71	49	22	29	4:00-8:00 p.m.	-	-	Omaha, NE	100
University of Nebraska-Li		81	48	33	19	4:00-8:00 p.m.	-	-	Omaha, NE	88
University of Nebraska-Li	-	81	60	21	19	4:00-6:00 p.m.	-	-	Omaha, NE	66

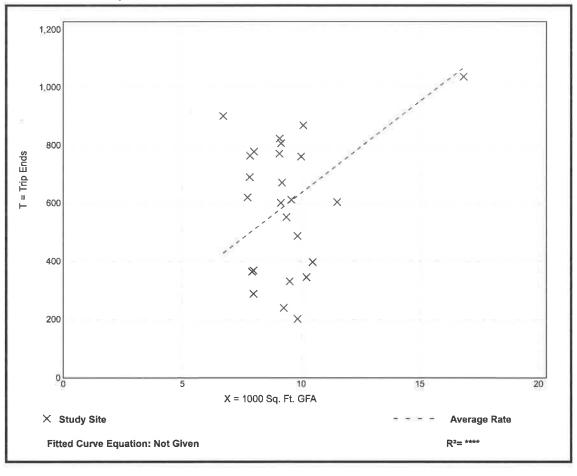
Average Pass-By Trip Percentage: 17

"-" means no data were provided

# **TRIP GENERATION EQUATIONS**

		<b>y Store</b> 14)	
	Vehicle Trip Ends vs: On a:	1000 Sq. Ft. GFA Weekday	
	Number of Studies:		an
	1000 Sq. Ft. GFA: Directional Distribution:	9 50% entering, 50% exitir	ıg
Vehicle Trip Gener	ation per 1000 Sq. Ft.	GFA	
Average Rate	Range of	fRates	Standard Deviation
63.47	20.51 - 1	33.68	25.93

### **Data Plot and Equation**



38 Trip Generation Manual 10th Edition • Volume 2: Data • Retail (Land Uses 800–899)



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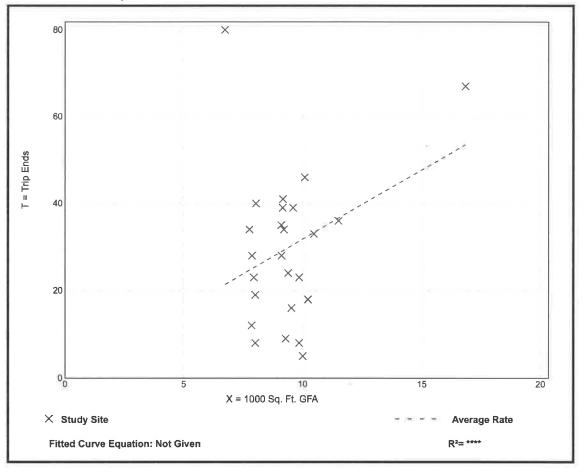
2.01

		<b>y Store</b> 14)	
	Vehicle Trip Ends vs: On a:	1000 Sq. Ft. GFA Weekday, Peak Hour of Adjacent S One Hour Between 7 an	,
	Number of Studies: 1000 Sq. Ft. GFA:		
Vehicle Trip Genera	tion per 1000 Sq. Ft.	GFA	
Average Rate	Range of	f Rates	Standard Deviation

0.50 - 11.87

**Data Plot and Equation** 

3.18

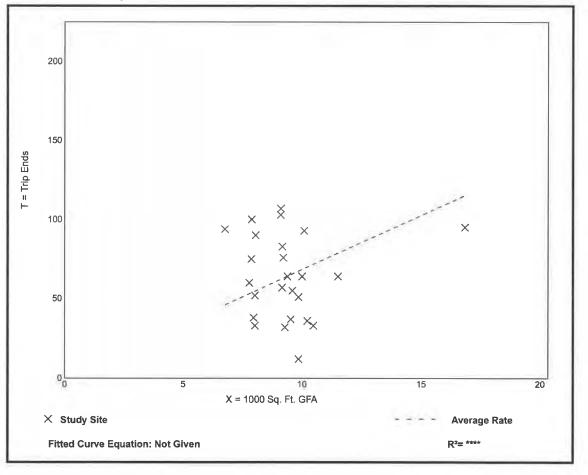




Trip Generation Manual 10th Edition • Volume 2: Data • Retail (Land Uses 800–899) 39

	e <b>ty Store</b> 814)
Vehicle Trip Ends vs: On a:	<ul> <li>1000 Sq. Ft. GFA</li> <li>Weekday,</li> <li>Peak Hour of Adjacent Street Traffic,</li> <li>One Hour Between 4 and 6 p.m.</li> </ul>
Setting/Location:	General Urban/Suburban
Number of Studies:	
1000 Sq. Ft. GFA:	
	52% entering, 48% exiting
Vehicle Trip Generation per 1000 Sq. F	t. GFA
Average Rate Range	of Rates Standard Deviation
6.84 1.22 -	13.95 3.19

### **Data Plot and Equation**



40 Trip Generation Manual 10th Edition • Volume 2: Data • Retail (Land Uses 800-899)



# **CIP PROJECT FILES**





Hillsborough County Florida Balm Riverview Rd at Rhodine Rd Intersection Improvements 21 Capital Improvement Program Project Dect Sheatent Services Project Number: 69645106

### Quick Facts



- Construction Duration Mid 2022 to Mid 2023
- Closeout Mid 2023

multipoint

### **Project Description**

• Improvements including but not limited to: converting unsignalized intersections to signalized with turn lane improvements and pedestrian enhancements; alternative to modify the median opening at both intersections.

• Sidewalks will be added or replaced to improve pedestrian connectivity through the corridor specifically, ADA ramps, curbing and pavement markings.

### **Project Objectives**

• Improve transportation mobility and safety for vehicles and pedestrians.

• Upgrade existing transportation facilities, including retrofitting for Americans with Disability Act, or ADA compliance, to provide services that improve access for all users.

Questions? Workman, Steffanie Project Manager (813) 635-5400



Construction: \$2,695,269

SOURCES: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it is based on BEST AVAILABLE data.

sers of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification

Data Date: Jan 2021 Note: The cost and schedule data shown here are the County's current best estimates and are subject to frequent change. Changes (if any) are updated once a month.

NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and filmess for a particular purpose.



Hillsborough County Florida

Balm Riverview Rd at Rhodine Rd Received June 21, 2021 Capital Improvement Program Project Dect Sheatent Services Project Number: 69679039

### **Quick Facts**



Construction: \$625,188

Closeout - Mid 2021

Funding Sources may include: Developer Contributions, Financing, Impact Fees, Mobility Fees, and **Property Taxes** 

### **Project Description**

• The intent of this project is to supplement the roadway improvements being implemented along both Balm Riverview Road and Rhodine Road as part of CIP 69645106.

The existing flashing beacon will be replaced with a signal.

### Project Objectives

- · Improve transportation mobility and safety for vehicles and pedestrians.
- Upgrade existing transportation facilities, including retrofitting for Americans with Disability Act, or ADA compliance, to provide services that improve access for all users.



### **Questions?**

Turner, Jason **Project Manager** (813) 635-5400

> cy of this map. Hillsborough County does not a d or implied, including, but not limited to. WITHOUT WARRANTY OF ANY KIND, eit ity and fitness for a particular purpose

en prepared for the inventory of real property found within Hillsborough County and is compiled from recorder records; it is based on BEST AVAILABLE data.

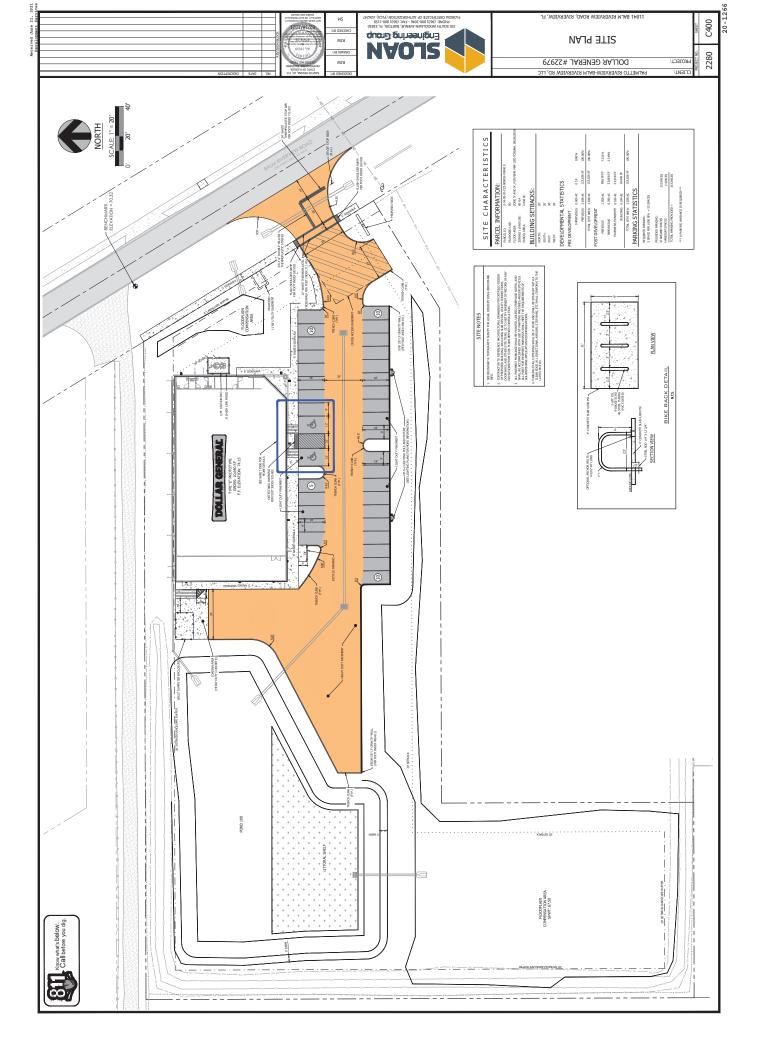
Data Date: March 2021 Note: The cost and schedule data shown here are the County's current best estimates and are subject to frequent change. Changes (if any) are updated once a month

Received June 21, 2021 Development Services

# **SITE PLAN**



20-1266



From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Wednesday, December 9, 2020 2:33 PM
To: Andy Medina [amedina@sloaneg.com]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org];
Zoning Intake-DSD [ZoningIntake-DSD@hillsboroughcounty.org]
CC: Padron, Ingrid [PadronI@hillsboroughcounty.org]; Tirado, Sheida
[TiradoS@hillsboroughcounty.org]; Megan Smith [msmith@gbmmlaw.com]; Ratliff, James
[RatliffJa@hillsboroughcounty.org]; Garantiva, Sofia [GarantivaS@hillsboroughcounty.org]
Subject: RE: Variance Request .:. HC Petition #20-1266 - Dollar General Store - Balm
Riverview
Attachments: 2280 - Variance.pdf

Andy – the attached Variance request is in Optix and has been found to be APPROVABLE. Once the zoning is approved, the County signature block should be added on the version to be signed.

Mike

From: Andy Medina <amedina@sloaneg.com> Sent: Thursday, November 19, 2020 10:14 AM To: PW-CEIntake <PW-CEIntake@hillsboroughcounty.org>; PW-CEIntake <PW-CEIntake@hillsboroughcounty.org>; Zoning Intake-DSD <ZoningIntake-DSD@hillsboroughcounty.org> Cc: Padron, Ingrid <PadronI@hillsboroughcounty.org>; Tirado, Sheida <TiradoS@hillsboroughcounty.org>; Williams, Michael <WilliamsM@HillsboroughCounty.ORG>; Megan Smith <msmith@gbmmlaw.com> Subject: RE: Variance Request .:. HC Petition #20-1266 - Dollar General Store - Balm Riverview Importance: High

[External]

I am sending this once again to try and coordinate. Please advise as to receipt at your earliest convenience.

Thank you,

## Andy Medina

Project Manager Sloan Engineering Group Email: <u>amedina@sloaneg.com</u> 863-800-3046 (office) 863-944-1502 (cell)

From: Andy Medina <amedina@sloaneg.com>
Sent: Friday, November 13, 2020 12:51 PM
To: Padron, Ingrid <<u>Padron1@hillsboroughcounty.org</u>>; Sheida Tirado
<tirados@hillsboroughcounty.org>; Michael Williams <<u>williamsm@hillsboroughcounty.org</u>>
Subject: RE: Variance Request ... HC Petition #20-1266 - Dollar General Store - Balm Riverview

Ingrid and company, Do you have any type of update for me on this review?

#### Andy Medina

Project Manager Sloan Engineering Group Email: <u>amedina@sloaneg.com</u> 863-800-3046 (office) 863-944-1502 (cell)

From: Andy Medina <a medina@sloaneg.com>
Sent: Friday, November 06, 2020 4:36 PM
To: Padron, Ingrid <<u>Padron1@hillsboroughcounty.org</u>>
Subject: RE: Variance Request .:. HC Petition #20-1266 - Dollar General Store - Balm Riverview
Importance: High

#### Good afternoon Ingrid,

Can you please update me on the submittal for this? It has now been nearly 2 weeks since we submitted this.

Thank you,

#### Andy Medina

Project Manager Sloan Engineering Group Email: <u>amedina@sloaneg.com</u> 863-800-3046 (office) 863-944-1502 (cell)

From: Andy Medina <a href="mailto:amedina@sloaneg.com">
Sent: Thursday, October 29, 2020 1:42 AM
To: Padron, Ingrid <<u>Padron1@hillsboroughcounty.org</u>>
Subject: FW: Variance Request ... HC Petition #20-1266 - Dollar General Store - Balm Riverview

Ingrid, Are you in receipt of this submittal for variance?

Andy Medina Project Manager Sloan Engineering Group Email: <u>amedina@sloaneg.com</u> 863-800-3046 (office) 863-944-1502 (cell)

From: Andy Medina <<u>amedina@sloaneg.com</u>> Sent: Sunday, October 25, 2020 12:47 AM To: pw-ceintake@hcflgov.net; pw-ceintake@Hillsboroughcounty.org
 Cc: Ratliff, James <<u>RatliffJa@hillsboroughcounty.org</u>>
 Subject: Variance Request ... HC Petition #20-1266 - Dollar General Store - Balm Riverview

To whom it may concern,

I am submitting this Variance request as instructed by County staff for deviations listed below:

#### 1. Driveway Separation on Balm Riverview Road to the project entrance

This Variance is associated with Hillsborough County Petition 20-1266.

Please let me know if any additional information would be helpful.

Thank you very much,

Andy Medina Project Manager



Physical: 150 S. Woodlawn Avenue Bartow, FL 33830 Mailing: PO Box 253 Bartow, FL 33831 Email: <u>amedina@sloaneg.com</u> 863-800-3046 (office) 863-944-1502 (cell)

This email is from an **EXTERNAL** source and did not originate from a Hillsborough County email address. Use caution when clicking on links and attachments from outside sources.



October 24, 2020

Mr. Mike Williams, P.E. Hillsborough County Engineer c/o Mr. Benjamin Kniesly, P.E. Hillsborough County Public Works 601 E Kentucky Blvd; 22<sup>nd</sup> Floor Tampa, FL 33602

#### RE: Narrative Report for Variance to: Driveway Separation on Balm Riverview Road Dollar General Store – Balm Riverview Hillsborough County Petition #20-1266 Folio No. 084818-0000 SEG Project No: 2186-1

Dear Mr. Williams,

This Narrative Report is meant to serve as justification for the requested 6.04.02B variance on the abovementioned project for the following item:

#### Driveway Separation on Balm Riverview Road to the project entrance

#### **Existing Conditions**

The subject site is currently vacant and heavily vegetated and was formerly utilized as a fish farm. There is a floodplain encompassing nearly all of the south and southeastern portion of the parcel. Hillsborough County classifies Balm Riverview Road as a Class 6, 2-lane enhanced roadway and has a speed limit of 45 MPH. Balm Riverview Rd. serves approximately 16,900 Annual Average Daily Trips. The subject site is bisected by a ditch/canal that connect to the Alafia stormwater basin. This canal directs runoff from the eastern side of Balm Riverview Rd. via two (2) 49"x 33" CMP's across the road and on to the west. There is an existing unimproved driveway onto the site located approximately 75 feet from the existing residential driveway located just north of our northeastern property corner. The property is currently zoned Agricultural Single-Family Estate (AS-0.4). The entire property is currently undergoing a Rezoning Petition (20-1266) to change the zoning to Planned Development – Commercial (PD-C).

#### **Development Plan**

The northern portion of the parcel (Phase 1) is proposed to be used for a 10,640 square foot Retail store. The southern portion of the parcel (Phase 2) has a proposed use of a 17,550 square foot Commercial building. The proposed variance will allow the property to have an improved driveway that will support the proposed uses. After the Rezoning to PD-C is approved, the northern portion of the project (Phase 1) will finalize permitting through Hillsborough County's Straight to Construction process. The goal of the project is to construct a 10,640 square foot Dollar General store on the northern portion of the parcel. This is identified on the PD site plan as the "Phase 1" project area and is currently under design for construction in the immediate future. There is no proposed timeframe for the remaining portion of the PD, identified as the "Phase 2" project area. An on-site stormwater management pond will be constructed for the Phase 1 improvements, along the western property line. Due to the large portion of flood plain and large number of healthy trees located along the properties southern portion, every attempt will be made for the site to keep improvements out of this area, during Phase 1. The proposed PD-C includes the following driveway: one (1) full access entrance on Balm Riverview Rd. This access is proposed as far south on the property, without interfering with the Alafia canal and outside of the Alafia floodplain.



## Variance #1: Driveway Separation on Balm Riverview Road

MINIMUM (See Sec.			
Access Classification	Minimum Connection Spacing	Minimum Clearance	Provided Clearance
Class 6	·		
Existing roadways primarily in areas with extensive development or where the land is extensively subdivided. These corridors will be distinguished by existing or expected non restrictive medians, such as an undivided two or four lane highway or multi-lane highways with two-way left turn lanes.	>45 mph 330 ft ≤ 45 mph 245 ft	245'	118'

In reference to Hillsborough County Section 6.04.02(B) (Variance Procedure and Criteria), we feel that the following criteria are justified accordingly. See responses below:

## a) There is an unreasonable burden on the applicant.

- The subject site must have access to the Hillsborough County roadway network and Balm Riverview Rd. provides the only road frontage to the project. Connection to public transportation is vital for a commercial establishment. With that said, it would be an unreasonable burden on the applicant if the site cannot access a roadway.
- The site contains a major canal/ditch drainage conveyance running through the middle of the site. The proposed development is developing only the northern portion of the property at this time. According to Hillsborough County, the canal should not be moved, as it is vital to the current flood condition. Additionally, any modification to its positioning will trigger the need to permit from numerous other agencies (SWFWMD, EPC, and Army Core of Engineers). This additional permitting would create an unreasonable burden on the applicant, as in its current proposed location, none of these jurisdictions require permitting. Even if that permitting were to take place, there is no guarantee, that these jurisdictions would allow for a modification.
- b) The variance would not be detrimental to the public health, safety, and welfare.
  - The site currently has access much closer to the existing driveways to the north. As mentioned above, this entrance is located approximately 75 feet from the entrance to the north. The proposed design shifts the entrance as far south as possible, without interfering with the canal/ditch and culvert crossing. This variance is not detrimental to the public health, safety, and welfare of the area.
- c) Without the variance, reasonable access cannot be provided.
  - As mentioned above, the access proposed is the most reasonable access to the site. The site has to be given access and the southern portion of the parcel is located in a flood plain and contains an immovable floodway canal. Any entrance proposed on that portion of the parcel is not feasible, from a cost and most importantly, a permitting standpoint.
  - This variance needs to be viewed from the standpoint of Zoning, Natural Resources, and Stormwater in addition to Transportation, to truly determine the status as to whether it is acceptable.

If you have any questions regarding this letter or the attachments, please call our office at (863) 800-3046 or email me at mflora@sloaneg.com.

Sincerely, SLOAN ENGINEERING GROUP, INC

Michael Flora, P.E. Director of Engineering



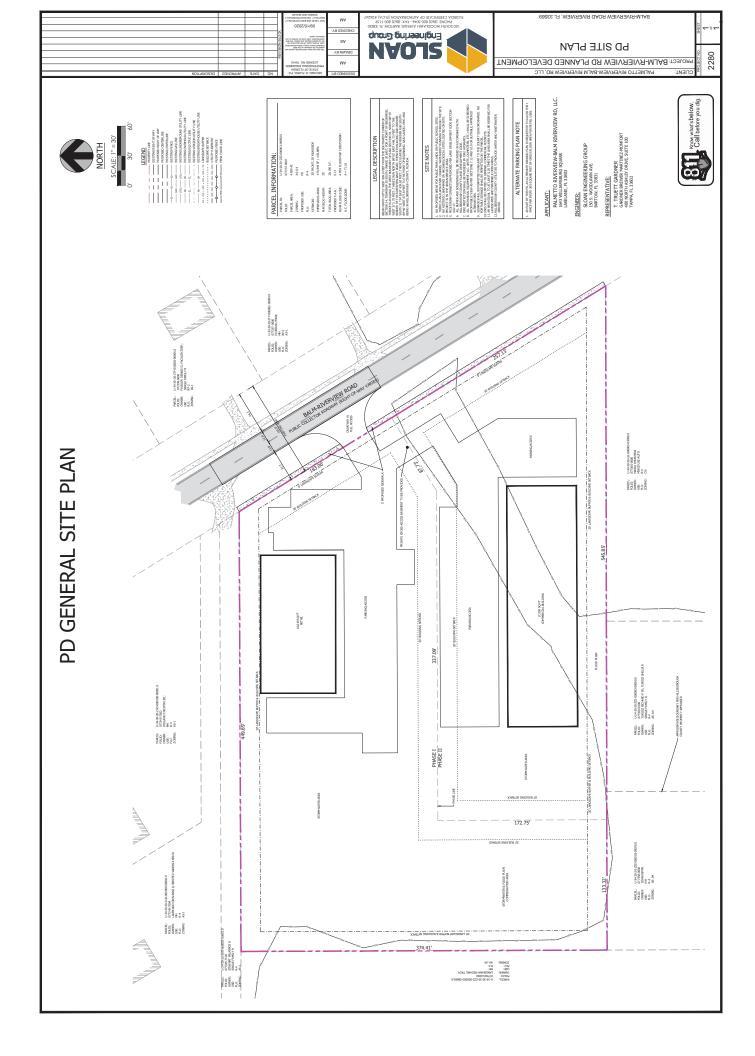


SITE PLAN FLU MAP COUNTY FLOOD MAP



# **SITE PLAN**





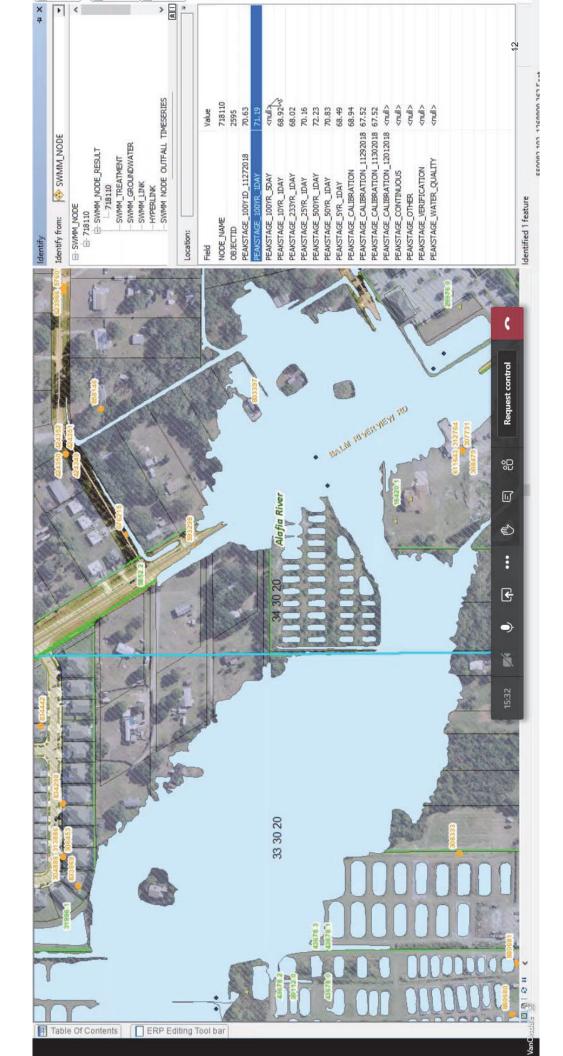
# FLU MAP





# **COUNTY FLOOD MAP**





#### COMMISSION

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



#### DIRECTORS

Janet L. Dougherty EXECUTIVE DIRECTOR Elaine S. DeLeeuw ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Rick Muratti, Esq. LEGAL DEPT Andy Schipfer, P.E. WETLANDS DIVISION Steffanie L. Wickham WASTE DIVISION Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZON	VING
HEARING DATE: October 18, 2021	COMMENT DATE: October 7, 2021
<b>PETITION NO.:</b> 20-1266	<b>PROPERTY ADDRESS:</b> 11841 Balm Riverview Rd
EPC REVIEWER: Mike Thompson	
<b>CONTACT INFORMATION:</b> (813) 627-2600 X 1219	FOLIO #: 77357.0007
EMAIL: thompson@epchc.org	<b>STR:</b> 34-30S-20E
REQUESTED ZONING: PD	
FINDI	NGS
WETLANDS PRESENT	YES
SITE INSPECTION DATE	2/25/20
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO,	Tributary to Rice Creek on southern portion
SOILS SURVEY, EPC FILES)	

The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 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.
- 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

Environmental Excellence in a Changing World Environmental Protection Commission - Roger P. Stewart Center 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

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

#### **INFORMATIONAL COMMENTS:**

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

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



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

TO:	Zoning Review, Development Services	DATE: 06/11/2021
<b>REVIEWER:</b>	Ron Barnes, Impact & Mobility Fee Coordinator	
APPLICANT:	Revestart LLC	PETITION NO: 20-1266
LOCATION:	11841 Balm Riverview Rd	
FOLIO NO:	77357.0007	

#### **Estimated Fees:**

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

Industrial (Per 1,000 s.f.) Mobility: \$2,727.00	Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$8,580.00	Warehouse (Per 1,000 s.f.) Mobility: \$877.00
Fire: \$57.00	Fire: \$313.00	Fire: \$34.00
Retail - Conv Mkt. w/Gas (2,000-2,999 s.f. store)	Retail - Fast Food w/Drive Thru	
(Per fueling position)	(Per 1,000 s.f.)	
Mobility: \$10,238.00	Mobility: \$65,382.00	
Fire: \$313.00 (Per 1,000 s.f	.) Fire: \$313.00	

## **Project Summary/Description:**

Urban Mobility, South Fire - retail. multiple structures retail uses.

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

PETI	FION NO.: PD20-1266REVIEWED BY: Randy RochelleDATE: 9/28/2020
FOLI	0 NO.: 77357.0007
$\square$	This agency would $\Box$ (support), $igodot$ (conditionally support) the proposal.
	WATER
$\boxtimes$	The property lies within the <u>Hillsborough County</u> Water Service Area. The applicant should contact the provider to determine the availability of water service.
	No Hillsborough County water line of adequate capacity is presently available.
	A <u>20</u> inch water main exists [] (adjacent to the site), [] (approximately <u>90</u> feet from the site) <u>and is located within the east Right-of-Way of Balm Riverview Road</u> .
	Water distribution improvements may be needed prior to connection to the County's water system.
	No CIP water line is planned that may provide service to the proposed development.
	The nearest CIP water main ( inches), will be located 🗌 (adjacent to the site), 🗌 (feet from the site at). Expected completion date is
	WASTEWATER
	The property lies within the <u>Hillsborough County</u> Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
	No Hillsborough County wastewater line of adequate capacity is presently available.
	A <u>16</u> inch wastewater force main exists 🔀 (adjacent to the site), 🗌 (approximately feet from the site <u>) and is located within the west Right-of-Way of Balm Riverview Road</u> .
	Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
	No CIP wastewater line is planned that may provide service to the proposed development.
	The nearest CIP wastewater main ( inches), will be located 🗌 (adjacent to the site), 🗌 (feet from the site at). Expected completion date is
COM	MENTS: <u>This site is located within the Hillsborough County Urban Service Area</u> , <u>therefore the subject property should be served by Hillsborough County Water and</u> <u>Wastewater Service</u> . This comment sheet does not guarantee water or wastewater <u>service or a point of connection</u> . Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site

improvements as well as possible off-site improvements.

## AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Manag	<b>DATE:</b> <u>23 Sep. 2020</u>
REVIEWER: Bernard W. Kaiser, Conservation and Er	wironmental Lands Management
APPLICANT: Truett Gardner	<b>PETITION NO:</b> <u>RZ-PD 20-1266</u>
LOCATION: 11841 Balm River Rd, Riverview, FL 3357	<u>9</u>
FOLIO NO: <u>77357.0007</u>	SEC: <u>34</u> TWN: <u>30</u> RNG: <u>20</u>

 $\square$  This agency has no comments.

This agency has no objection.

This agency has no objection, subject to listed or attached conditions.

This agency objects, based on the listed or attached conditions.

COMMENTS: The subject application is adjacent to the Fish Hawk Creek Preserve. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.

# VERBATIM TRANSCRIPT

X IN RE: J ZONE HEARING MASTER HEARINGS X ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: PAMELA JO HATLEY and SUSAN FINCH Land Use Hearing Master DATE: Monday, October 18, 2021 TIME: Commencing at 6:00 p.m. Concluding at 10:33 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 130 Clearwater, FL 33762 (800) 337-7740	IN RE: ZONE HEARING MASTER HEARINGS ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: PAMELA JO HATLEY and SUSAN FINC Land Use Hearing Master DATE: Monday, October 18, 2021 TIME: Commencing at 6:00 p.m. Concluding at 10:33 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 130 Clearwater, FL 33762		OUGH COU																																																								5						F	2	a	g	ſe	Ż	-	1	
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	Page 19
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	ZONING HEARING MASTER HEARINGS
3	October 18, 2021
4	ZONING HEARING MASTER: PAMELA JO HATLEY
5	B1:
6	Application Number: RZ-PD 20-1266 (Remand) Applicant: Revestart, LLC
7	Location: 11841 Balm Riverview Rd. Folio Number: 77357.0007
8	Acreage: 4.86 acres, more or less Comprehensive Plan: RES-4
9	Service Area: Urban Existing Zoning: AS-0.4
10	Request: Rezone to PD
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Page 20 MR. GRADY: On an housekeeping matter before 1 2 we take up the first case is I just want to note for the record and I will, again, repeat this when 3 4 we get to that item. 5 But for item D-4, which is Major Modification 21-0877, the BOCC public hearing date 6 7 for that item is going to be November 9th, with 8 your zoning hearing recommendation due on November 1st. 9 So I'll repeat that when we get to that 10 item, but I wanted to note that for the record. 11 12 Going back to the agenda, the first item on 13 the agenda will be item B-1, Rezoning-PD 21-1266. 14 This is a remand item. It's a request to rezone 15 from AS-0.4 to a PD. 16 I will provide staff recommendation after 17 presentation by the applicant. And Hearing Officer 18 Susan Finch will hear this case. 19 HEARING MASTER FINCH: Thank you, Mr. Grady. 20 I appreciate it. 21 Is the applicant here? 22 MR. GARDNER: Yes, Ms. Finch. Truett 23 Gardner. 24 HEARING MASTER FINCH: Good evening. 25 MR. GARDNER: Good evening. How are you?

Page 21 1 HEARING MASTER FINCH: I'm good. Thank you. 2 If you want to go ahead with your presentation. MR. GARDNER: Perfect. Truett Gardner, 400 3 North Ashley Drive. We're putting up a PowerPoint 4 5 now. While that's coming up, we're like a bad 6 7 penny on this one that keeps coming up to you. 8 Hopefully, this is for the last time and I know you've seen this twice. So we'll be brief in the 9 10 presentation. We just wanted to give you a brief overview 11 12 of the team itself and then -- next slide -- just 13 overview, again, on the site. We are on 14 Balm-Riverview Road, just north of the intersection 15 of Balm-Riverview and Rhodine. 16 The parcel's just under 5 acres, and it was 17 formerly a fish pond that's been abandoned. And then in the area, in that vicinity, is immediately 18 to the south is a residential structure, which is 19 20 in the same zoning lot, same ownership as the auto 21 repair store immediately to its south. And then 22 other uses in the vicinity are commercial, 23 single-family overview of the area. 24 And next slide. With respect to the 25 proposal -- and there'll be another slide that we

Page 22 have comparing where we started to where we are 1 2 But one use and one use only we're now. 3 requesting, which is variety store retail. 4 Max size, the proposal is under 5 11,000 square feet, 10,640; and the FAR being 6 requested is now .05 versus a .25 that could 7 potentially be requested. Next slide. 8 And then just real briefly on how we got We filed this rezoning in excess of a year 9 here. 10 ago and attended ZHM back in March of 2021. Had a 11 denial recommendation. Proceeded with this case to 12 the ZHM. 13 We at that time asked to be remanded to make 14 modification to the site plan, which we did. Came 15 back to the ZHM in July, and then in September, we 16 went to the BOCC not asking for remand but asking 17 for approval. But the Board remanded us back with 18 instructions of specific things to address, which 19 is what I want focus on primarily this evening. 20 Next slide. Then just -- this is evolution 21 of the plan from its original proposal to not only 22 what you saw in July but also some additional 23 things we've added in direct response to some of 24 the comments from the BOCC Board members. 25 But at the beginning, we were asking for all

Page 23 CN uses with a couple of exclusions. 1 As I 2 mentioned, we're now down to one use and one use 3 only, which is the variety store retail. We 4 started off when you first saw it asking for over 5 28,000 square feet of retail uses. That's now been 6 reduced by 62 percent to 10,640. There were three buildings being proposed 7 8 when you initially saw it. That has now been 9 reduced to one, which was the case when you saw it 10 in July. The FAR, again, has been reduced from .13 to .05. Pervious surface has increased by in 11 12 excess of an acre. 13 We increased the buffer on the southern 14 portion of the site. That was changed you would 15 have seen in July. The condition No. 5 is one that 16 we'll dive into. That is a new one where we're 17 committing to placing a conservation easement over 18 the wetland area on-site. 19 Condition 11 limited the hours of operation 20 to 7:00 a.m. to 9:00 p.m. And then Condition 12, 21 which was done in part but now added to is 22 supplemented on the architectural design 23 characteristics of the structure. 24 Next slide. So then on September 8th was 25 our hearing from the Board of County Commissioners

Page 24 and not to put words in any of their mouth, but 1 2 it's an interesting read in this transcript, which I would recommend if you haven't had a chance to 3 read it to do so. 4 5 Really beginning about page 22, and then it 6 runs through page 34. But what seemed to really 7 germinate with them and they gravitated towards at 8 the end was feeling that this made sense. 9 Really, I think the strongest reason why was 10 given the proliferation of single-family. They really want neighbor-serving commercial and with 11 12 the size of this, they felt like it really fit in 13 with all the developer has proposed. 14 But these next four slides are going to be 15 specific questions that came up in discussion, 16 which we believe were the four ones, and then how 17 we responded to each of those. So next slide. 18 This one was from Commissioner Smith and, 19 basically, was requesting -- asking us if we would 20 put the wetland area -- agreed to put it into a conservation easement, which we have done. It is 21 22 on the site plan. And then, specifically, Condition 5 states 23 24 that the wetland area as generally labeled on the 25 site plan shall be preserved for the conservation

Page 25 easement. The conservation easement shall be 1 2 recorded prior to the issuance of a certificate of 3 occupancy. So that was the first directive. 4 There you can see the arrow pointing to the 5 conservation easement. So that will be the portion 6 once specifically defined we would record a 7 conservation easement over. 8 Next is when a discussion on the sidewalk --I don't know if you recall this, but we were 9 10 proposing a sidewalk running from the property to 11 the north, connecting it with a residential 12 subdivision. I believe it was over 700 feet to the 13 north. 14 The question came up at the hearing of why 15 is it running to the north instead of to the south. 16 And so this was the clarification of that. Next 17 slide you can see this graphic that we put 18 together. 19 As a part of the CIP project that's already 20 been funded, there will be a sidewalk going from the intersection to our site. Our site will have a 21 22 sidewalk, and then what we're proposing is to go 23 north 700 feet. So linking that residential 24 subdivision to the proposed Dollar General and then 25 all the way to the -- to the intersection itself.

Next was -- this was an interesting one. 1 2 On -- if you look to the south of our site, there's 3 a site at the corner, the northwest corner to the, 4 and it's heavily treed and landscaped and 5 Commissioner Overman was asking whether this site, 6 given its history as a former fish farm, is 7 actually better suited for development than the 8 site at the corner.

9 And so we engaged Naylor Engineering. They 10 looked at it. Abbey Naylor's letter should be in 11 your package, but she concludes that the property 12 at the northwest corner has -- has greater 13 anthropogenic disturbance, which means greater 14 disturbance by humans and less wetlands than the 15 parcel that we're proposing.

And so, basically, the conclusion being that that's actually -- our site is a better site to develop than the one to the northwest corner. This is a graphic showing the heavily vegetated area that the Commissioner picked up on.

At the northwest corner of that intersection and then in between is the auto repair store and shopping -- excuse me -- and the residential single-family home and then our site in the light purple north of that.

#### Executive Reporting Service

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Page 27 And then last but not least, I'm going to 1 2 turn this over to Jeff Lazenby. Commissioner Smith was asked if we could take another look at the 3 4 architectural elements of the project and to see if 5 we could make it better with the Riverview area. Unfortunately, there's not much in terms of 6 7 in the Code or in their plan that provides 8 guidance. But we did take a hard look. One thing that we were inspired by is the new Riverview 9 10 library. And so with that, I'll turn this over to 11 12 Jeff on the additional architectural enhancements 13 that have been made. 14 MR. LAZENBY: Good evening. Can you hear 15 me? 16 HEARING MASTER FINCH: Yes, we can hear you. 17 MR. LAZENBY: Hi. My name is Jeff Lazenby. I'm with Palmetto Capital Group. I'm the developer 18 19 for this project and thank you very much for 20 hearing us tonight. 21 As Truett said, Commissioner Smith asked if 22 we -- when we come back, she'd like to see further 23 enhancements to the building. Specifically 24 mentioned, the Riverview Community Plan. There 25 were no specific requirements for the Riverview

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1 Community Plan.

2 So what we've done is we took a look at the 3 Riverview downtown district standards, the Keystone 4 Odessa Rural Development standards, the Lutz Rural 5 Area Development Standards, and other stores in 6 rural areas that we received positive feedback on. 7 One specifically was in Wimauma, which is 8 not too far in the south here we grabbed some ideas But some of the ideas we took from each of 9 from. 10 those places, the proposed building you see in this rendering has window glazing on the -- on the 11 12 street, visible sides. We took that from the Riverview downtown 13 14 standards. Of course, in the glazing are 15 enhancement awnings to provide a pedestrian-level 16 feel to the elevations. That was taken from the 17 Keystone and the Lutz standards. 18 The parapet as proposed cornice detail with 19 a stepped height to try to keep it from looking 20 like just a box. We -- we muted the colors to give 21 it more of a light residentially feel with some 22 yellows and light grays and greens. 23 The alcove entryway gives it kind of a patio 24 feel out front. One of the -- the Keystone and 25 Lutz Rural Standards specifically prohibit

unsurfaced cement or block or stucco exterior
platting. I believe that was on the former
rendering. That's all been taken off. And those
standards actually encourage fine slat-style
siding, which we have added here.

6 Additionally, shade-style shingle, which is 7 hard to see in this rendering, but it's under the 8 awnings there. So we've taken a few ideas from 9 each -- each of the other areas in the county and borrowed a few from a few existing stores that we 10 think this gives us a kind of a local neighborhood 11 12 store-type look. And we hope you agree. That's all I have. 13

14 MR. GARDNER: Ms. Finch, just to wrap this 15 up, we want to focus on the directives that the 16 Board provided us, which is what we've done. And 17 if you have any questions, both coming out of that 18 hearing as well as any questions from before given the long life of this, we'd be happy to try to 19 20 answer them. 21 HEARING MASTER FINCH: Thank you, 22

22 Mr. Gardner. I appreciate that. I have read in 23 detail the minutes from the September 8th Board of 24 County Commissioners meeting when this was 25 remanded.

## Executive Reporting Service

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And I certainly pick up the points that you address, but I have some others that were just topics of discussion. So let's just go through those real quick.

5 In the beginning -- well, first let me ask 6 the basic question: Is there any change in your 7 proposal in terms of the use or the square footage 8 as compared to the last time we heard this at the 9 Zoning Hearing Master Hearing in July?

10 MR. GARDNER: No. As of the last time you 11 heard it, we made the limitation -- we had made the 12 limitation to the variety store use. So that has 13 not changed, and then we also had made the 14 reduction down to the 10,640 square feet. So that 15 has not changed.

16 HEARING MASTER FINCH: Right. But the 17 hearing in July was for a single use, the variety store at the 10,000-plus square feet, and that's 18 19 what my recommendation was written on and that is 20 unchanged. That's what I just want to document for the record. 21 22 MR. GARDNER: Yes. Correct. 23 HEARING MASTER FINCH: Okay. Thank you. 24 Then the next point, the beginning of the item

discussion at the Board hearing, Commissioner Smith

Executive Reporting Service

25

Page 31 asked about the traffic that was associated with --1 2 as this parcel is designated RES-4 in the 3 Comprehensive Plan and given the acreage that, 4 perhaps, 18 homes can be developed on here. 5 And would that be -- that traffic be worse 6 than the former use, which was a fish farm, and 7 then that leads me to ask you if you know what the 8 comparison would be for those 18 homes versus the traffic associated with your 10,640-square-foot 9 10 variety store. 11 MR. GARDNER: So good question. We haven't 12 run the exact comparison from this store to the 18 13 homes, but what we do have is -- is that that 14 impact of this, which we would only be generating 15 22 external a.m. peak-hour two-way trips. 16 And so I think the thought was the 17 additional traffic would be negligible and probably 18 comparable to the 18 homes, but I don't have those 19 exact figures. 20 HEARING MASTER FINCH: Okay. So you're 21 basing that on the given for the 18 homes and then 22 the increase based on the commercial development 23 you're proposing; is that correct? 24 MR. GARDNER: Correct. 25 HEARING MASTER FINCH: Okay. Got it. Thank

Page 32 you. You answered the -- the concern about 1 2 Commissioner Smith talking about the conservation 3 easement, and I see that's a proposed condition. 4 So I get that. 5 Next, Commissioner Kemp asked if this was 6 ever designated as a brown field. Do we know the 7 answer to that? 8 MR. GARDNER: I don't believe that it has. 9 No. HEARING MASTER FINCH: Okay. All right. 10 And then regarding the discussion from Commissioner 11 12 Overman about the intersection -- and thank you. 13 In the record -- in the transcript, it called it 14 the northeast corner, but I believe she was talking 15 about, as you picked up in your slide, the 16 northwest corner? 17 MR. GARDNER: Correct. 18 HEARING MASTER FINCH: At Rhodine and 19 Balm-Riverview. And that is just -- as I look at 20 the zoning map, that is already zoned CN, 21 Commercial Neighborhood. 22 And then she also talked about the sidewalk 23 issue, which I see that as part of your proposal. 24 And then that was followed up by Commissioner Cohen 25 asking if that parcel at Rhodine and Balm-Riverview

Page 33 1 was developable. 2 And so it's your testimony based on this 3 environmental analysis that part of it is a 4 wetland. How much is that; 23 percent that I see? 5 MR. GARDNER: It is. Let's see. We'll get 6 you that. Correct. 7 HEARING MASTER FINCH: All right. 8 MR. GARDNER: Do we have the letter -- yes. I can give you -- it's not on our slides, but in 9 10 Ms. Naylor's letter is the percentage wetland of that site versus the percentage of wetland of -- of 11 12 our site. Here it is. 8.31. Yes. 13 So the site -- the subject parcel, the -the wetland occupies approximately 8.31 percent of 14 15 the parcel; whereas, the parcel -- the other parcel 16 being referred to in the northwest corner is 17 33 percent wetland. So only three times as much. 18 HEARING MASTER FINCH: But would it be fair 19 then to say that the parcel at the intersection of 20 Rhodine and Balm-Riverview is about 75 percent 21 upland and developable? Would that be a fair 22 conclusion from your analysis? MR. GARDNER: 23 Sure. 24 HEARING MASTER FINCH: Thank you. And then 25 finally Commissioner Smith then concluded the

Page 34 testimony with talking about consistency with the 1 2 Riverview Community Plan, and I see that you put that into the record. 3 4 So I just want to make sure that we hit all 5 of the points that were the discussion and the 6 reason to send this back as a remand. So I think 7 we've covered it, unless you have anything else you 8 want to add, I'm going to move on to staff. 9 MR. GARDNER: No. I appreciate you going 10 through the record as well. HEARING MASTER FINCH: All right. Thank you 11 12 so much. 13 Development Services. 14 MR. GRADY: Good evening. Brian Grady, 15 Hillsborough County Development Services. 16 As noted by the applicant's testimony, this 17 is a remand from the Board of County Commissioners. The applicant's proposed square footage and use 18 19 remains the same from the previous application 20 regarding the request for 10,640 square feet of the variety store retail. 21 22 As noted as part of this remand, the 23 applicant provided additional information in the 24 record including a commitment to place a 25 conservation easement over the existing wetland,

revised building renderings incorporating the various addition design features as outlined in the applicant's presentation proposal per landscaping parking to be located behind the building setback line.

6 They also included information in comparing 7 the suitability for the development of the subject 8 parcel versus undeveloped parcels at the 9 intersection of Balm-Riverview Road and Rhodine 10 Road.

And they also provided a revised exhibit showing the sidewalks to be provided along Balm-Riverview to the north and south of the parcel based on sidewalks to be provided by the applicant and those be constructed by the County.

I would note and based on the remand, Planning Commission reevaluated the request and also did include additional information -information clarification regarding the basis for the noncompliance with commercial locational criteria.

As noted from prior applications, the applicant does not meet locational criteria and has requested a waiver which is not supported by Planning Commission. So they remain continued to

find the request inconsistent.

2 Development Services perspective, staff does acknowledge the revised proposal which includes 3 addition architectural enhancements, enhanced 4 landscaping, and -- and, again, parking -- enhanced 5 6 parking requirements do improve the (unintelligible) surrounding development area. 7 8 However, staff concurs with inconsistency finding based on locational criteria, policies of 9 10 Hillsborough Comprehensive Plan, and finds the extension of the commercial uses location despite 11 12 the revised proposal will expand the area of 13 commercial development beyond the intersection and 14 be in conflict with the planning objectives in 15 creating appropriate transitions of lesser intense 16 uses between residential and nonresidential areas 17 of the community. 18 Therefore, our report remains not 19 supportable consistent with our prior hearing. 20 Thank you. 21 HEARING MASTER FINCH: Thank you. Ι 22 appreciate it. 23 Go to the Planning Commission, please. 24 MS. MASSEY: Good evening, Madam Hearing 25 Master. This is Jillian Massey, Planning

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Commission staff.

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The subject property is located in the Residential-4 Future Land Use Category. It's in the Urban Service Area and located within the residential district of the Riverview Community Plan and also located within the Southshore Areawide Systems Plan.

8 As noted already with previous testimony, 9 the application's been remanded twice. Planning Commission staff has reexamined the site, and 10 the -- the changes do not satisfactorily address 11 12 staff's compatibility concerns with the existing 13 development pattern and consequently have not 14 resulted in a change to Planning Commission staff 15 recommendation.

16 The subject property does not meet 17 locational criteria. The subject property is 18 located three parcels to the northwest of the 19 Balm-Riverview Road and Rhodine Road intersection.

20 Commercial locational criteria is based on 21 the Future Land Use Category of the property and 22 whether the roadways are shown on the adopted 2040 23 Highway Cost Affordable Long-Range Transportation 24 Plan.

Roadways listed in the table have two- or

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four-lane roadways must be shown on the Highway
 Cost Affordable Long-Range Transportation Plan in
 order to be considered to meet commercial
 locational criteria.

5 Per Policy 22.2, 75 percent of the site 6 needs to be located within 900 feet of the 7 intersection node. The applicant contends that the 8 site meets commercial locational criteria; stating 9 that the project is located 903 feet from the 10 intersection.

11 This measurement does not take into account 12 that copper heads of plan policy direction dictates 13 how sites should be measured. Per FLU Policy 22.2, 14 all measurements should begin at the edge of the 15 road right-of-way and the site must meet distance 16 requirements within 75 percent of the site.

Planning Commission staff has determined that 75 percent of the project site is over 1200 feet from the intersection. Therefore, it doesn't meet locational criteria.

21 While Planning Commission acknowledges that 22 the proposed site planning techniques help to 23 mitigate impacts to residential uses and moves 24 closer to the intent of the Comprehensive Plan, at 25 site meeting commercial locational criteria never

Page 39 guarantees the approval of a commercial use. 1 2 Consequently, an application that does not 3 meet criteria must demonstrate in its proposal how 4 it will further the goals, objectives, and policies 5 of the Comprehensive Plan. Policy 22.7 identifies several 6 7 considerations that carry more weight than 8 commercial locational criteria, including Land Use compatibility. The request for commercial Land Use 9 outside of the established node does not fulfill 10 the intent of Policy 22.7. 11 12 The request would not contribute to a gradual transition of uses within the area. 13 Planning Commission staff acknowledges the 14 15 application has moved closer towards meeting the 16 intent of the plan through site planning and 17 buffering, architectural, and elevation 18 enhancements, addition of a conservation easement, 19 additional open space, hours of operation, and a 20 reduction in intensity. 21 The proposed Planned Development requests 22 for a variety of retail store would not provide 23 appropriate and compatible transition to the 24 single-family residential land uses and low density 25 AS-0.4 and AS-1 zoning immediately adjacent to the

Page 40 site and within the general area. 1 2 Consequently, the request is not consistent with the Riverview Community Plan. Based on those 3 considerations, the Planning Commission staff finds 4 5 that the proposed Planned Development is 6 inconsistent with the Future of Hillsborough 7 Comprehensive Plan for Hillsborough County. Thank 8 you. 9 HEARING MASTER FINCH: Thank you. Ι 10 appreciate it. At this time we'll call for anyone that 11 12 would like to speak in favor? Anyone in support of 13 this application in the room? Seeing no one, 14 anyone online? No. All right. 15 Anyone in opposition to this request? All 16 right. I see -- if you could hold up your hands, I 17 see two people. Do we have anybody online? All right. So if you want to go ahead and come 18 19 forward, you have 15 minutes total. 20 If you could start just by giving us your 21 name and address, please. 22 MR. FACKLER: I won't take anywhere near 23 that long. My name's Dennis Fackler. I live at 24 11808 Balm-Riverview Road directly across the 25 street from this project.

Balm-Riverview Road is a two-lane rural road. 1 2 That part of the county does not even have a county water or sewer. The traffic there daily from when 3 4 I leave my house to get out of my driveway takes me 5 approximately ten minutes to get out of my driveway 6 to go a half a mile up to the streetlight. And it 7 takes me about 25 minutes because the school zones 8 and the traffic.

9 If I go in the other road to Rhodine, it 10 takes me every bit of a half hour because of the 11 traffic. It's terrible. They definitely need to 12 expand the roads. To add something like this, it's 13 basically commercial building in that particular 14 neighborhood, which is all zoned AS -- AS-1 15 Agricultural Single-Family-1 acre.

I have an acre and a third. Everybody along Balm-Riverview Road has that plus. It's completely inconsistent with the type of neighborhood, and the amount of trash -- and believe me, I'm -- I'm a customer of Dollar General, but I don't want it in my neighborhood.

It's a real, real problem. You're going to create a much bigger problem if you add that thing there. Not only that, but there's the wetland issues. We have a tremendous amount of wildlife in

Page 42 our area, and we'd like to keep it. Thank you very 1 2 much. Please don't let them do this. HEARING MASTER FINCH: Thank you, sir, for 3 4 coming down. If you could, please, sign in with 5 Allison with the clerk's office. 6 Yes, ma'am. Yes. While she's coming up, is 7 there anyone else that wants to speak in 8 opposition? All right. Seeing no one, go ahead, ma'am, if you give your name and address. 9 10 MRS. FACKLER: My name is Zoë Fackler. My address is 11808 Balm-Riverview Road. 11 12 HEARING MASTER FINCH: Ma'am, if you could 13 please put your mask back on. It's the policy of the County. 14 15 MRS. FACKLER: Gotcha. 16 HEARING MASTER FINCH: Thank you. 17 MRS. FACKLER: I'm going to be specific. 18 This is -- building is going to be more than 19 10,000 square feet. It's going to be concrete 20 floor. 21 Our community served as far as stormwater 22 removal specifically by ditches. The wetlands at 23 the south end -- everybody keeps talking about 24 being marked as a conservation area. Actually, 25 it's the peak collection point for our entire

neighborhood.

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And keep in mind, each one of our lots is 1.25 acre lot. We have ditches that go all the way around our neighborhood, including down the back. Instead of an alley, we've got a huge ditch. This all runs into what you-all calling that conservation area a wetland for removal from the area.

9 When the little mall to the south of us 10 right at Rose and Balm-Riverview was approved, 11 because of the extensive amount of asphalt parking, 12 that amount of ground that would normally percolate 13 stormwater was removed from the equation. And now 14 we're starting to see flooding on our roads and not 15 during a heavy rain. It's during normal rains.

16 The county plan says this has to be a 17 service provider. I don't think you'll really have 18 a problem with the day care. However, a general 19 store, any type of mercantile is going to generate 20 more traffic every hour than even 18 homes would. 21 You have 18 cars go to work, 18 cars come 22 You don't have 10 to 20 cars every home. 23 30 minutes rotating in and out of a retail

situation. Let's see. That's flooding. That's traffic.

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Balm-Riverview Road is a narrow two-lane road. Yes, it's asphalt. The sidewalk that goes down the east side of Balm-Riverview was installed in the '80s.

The reason one has never been installed on the west side is because there's no easement, and there's no -- there's not enough ground between the actual edge of the road and where our ditches are to put a sidewalk.

10 They would have to come through and run 11 rainwater collection stormwater typing, for lack of a better word, in order to be able to even have 12 13 room for sidewalks. It would be wonderful. We'd love to have sidewalks, but not at the expense of a 14 15 commercial building that's going to take away from 16 so many other things when we're already having to deal with hazards because of what's been done 17 18 before this.

19 The house that's to the south of this 20 location, yes, is owned by the same person that 21 owns the car repair shop to its south. But it's a 22 He's got a huge beautiful yard. Nice home. 23 beautiful winding driveway. It's a home. 24 There's also a home to the north of this 25 property and to the north of it and the north of

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Page 45 it, to the north of it, to a very expensive 1 2 community that's just been built within the last five years. 3 4 We are residential. It's not cow pastures. 5 It's not row after row of little sheds that people 6 are working out of like you see in Wimauma and 7 Andover and in Seffner. 8 We've maintained our residential look, feel, and home. And we're asking you, please, don't 9 10 approve this. Thank you. 11 HEARING MASTER FINCH: Thank you. If you could please sign in with the clerk's office before 12 13 you sit down. 14 Okay. With that, we'll close opposition 15 testimony and go back to staff. 16 Mr. Ratliff, are you available online? 17 MR. RATLIFF: Yes, ma'am. 18 HEARING MASTER FINCH: All right. You heard 19 the quick question about traffic that was generated 20 by Commissioner Smith talking about the 18 homes 21 that are, perhaps, possible under the current RES-4 22 plan category. 23 And my question to Mr. Gardner about the 24 additional traffic, if there is, generated by the 25 proposed 10,640 square feet, can you give me a feel

Page 46 for how much more traffic that would be? 1 2 MR. RATLIFF: Yes. I did run those numbers 3 for 18 homes. Again, that would result in 4 somewhat, you know, less conservative analysis than 5 the staff report that's on file which looked at it 6 based on the existing zoning. But looking at it from that Future Land Use 7 8 perspective of 18 homes, that will be -- those 18 homes will generate 170 average daily trips, 13 9 a.m. peak-hour trip and 18 p.m. peak-hour trips. 10 And the difference between the variety store and 11 12 that 18-home baseline would be an increase of 505 13 average daily trips and an increase of 21 a.m. 14 peak-hour trips and then increase about 55 p.m. 15 peak-hour trips. 16 HEARING MASTER FINCH: All right. Thank 17 That answers my question. I appreciate it. you. 18 Mr. Grady, anything else from staff? Okay. 19 Then we'll go back to the applicant. 20 Mr. Gardner, you have five minutes for rebuttal. 21 MR. GARDNER: Sure. Just a couple of 22 clarifications real quick, first of all, the 23 Planning Commission's report, I'm glad it was 24 stated because we saw it in the staff report and 25 just wanted to clarify that we are not asserting at

Page 47 all that we meet locational criteria. We fully 1 2 acknowledge that, one, we're 3 feet short as far as the 900-foot requirement. 3 4 But then also we don't meet the 75 percent 5 of the site requirement as well. But what we are 6 asserting and what the Board seemed to pick up on are the mitigative measures that we've taken, which 7 8 is clearly stated in Policy 22.7 of the Comprehensive Plan. 9 10 And it really goes on to state that those 11 should be granted higher weight than the technical 12 reading of the -- of the 900 feet and then also the 13 75 percent. So just wanted to clarify that we are 14 not at all contending that we meet it. We're 15 contending that we are mitigating. 16 And then, secondly, with respect to Mr. and 17 Mrs. Fackler who had spoken before, we have a slide 18 that you'll have no reason to go all the way 19 through it unless you'd like for us to, but 20 specifically addressing the transportation concerns that were raised. 21 22 And then in addition to that, they mentioned 23 a lack of adequate utilities. We do have water and 24 sewer service immediately in front of the site 25 that's available, and then also their concern over

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1	the wetland and the wildlife within it. And,
2	again, with our new condition No. 5, we will be
3	reporting a conservation easement to protect that
4	wetland.
5	So with that, I believe that answers all the
6	questions raised and would be happy to answer any
7	questions should you have any.
8	HEARING MASTER FINCH: I have no further
9	questions. So that concludes your rebuttal
10	testimony; is that correct?
11	MR. GARDNER: Yes.
12	HEARING MASTER FINCH: All right. Then
13	thank you so much for your time.
14	With that, we'll close Rezoning-PD 20-1266,
15	and I'll turn the hearing back over to Hearing
16	Master Hatley.
17	HEARING MASTER HATLEY: Thank you,
18	Ms. Finch.
19	Mr. Grady, would you please call the next
20	case.
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X IN RE: ZONE HEARING MASTER HEARINGS CONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: PAMELA JO HATLEY and SUSAN FINCH Land Use Hearing Masters DATE: Monday, July 26, 2021 TIME: Commencing at 6:00 p.m. Concluding at 8:34 p.m. PLACE: Appeared via Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 130 Clearwater, FL 33762 (800) 337-7740		HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS	Page 1
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1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS	
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3	ZONING HEARING MASTER HEARINGS July 26, 2021 ZONING HEARING MASTER: SUSAN FINCH	
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5	в1:	
6	Application Number: RZ-PD 20-1266 Applicant: Revestart, LLC	
7	Applicant:Revestalt, hicLocation:11841 Balm Riverview Rd.Folio Number:77357.0007	
8	Acreage:4.86 acres, more or lessComprehensive Plan:RES-4	
9	Service Area: Urban	
10	Community Plan: Riverview & SouthShore Areawide Systems Plan Existing Zoning: AS-0.4	
11	Existing Zoning: AS-0.4 Request: Rezone to Planned Development	
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Page 19 MR. GRADY: The next item is agenda item 1 2 B-1, Rezoning-PD 20-1266. The applicant is Revestart, LLC. The request is to rezone from 3 4 AS-0.4 to a Planned Development. 5 I will provide staff recommendation after 6 presentation by the applicant. 7 MR. HUDSON: Good evening. My name is Tyler 8 Hudson. My address is 400 North Ashley Drive. I'm here on behalf of the applicant. 9 Just as brief introduction here, this is a 10 project that was first filed back in September of 11 12 2020. And as you know, you heard this in March of 13 2021. Sometimes you can summarize a Land Use 14 project in a single word, and I think for this 15 project it probably would be concession. 16 After the multiple rounds of comments and 17 conversations that we've had with the County, with 18 the Planning Commission, and internally, we have 19 worked incredibly hard to see as much as possible 20 on this application, and so I'd like to walk 21 through a little bit some of the changes that we 22 made since you last heard this. But first, I'd 23 like to reorient a little bit about where and what 24 we're talking about. 25 HEARING MASTER FINCH: Okay. Thank you.

MR. HUDSON: The site's outlined in red 1 2 there. You're looking at the intersection of 3 Balm-Riverview Road running kind of northwesterly, and then Rhodine Road running west to east. 4 5 We're dealing with a single parcel here that's just a shade under 5 acres. The site's 6 7 currently vacant with interestingly an abandoned 8 fish farming pond that's currently there now. You have a somewhat hybrid commercial residential use 9 to the south. 10 11 As this is an area you may even see this 12 evening and we certainly see on a monthly basis. 13 This is an area of the county that's undergoing 14 tremendous residential growth, and what we're 15 proposing here this evening is a very limited in 16 scale, very limited in purpose commercial-serving 17 neighborhood development. 18 You can ignore that picture because that's 19 for other item I have tonight. What we're 20 proposing is a 10,640-square-foot single-use 21 development. The FAR we're proposing is 22 significantly less than what is allowed in this 23 RES-4 plan category. We're proposing a .05 FAR. 24 And It's like -- and I'll get to the 25 comparison between what you previously saw and what

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Page 21 we're talking about right now. But we initially 1 2 proposed a .13 FAR. The setbacks, we can talk a little bit about 3 4 in detail later on. I think what's very important 5 is that the current wetland footprint on-site is 6 going to remain as is. That's something that we spent a lot of time trying to ensure, and we were 7 8 fortunately able to. This is the before picture, and you can 9 focus on the two red boxes to the south, which are 10 represented buildings as part of our overall 11 12 28,000-square-foot development. Those buildings 13 are now gone, and we're locating the entirety of 14 the development to the northern end of the parcel. 15 There's as you can see significant 16 stormwater retention on-site. It's nearly 200 feet 17 from the southern face of our building to the 18 property to the south. The conceptual landscape 19 plan showing some of the enhanced buffering that 20 we're trying to do to accommodate and make this 21 more compatible with -- with the area. So now that we're reoriented on site 2.2 Okay. 23 and development considerations, this table shows 24 some of the fairly significant changes that we have made since the last time. The first is the use. 25

We have constrained the use from all CN uses with a couple of the standards exclusions to a single use, which is a variety of store retail. From a square footage standpoint, as you can see, we have a 62 percent reduction, and we're nowhere even close to what is the max FAR allowed in this category.

8 From a building footprint standpoint and overall intensity standpoint, we've gone from three 9 buildings down to one, and in the conditions that 10 we've added that -- while Brian's working with us 11 12 on that, we have limited store hour of operations 13 now and also some commitments from an architectural 14 perspective to try to blend this more appropriately 15 with the residential area nearby.

HEARING MASTER FINCH: If I could stop you at that point just so we don't lose this point. Thank you. The proposed use, it was previously all CN uses as you've listed there.

MR. HUDSON: Yes, ma'am.
HEARING MASTER FINCH: And today, the
proposal is for a variety store retail.
MR. HUDSON: Yes, ma'am.
HEARING MASTER FINCH: What does that mean?

The Land Development Code has retail convenience

#### Executive Reporting Service

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Page 23 goods, retail shoppers goods. Is that an ITE 1 2 category? Where does that term come from? And what does that mean encompassing under those uses? 3 4 MR. HUDSON: Shoppers goods is what we had discussed specifically with staff. The use in 5 6 terms of who the tenant is likely to be will be a 7 variety retail store, but in the development conditions, I believe it's shoppers goods. 8 9 So we're not trying to invent a brand-new category. Shoppers goods is what the -- the use 10 would be. 11 12 HEARING MASTER FINCH: Okay. Thank you. Go 13 ahead. 14 MR. HUDSON: I mention that concession as 15 probably one of the driving words that has 16 motivated our reaction to staff comment and 17 Planning Commission comments and including your 18 initial report. There's also a proactive development of what 19 20 we're trying to do, and that is to come within the Policy 22.7. 22.7 is a little bit further down 21 22 from the other policies regarding commercial 23 locational criteria. 24 Objective -- I think it helps to zoom out for a second. Objective 22, which is where the 25

Page 24 commercial locational criteria is found below that, starts with a very simple phrase. It says, To avoid commercial strip development. And that's why the commercial locational criteria exists. It's incredibly precise and technical in terms of the types of lands as we know. But the commercial locational criteria is not the end of the story. Policy 22.7 is there, we believe, as a catchall to deal with situations like this. For example, the commercial locational 10 criteria -- and I can show this on the next 11 12 slide -- for the -- based on the type of lean 13 intersections we have at this intersection, our compliance would start at 900 feet. We're 15 903 feet. 16 We're close, but some of this quantitative 17 standards which the commercial locational waiver of criteria are based on we do not meet. And we are 19 not trying to change the boundaries, things that we 20 can't do. 21 What we can do is make the most compatible 22 possible development given the growth in 23 the increased residential population of this area. One thing that I think is very significant and it's a little blurry, but the very last five words of

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Page 25 the underlined area mentions with long-term 1 2 transportation improvements. If you go out to Balm-Riverview Road and 3 4 Rhodine Road, you'll see that actually right now in 5 late July, the County is having the public 6 engagement process because there's going to be a 7 signalization of that road, right at the 8 intersection. Right now it's a blinking red. And there's also going to be lane-widening 9 10 improvements. 11 Given that, I don't want to speculate about 12 what our commercial locational criteria would be 13 once that work is completed, but it's clear that 14 the County is changing the roadways in response to 15 the significant growth. 16 And we believe that neighborhood-serving 17 commercial uses like this are appropriate, and this 18 particular development has been made as absolutely 19 compatible as possible. 20 And the Comprehensive Plan is replete with 21 references to functional communities and having 2.2 neighborhood-serving uses. We believe that's 23 exactly what this is, and perhaps, it did not start 24 off in the most tailored way. 25 But due to a lot of concessions and a lot of

Page 26 hard work by the property owner, the developer, and 1 2 importantly, the County Staff and the Planning Commission, we have a project that we believe is --3 is compatible with the Land Development Code. 4 5 And multiple departments agree, 6 transportation, water, conservation land management, EPC, we're able to ameliorate all of 7 8 their concerns. They have no objections to this. 9 We are squarely centered on whether the concessions that we have made are sufficient to 10 come within the ambit of Policy 22.7. 11 We 12 respectfully believe that they are. 13 And with that, I'm happy to answer any 14 questions that you might have. 15 HEARING MASTER FINCH: That was my question 16 at this time. So thank you. I appreciate it. Ιf 17 you could please sign in with the clerk's office. All right. Development Services, please. 18 19 MR. RATLIFF: Madam Hearing Officer, this is James Ratliff, if I may. 20 21 HEARING MASTER FINCH: Yes. Mr. Ratliff, 22 good evening. 23 MR. RATLIFF: I think -- I'm not sure who's 24 queuing up to present for Development Services, but 25 after they speak, if I could be recognized, I would

Page 27 appreciate it just on the issue you just spoke to. 1 2 HEARING MASTER FINCH: Absolutely. Will do. 3 Good evening, Mr. Grady. 4 MR. GRADY: Good evening. For the record, 5 Brian Grady, Hillsborough County Development 6 Services Department. 7 The property associated with the Rezoning Application 20-1266 has a Future Land Use 8 9 designation of RES-4. Got the Future Land Use Map The RES-4 plan category allows a maximum 10 up. density of 4 units per acre and nonresidential 11 12 intensities up to maximum FAR of .25. 13 The subject rezoning -- the subject rezoning 14 as noted by the applicant is located on the west 15 side of Balm-Riverview Road, north of the 16 intersection of Balm-Riverview Road and Rhodine 17 Road. 18 The surrounding zoning and development pattern consists of, as noted on this map 19 20 surrounding the property, agriculturally zoned 21 properties to the north zoned AS-1, to the west 22 zoned AS-0.4, to the south AS-0.4, and to the east 23 AS-1 across Balm Boyette Road. 24 These zoning districts permit Agricultural 25 Residential and Residential support uses. Further

Page 28 to the southeast of the intersection of Balm 1 2 Boyette Road and Rhodine Road are zoned Commercial and zoned -- commercially zoned and 3 4 developed parcels. The subject parcel we would notice separated 5 6 from these parcels by an intervening parcel developed with a single-family home. As noted, as 7 8 stated the applicant is requesting to rezone from AS-0.4 to a Planned Development. 9 The application was originally heard at the 10 March 15, 2021, Zoning Hearing Master Hearing. 11 The applicant's request to remand in order to changes 12 13 to the request. 14 The changes to the request were as follows: 15 They reduced entitlements from 28,190 to 10,640 16 square feet. They limited the proposed uses from 17 CN, Commercial Neighborhood, zoning district uses 18 to a single use of retail store. 19 They propose enhanced and large buffers and 20 open space. They propose operating hours at 21 7:00 a.m. and 9:00 p.m. and have provided proposed 2.2 enhanced architectural design requirements for the 23 building. The applicant has proposed revised --24 have submitted revised conditions in the record and 25 handed out copies of the revisions to that.

As noted, the subject parcel does not meet 1 commercial locational criteria, and the Planning Commission staff is not in support of the requested waiver to the location criteria. Based on concerns about the compatibility of the proposed use of the surrounding development pattern has found the request inconsistent.

8 Staff acknowledges that the revised proposal which reduces project's square footage limits the 9 10 uses to a single retail use as the operating hours 11 have increased the buffering by leaving a large 12 majority of the site in open space improves 13 compatibility with the surrounding development area 14 over the prior approval.

15 However, staff still concurs with the 16 Planning Commission's findings of inconsistency 17 based on locational criteria policy of the 18 Hillsborough County Comprehensive Plan.

Extension of commercial uses at this 19 20 location despite the revised proposal will expand 21 the area of commercial development beyond the 2.2 intersection and be in conflict with the planning 23 objective of creating appropriate transitions of 24 lesser intense uses between residential and 25 nonresidential uses areas of the community.

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Therefore, based on these considerations, 1 2 staff finds the request not supportable. That 3 concludes my presentation and available if you have 4 any questions. 5 HEARING MASTER FINCH: I don't at this time. MR. GRADY: And I believe Mr. Ratliff wanted 6 7 to speak. 8 MR. RATLIFF: Yes. Good evening. For the

9 record, James Ratliff, Transportation Review
 10 section of Development Services.

With respect to the definition of variety store, that is an ITE Land Use Code. It is also a term that is used in the Land Development Code under the definition of shoppers goods. The shoppers goods, however, includes a long list of items.

17 Now, I'm not aware whether or not -- I can check real quick, but whether or not variety stores 18 19 is actually defined in and of itself. But I think 20 I heard Mr. Hudson say that they were intending to 21 just request approval for all shoppers goods, and 22 we would have a problem with that because as shown 23 on the current site plan, it's currently labeled as 24 variety store.

The trip generation analysis was looked at

#### Executive Reporting Service

Page 31 as variety store which has a lower trip generation 1 2 rate than some of the other uses that are 3 considered within the shoppers goods category. 4 So we analyzed this looking at it as a 5 restricted use to only the variety store use. So I did want to make that clear for the record. 6 HEARING MASTER FINCH: I appreciate that. 7 8 Just for your information, the proposed conditions that Mr. Grady just submitted to me, the first 9 10 proposed condition is the development shall be permitted a maximum of 10,640 square feet of 11 12 variety store retail use. 13 This shall not include any retail 14 convenience good uses or any other retail shoppers 15 goods uses as outlined in the LDC Section 12.01.00. 16 MR. RATLIFF: Okay. Perfect. I wasn't sure 17 if maybe I misunderstood what Mr. Hudson was 18 saying, but I wanted to just be clear that our 19 analysis was restricted to looking at it as a variety store. 20 21 HEARING MASTER FINCH: Absolutely. Ι 22 appreciate that. And part of the continuance from 23 last month was to recognize design exceptions that 24 have been, I understand, approved; is that correct? 25 To include them in your agency comments?

Page 32 1 MR. RATLIFF: That is correct. 2 HEARING MASTER FINCH: Okay. All right. Does that conclude your comments? 3 4 MR. RATLIFF: Yes. Thank you. 5 HEARING MASTER FINCH: Thank you so much. Ι 6 appreciate it. 7 Let's hear from the Planning Commission. 8 MS. PAPANDREW: Andrea Papandrew, Planning Commission staff. 9 The subject property is within the 10 Residential-4 Future Land Use category. It is 11 12 within the Urban Service Area and the Riverview and 13 SouthShore Community (audio out) --14 MR. LAMPE: Ms. Papandrew, we lost you there 15 for a second. Could you repeat yourself? We can 16 hear you now. Your Internet connection died off for a second. 17 18 MS. PAPANDREW: Apologies. Can you hear me 19 now? 20 MR. LAMPE: Yes. Go ahead. 21 MS. PAPANDREW: Thank you. At the regularly 22 scheduled Land Use public meeting on May 11, 2021, 23 the Hillsborough Board of County Commissioners 24 remanded the application to June 14th, 2021, Zoning 25 Hearing Master Hearing.

Page 33 The remand did not identify any 1 2 Comprehensive Plan concerns or issues and has not resulted in a change to Planning Commission staff's 3 recommendation. 4 5 The subject property does not meet commercial locational criteria. A waiver has been 6 submitted for review. According to the waiver, the 7 8 locational criteria of Policy 22.2 requires that neighborhood-serving commercial uses be located 9 within 900 feet of the intersection node given the 10 project's Residential-4 Future Land Use 11 12 classification and proximity to a two-lane, 13 two-lane intersection. The waiver states that the project is 14 15 located 903 feet beyond the intersection node. The 16 applicant asserts that though the site does not 17 fall within 75 percent of the node, substantial 18 measures have been taken to mitigate against 19 adverse impacts. The waiver states that there are two 20 21 proposed Capital Improvement Projects at the 2.2 Balm-Riverview Road and Rhodine Road intersection 23 that will widen the right-of-way. The waiver cites 24 Policy 22.7, which states that the commercial 25 locational criteria are not the only factors to be

considered for approval of a the neighborhood 1 commercial or office uses in a proposed activity center.

Planning Commission staff acknowledges that the applicant utilizes site planning (audio out) that result in commercial buildings being located adjacent to Balm-Riverview Road, a collector.

8 The applicant has improved the application and reduced the intensity of the site to 10,640 9 10 square feet. The application proposes a 20-foot 11 buffer along the northern, southern, and western 12 perimeters of the property.

13 The applicant has placed the stormwater area 14 in the northwestern corner of the site and the 15 stormwater and floodplain compensation area from 16 the southwestern corner.

17 The southern portion of the site includes a 18 floodplain being maintained as open space with over 19 172 feet of separation to the residential building 20 to the south. The applicant proposes operating 21 hours and architectural (audio out) to provide more 2.2 residential aesthetic.

23 Staff also acknowledges that Commercial 24 General and Commercial Neighborhood zoning are 25 located within 900 feet of the Rhodine Road and

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Page 35 Balm-Riverview Road intersection. The parcel 1 2 immediately south of the subject property has split zoning: Agricultural Single-Family Estate and 3 Commercial General. 4 5 The zoning and development pattern 6 transitions from commercial to low-density residential moving away from the intersection. A 7 8 variety use commercial store would disrupt the gradual transition of uses from the intersection 9 and the overall development pattern of the 10 residential area. 11 12 While the application has attempted to move 13 closer to the intent of Comprehensive (audio 14 out) --15 MR. LAMPE: Lost you again there for a 16 second, Andrea, after "comprehensive." 17 MS. PAPANDREW: Apologies. Can you hear me 18 now? 19 MR. LAMPE: You're breaking up a little bit, 20 but we can hear you, though. 21 MS. PAPANDREW: Is this any better? 22 MR. LAMPE: I think it's the Internet 23 connection but go ahead. 24 MS. PAPANDREW: Okay. While the application 25 has attempted to move closer towards the intent of

Comprehensive Plan policies through site planning, Planning Commission staff finds the proposed development does not meet the commercial locational criteria and does not fulfill the intent of Objective 16 and Policies 16.1, 16.2, and 16.3 of the Future Land Use Element.

7 The site does not fall within 900 feet of 8 the Balm-Riverview and Rhodine Road intersection. 9 Per the Comprehensive Plan, at least 75 percent of 10 the subject property must fall within the specified 11 distance from the intersection.

12 All measurements should begin at the edge of 13 the road right-of-way. At the point of 75 percent 14 of the subject property, the site is approximately 15 1300 feet outside the node. The site does not meet 16 commercial locational criteria requirements.

17The request for a variety store use would18disrupt the gradual transition to single-family19lots located immediately to the north and west of20the subject site undermining Objective 16 and21policies of the Future Land Use Element.22While Planning Commission staff acknowledges

23 the proposed site planning techniques help to 24 mitigate impacts to residential uses and moves 25 closer to the intent of the Comprehensive Plan, a

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Page 37 site meeting commercial locational criteria never 1 2 guarantees the approval of a commercial use per Policy 22.7. 3 4 An application that does not meet the 5 criteria must demonstrate in its proposal how it 6 will further the goals, objectives, and policies of the Comprehensive Plan. 7 8 Policy 22.7 identifies several considerations that carry more weight than 9 commercial locational criteria including land use 10 11 compatibility. 12 The request for a commercial land use 13 outside of the established node does not fulfill the intent of Policy 22.7. The request would not 14 15 contribute to a gradual transition of uses within 16 the area. The site is located within the Residential 17 18 District of the Riverview Community Plan area, 19 which has a primarily residential development 20 pattern. The Riverview Community Plan also 21 requires the provision of appropriate and 2.2 compatible buffers and transitions to existing, 23 adjacent land uses, particularly with agricultural 24 operations and the lands acquired for preservation 25 or open space.

Page 38 While locating the building close to the 1 2 roadway, 60 feet from the residential lots to the north, over 172 feet from the south residential 3 4 properties and locating the stormwater facilities 5 to the west helps mitigate for impacts to 6 single-family residential lots, a request for a 7 commercial use will disrupt the gradual transition from commercial to residential from Rhodine Road 8 and Balm-Riverview intersection. 9 10 Planning Commission staff recommends that the Hillsborough Board of County Commissioners not 11 12 approve the waiver (audio out) --13 MR. LAMPE: We lost you again there, Andrea. 14 MS. PAPANDREW: -- towards meeting the 15 intent of the plan through site planning and 16 buffering --17 Andrea, can you hear us? MR. LAMPE: 18 MS. PAPANDREW: Yes. I'm sorry. Did I go 19 out again? 20 MR. LAMPE: Yeah. Just about ten seconds 21 ago. 22 Okay. Apologies. MS. PAPANDREW: Planning 23 Commission acknowledges the application has moved 24 closer towards meeting the intent of the plan 25 through site plan and buffering, architectural

Page 39 enhancements, additional open space, hours of 1 2 operation, and a reduction in intensity. The proposed Planned Development request for 3 4 a variety retail store use would not provide an 5 appropriate and compatible transition to the 6 single-family residential land uses and low-density 7 Agricultural Single-Family Estate and Agricultural 8 Single-Family zoning immediately adjacent to the site and within the general area, the request is 9 not consistent with the Riverview Community Plan. 10 Based on the above considerations, Planning 11 12 Commission staff finds the proposed Planned 13 Development inconsistent with the Future of Hillsborough Comprehensive Plan for unincorporated 14 15 Hillsborough County. Thank you. 16 HEARING MASTER FINCH: Thank you for your 17 testimony. I appreciate it. 18 All right. At this time we'll call for 19 anyone that would like to speak in support? Anyone 20 in favor of this project? 21 Seeing no one in the room, no one virtually, 2.2 I understand. All right. Anyone who would like to 23 speak against the application? Yes. How many do 24 we have in the room that would like to speak? Come 25 forward, sir. Are you the only person that would

Page 40 like to speak? That's all I see. Okay. 1 2 Absolutely. If you give us your name --3 MR. FACKLER: My name is Dennis Fackler, and I live at 11808 Balm-Riverview Road directly across 4 5 the street from this proposed project. 6 Currently, we have such traffic problems out there because the road infrastructure is so 7 8 inadequate. Traffic backs up almost 100 cars deep each evening and morning. It takes me as long as 9 15 minutes to get out of my driveway. And this is 10 11 directly across the street from me. 12 We don't have water or sewage service. It's 13 terrible and this -- this land property is zoned 14 AS-4, Agricultural Single-Family, one-quarter 15 acres. Directly across the street where I live is 16 AS-1, Agricultural Single-Family 1 acre. 17 If you build this project, you're going to destroy my property values and everybody else along 18 19 that street. Thank you very much. 20 HEARING MASTER FINCH: Thank you, sir. Ιf 21 you could please sign in with the clerk's office. 22 Ma'am, would you like to say something? 23 Give us your name and address to begin, please. 24 MRS. FACKLER: My name is Zoe Fackler. Our address is 11808 Balm-Riverview Road. 25

And as my husband pointed out, our driveway is literally across the street from where this new driveway would be. To begin with, Balm-Riverview Road from 301 all the way to Rhodine Road is only rated for vehicles two axles or less.

6 A variety store would require trucks two 7 axles or more, because using these roads, they're 8 simply not built for them. Installing the light at Rhodine Road and Balm-Riverview Road is going to be 9 used to mainly control traffic that is heading east 10 and west on Rhodine Road because of all the new 11 12 developments up and down on Rhodine Road, not on 13 Balm-Riverview. Balm-Riverview is a side thought as far as the signal goes. 14

As far as the use of the road by a variety store and all the traffic it would bring, as it is right now, the speed limit on Balm-Riverview is 45 miles an hour. I'm going to be taking a petition to have that lowered to 30 miles an hour.

The only variety store or retail store that you guys have approved is actually kind of like a fresh food market at the corner of McMullen Loop and Balm-Riverview Road. Within four months of those doors opening, we had a motorcycle fatality right in front of the store.

Page 42 Traffic, whoever did it, somebody decided to 1 2 put a concrete berm down the middle of Balm-Riverview, and this is only a two-lane road. 3 There was no notice of the new construction. 4 There 5 was no notice of the diversion of traffic, and 6 that's what caused the accident, and it ended up 7 killing someone. 8 This road is not meant for any more traffic. I realizing there's bad traffic all over 9 Hillsborough County, but it's from homes. 10 It's not from retail and commercial properties. 11 12 This property -- this type of store simply 13 is not compatible with our neighborhood. Not in 14 what it's going to bring to the neighborhood, serve 15 to the residents, or even the use for the 16 infrastructure that's already in place, but thank 17 you. 18 HEARING MASTER FINCH: Thank you for your 19 time in coming down. Could you please sign in with the clerk's office. 20 21 All right. Anyone else that would like to 22 speak in opposition to this application? All 23 right. Seeing none, County Staff, anything further? 24 Mr. Grady? Nothing. 25

Page 43 Mr. Hudson, you have five minutes for 1 2 rebuttal. MR. HUDSON: Thank you, Madam Hearing 3 Tyler Hudson, 400 North Ashley Drive. 4 Officer. 5 First, appreciate staff correcting my error on 6 variety retail. That is the only use that is 7 listed on the site plan. So we're very clear about 8 that. First, with respect to the Planning 9 Commission, there's been a lot of focus, I think, 10 on Policy 22.2, which is commercial locational 11 12 criteria. We have sought a waiver which is very 13 custom practice for county projects right now. 14 But our focus is independent of that on 15 Policy 22.7, which, again, has a -- simply like a 16 catchall for compatible development. We have done, 17 I think, nearly everything that one could do for a 18 site like this, and so to the extent that we're focused on the failure to meet commercial 19 20 locational criteria, we acknowledge that. That's 21 why we filed the waiver. 2.2 But independent of the waiver, we believe 23 that there has been substantial and competent 24 evidence presented by the nature of the site plan 25 itself and the accumulative changes between this

and the initial application.

2 Now, this is a narrowly tailored extremely specific and incompatible development. I'd like to 3 note one thing. I think Andrea mentioned the 4 5 phrase "disruptive" on a few occasions. This is in the material that I introduced into the record, 6 7 Madam Hearing Master, in which Mr. Streator has a 8 copy of for your consideration. Those white boxes all outline various 9 10 commercial developments that are already there or 11 that are coming. For example, the northwest corner 12 of Balm-Riverview and Rhodine Road. So to stay 13 that it's -- and just to be clear, our site is 14 northwest of the intersection that you see on 15 screen. 16 HEARING MASTER FINCH: Mr. Hudson, can you 17 point to your property? I understand we're having 18 trouble zooming in on that. Okay. So the 19 commercial development, I'm assuming those white 20 boxes are indicating commercial properties? MR. HUDSON: Yes, ma'am. 21 22 HEARING MASTER FINCH: All right. So what 23 commercial properties are around your property? 24 MR. HUDSON: So right here due east, you 25 have a Professional Office. It's a day care

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Page 45 center. And then at the northwest corner of 1 2 Balm-Riverview Road and Rhodine Road, there is, I believe, a CVS in the process of being sited there. 3 And due south of us, there is a home that is --4 5 it's like the parcel of the property is part home and part automobile repair facility. So that's 6 7 also a commercial site that's just to our south. 8 HEARING MASTER FINCH: And is that the white box -- we'll have to talk through this because I 9 can't see it. But is that the white box that's 10 north of Rhodine? I understand where you are. 11 Is 12 that what you're talking about? 13 MR. HUDSON: No. What I just pointed out 14 and what I'll point to you right now is auto 15 repair. 16 HEARING MASTER FINCH: All right. And that 17 property is AS-0.4? 18 MR. HUDSON: Correct. 19 HEARING MASTER FINCH: I see. Okay. 20 MR. HUDSON: That property's CG. So that's where we are. 21 22 With -- with respect to the opposition 23 testimony, Residential-4 in the Comprehensive Plan 24 does permit Commercial Neighborhood-serving uses. 25 If -- if that is seen as inappropriate by the

Page 46 Commission or by a resident there, there are 1 2 options to change that to, perhaps, an even less 3 dense, more rural category that would not prohibit 4 any retail development at all or any neighborhood 5 commercial-serving use. But given the significant proliferation of 6 7 homes in this area, we believe it is appropriate 8 and the Comprehensive Plan recognizes the appropriateness and limited circumstances of 9 10 commercial-serving neighborhood uses. 11 We believe this property and this project has been withered down to the absolute barest of 12 13 bones that does make it compatible with the 14 residential uses in the area. 15 With respect to the specific traffic 16 concerns and some of the observed difficulties out 17 there, I acknowledge that. That's a pervasive 18 issue. Transportation funding and transportation 19 issues are a pervasive issue in this county. 20 With respect to this particular 21 intersection, the fact that the Balm-Riverview Road 2.2 and Rhodine Road intersection is set for 23 improvements, including widening which will have an 24 affect on capacity and traffic flow, I think that 25 is material to your consideration of this very near

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1	commercial proposal before you. And with that,
2	thank you for your time.
3	HEARING MASTER FINCH: Thank you for your
4	time and testimony.
5	With that, we'll close Rezoning 20-1266, and
6	I'll turn the hearing back over to Hearing Master
7	Hatley. Thank you.
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	Page 1 ILLSBOROUGH COUNTY, FLORIDA DARD OF COUNTY COMMISSIONERS
IN RE: ZONE HEARING MA HEARINGS	X ) ) ASTER ) ) ) X
	ONING HEARING MASTER HEARING RIPT OF TESTIMONY AND PROCEEDINGS
BEFORE:	SUSAN FINCH Land Use Hearing Master
DATE:	Monday, June 14, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 10:36 p.m.
PLACE:	Cisco Webex
	Reported By:
	Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 55 Automobile Blvd., Suite 130 Clearwater, FL 33762 (800) 337-7740

Page 10 Thank you 1 HEARING MASTER FINCH: All right. 2 so much. So with that, we'll continue RZ-PD 20-1253 3 to the August 16th, 2021, ZHM hearing at 6:00 p.m. 4 5 MR. GRADY: The next change on the agenda is 6 on page 5 of the agenda. Item B-2, Rezoning-PD 7 20-1266. Staff has requested this item be 8 continued to the July 26th, 2021, Zoning Hearing Master Hearing. 9 Madam Hearing Officer, the reason for the 10 staff requested continuance is there's some initial 11 12 information regarding design exceptions that need 13 to be included into the record and also 14 incorporated into the staff reports for both the 15 general staff report and the agency comments that 16 need to be done that could not be accommodated as 17 part of this hearing. 18 So that's why staff's requesting the 19 continuance, and the applicant has been informed of 20 that, and they're not objecting. And I believe 21 they're online if you have any questions for them. 22 HEARING MASTER FINCH: All right. Does the 23 applicant have anything they'd like to add to that? 24 MR. GARDNER: I know that Brian said it 25 correctly, and our -- we're hoping the design

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:	SUSAN FINCH	
	Land Use Hearing Maste	r

DATE: Monday, March 15, 2021

TIME: Commencing at 6:00 p.m. Concluding at 10:35 p.m.

PLACE: Webex Videoconference

Reported By:

Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

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1		GH COUNTY, FLORIDA COUNTY COMMISSIONERS
2	ZONITHIC LIERD	ING MASTER HEARINGS
3		ch 15, 2021
4	ZONING HEARIN	G MASTER: SUSAN FINCH
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6	D5: Application Number:	
7	Applicant: Location: Folio Number:	Revestart, LLC 11841 Balm Riverview Rd. 077357.0007
8	Acreage: Comprehensive Plan:	4.86 acres, more or less
9	Service Area:	Urban AS-0.4
10	Existing Zoning: Request:	Rezone to Planned Development
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Page 185 1 MR. GRADY: The next item is agenda item 2 D-5, Rezoning Application PD 20-1266. The 3 applicant is Revestart, LLC. The request is to 4 rezone from AS-0.4 to Planned Development. 5 I'll provide staff recommendation after 6 presentation by the applicant. 7 HEARING MASTER FINCH: All right. Is the 8 applicant here? 9 MR. LAMPE: I believe the applicant's 10 virtual. HEARING MASTER FINCH: Mr. Gardner. 11 12 MR. GARDNER: Yes. Can you hear me? 13 MR. LAMPE: We can. We do not have your 14 camera yet -- oh, there we go. Now we're good. 15 MR. GARDNER: Perfect. Am I really loud on 16 your end because I'm hearing an echo? 17 MR. LAMPE: The audio sounds good on this 18 end. 19 MR. GARDNER: Okay. Perfect. Thank you 20 very much for your consideration tonight, and if I 21 could, Ms. Finch, I would like to share my screen 22 to display an aerial. Perfect. Can you see that? 23 THE CLERK: Can you also please state your name and address for the record? 24 Truett Gardner, 400 25 MR. GARDNER: Sure.

North Ashley Drive, Tampa, Florida.

2 MR. LAMPE: And, yes, we're seeing the map. 3 MR. GARDNER: Okay. Great. The property in 4 question is up in the top left-hand corner, and the 5 intersection is Balm-Riverview Road and Rhodine 6 Road which runs east/west.

The property is 4.86 acres. Current zoning is AS-4. Future Land Use designation is RES-4, and the property is within the Urban Service Area. Our request is for slightly over 28,000-square-foot limited Commercial Neighborhood uses development.

12 The first phase, which is the main phase and 13 the priority here, is for 10,640 square feet of 14 retail development uses, and then the second phase, 15 which will be retained by the current owner, is 16 more of just a remnant piece that the owner didn't 17 want to be left with undevelopable land. And so 18 the remainder of the square footage will be used for future development, but there are absolutely no 19 plans for that now. 20

The max FAR proposed is .13, where the max that could be requested is .25, and then we are not requesting any variances to the LDC. This project has evolved, and we appreciate your patience with this. We had initial concerns from EPC and from

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transportation.

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We worked closely with both of those departments. We resolved those issues. And so we're now down to one last agency concern, and that's from the Planning Commission and then is limited to Policy 22.2, which is the commercial location criteria policy.

8 As you know, the commercial locational 9 criteria requires neighborhood commercial uses to 10 be within 900 feet of an intersection. We are 11 1,000 feet. So we're only 100 feet away from 12 compliance.

While we appreciate the Planning Commission staff and their desire to want to hold tight to its policies, we feel that in this unique instance, a waiver is justifiable for the following reasons:

17 One, the property itself. The intent of the 18 policy is for commercial uses to be at an 19 intersection and that the transition away from that 20 intersection to residential uses.

In this instance, however, the property has been used for commercial agricultural purposes, for numerous years, and that has since been abandoned. So the use in question has not been residential, nor do I think it should be residential in the

future.

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2 Looking at some research and talking to our 3 environmental consultant, commercial fish ponds are notorious for negative environmental impacts, 4 specifically with respect to phosphorous, nitrogen, 5 and mercury. So neighborhood commercial we feel is 6 7 a better use for this area and this property as opposed to residential. 8 Secondly, we've got the development pattern 9 of the intersection, and if I could, I'm going to 10 switch somewhat similar to the aerial before. But 11 12 the intersection of Rhodine Road and Balm-Riverview 13 is quickly developing. At the intersection itself, it's becoming a 14 15 true commercial node with personal services, a new 16 day care facility, and there's a new convenience 17 store not shown on this aerial, but it's at the 18 southeast quadrant of that intersection. 19 And then secondly and the purpose of this 20 aerial is to show that the precedent in general is 21 not just for commercial development at the intersection, but the precedent is also preferred 22 23 to be further away. 24 Going south of the intersection, you can 25 see -- and there's a code up in the top there --

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Page 189 they have -- let's see. There is -- there it is. 1 2 At the bottom is a convenience store which is 3 2,736 feet away and then working north from there, there is a -- a dog kennel, which that is in excess 4 of 1,000 feet. 5 Then there is a business called Samaya's 6 7 Life Saver that is also within -- I'm sorry, in excess of 1,000 feet, as well as another 8 convenience store which is 1,075 feet away. 9 So with that, we take the precedent for this 10 intersection is for -- not just be occurring at the 11 12 intersection itself but also further away from the 13 intersection. 14 And then lastly -- and I sent this to Brian 15 this afternoon. We've been working -- we have 16 submitted 20 different conditions. Many of those 17 are already noted in your staff report, which help 18 mitigate any sort of adverse impacts. 19 In particular with respect to the CMU uses and working with transportation, we've limited 20 21 those, and we have excluded day care, pharmacies, 22 and restaurants. In our attempt to work with EPC, 23 we have three nodes on the site plan that satisfy 24 their concerns. We also have enhanced yards and buffering and then, again, that limitation on the 25

Page 190 FAR, the .3 when .25 could be requested. 1 2 So with that, we feel that the conditions, 3 the pattern of development in the area, and the 4 property itself and just the fact that we're only 5 100 feet away from meeting locational criteria, 6 help mitigate these concerns, and we would 7 respectfully ask for your consideration. 8 HEARING MASTER FINCH: Mr. Gardner, I just 9 have a couple of questions. I am -- first, the graphics that you're sharing, have you submitted 10 11 those previously to the County? MR. GARDNER: I do not believe so. 12 13 HEARING MASTER FINCH: All right. And so, 14 Mr. Grady, how does that -- does that become part of his presentation by -- as he's presenting these 15 16 virtually? 17 MR. GRADY: I'd have to ask the County 18 Attorney's Office to advise if that's an issue at 19 this point. 20 MR. GARDNER: And if not, we'd be happy to 21 supplement the record with those aerials. 22 HEARING MASTER FINCH: Is there not a 23 requirement to submit documents ahead of time that you're going to show if you're going to present 24 25 something virtually?

Page 191 1 MR. GRADY: I believe so. Yes. 2 HEARING MASTER FINCH: Ms. Dorman, 3 Ms. Lundgren, if you could help us with that? 4 MR. LAMPE: Ms. Dorman, can you hear us? Ι believe your phone may be muted. 5 MS. DORMAN: I think I definitely muted my 6 7 phone. MR. LAMPE: Okay. We can hear you. 8 MS. DORMAN: Yes. And I don't know if 9 Ms. Lundgren would like to chime in as well, but I 10 11 believe that documents are supposed to be submitted 12 prior to the hearing. 13 HEARING MASTER FINCH: All right. So if Mr. Gardner did not submit them -- he just stated 14 15 he had not submitted them previously into the 16 County's record, then he is unable at the close of this hearing to supplement the record in any way; 17 is that correct? 18 19 MS. DORMAN: That is my understanding. 20 HEARING MASTER FINCH: Okay. All right. 21 Well, then thank you for that. I appreciate it. 22 Then, Mr. Gardner, I just have a couple of 23 questions based on your testimony. I'm looking at 24 an aerial of -- the County's aerial from the staff 25 report of the property, and so as you go north from

Page 192 the intersection of Balm-Riverview and Rhodine, 1 it's zoned CN going north. Then it's zoned 2 3 CG-Restricted. All right. And then there's an intervening property 4 between that CG-Restricted and your property that 5 appears to be a single-family home; is that 6 7 correct? MR. GARDNER: That's actually a very 8 interesting observation. So the CG-R that's 9 immediately south of the residential structure that 10 you're discussing is actually a common ownership 11 12 with that house. 13 He has -- the portion that's zoned CG-R is 14 an auto repair with open storage and then his 15 residence is immediately to the north. 16 HEARING MASTER FINCH: Yes. 17 MR. GARDNER: Another thing that's somewhat 18 interesting about it is it's under one folio, the 19 whole thing is homesteaded even though that CG-R 20 operation -- business operation is occurring on 21 greater than half of the owner's property. 2.2 HEARING MASTER FINCH: So it is a 23 single-family home and it is zoned AS-0.4. Right? 24 MR. GARDNER: Correct. 25 HEARING MASTER FINCH: Okay. And then

Page 193 1 across the street, on the other side, if you do 2 that same analysis going north on the intersection, 3 going north on the east side, CN-Restricted. Then there's a PD, which -- what is that approved for on 4 the other side of Balm-Riverview? 5 MR. GARDNER: That has a myriad of -- looks 6 7 like they're primarily health care and personal service uses. 8 9 HEARING MASTER FINCH: Okay. And then everything north of that across from your property 10 is AS-1; is that right? 11 12 MR. GARDNER: Correct. AS-1. 13 HEARING MASTER FINCH: All right. So help 14 me with then your argument that this -- there is 15 president for the transition -- the nonresidential 16 uses extending past what the commercial locational 17 node is, help me with that. 18 MR. GARDNER: Sure. The ones that are in 19 excess of a thousand feet are to the south of that 20 intersection of Balm-Riverview Road. So the same commercial criteria would apply, but they had been 21 approved on multiple instances south of the 22 23 intersection. 24 HEARING MASTER FINCH: I see. Okay. That 25 was my only question.

Page 194 1 MR. GARDNER: Sure. 2 HEARING MASTER FINCH: Thank you very much. 3 I appreciate it. We'll go to Development Services, please. 4 MR. GRADY: Brian Grady, Hillsborough County 5 Development Services. 6 7 The applicant's requesting to rezone a 4.86-acre parcel from AS-0.4 to a Planned 8 Development to allow 28,190 square feet of retail 9 commercial uses and three buildings. 10 The applicant's (unintelligible) the building 11 12 consisting of 10,640 square feet, 9,445 square 13 feet, and 81,000 -- 8,105 square feet. The parcel is located in the west side of 14 Balm-Riverview Road, 226 feet southeast of 15 16 intersection of Balm-Riverview Road 17 (unintelligible). 18 As noted, the Planning Commission -- the site does not meet commercial locational criteria. 19 20 The Planning Commission does not supporting the waiver of the locational criteria and has found the 21 request inconsistent. 22 23 With respect to compatibility, the parcel's 24 immediately surrounded by large lots 25 (unintelligible) properties to the north, AS-1

west, AS-0.4 south, AS-0.4 east, AS-1 across Balm Boyette Road. These zoning districts permit Agricultural Residential and Residential support uses.

5 Further to the southeast at the intersection 6 of Balm Boyette Road and Rhodine Road are 7 commercially zoned and developed parcels. The 8 subject parcels separated from those parcels by the 9 intervening parcel developed with a single-family 10 home.

As noted, the subject parcel does not meet locational criteria, and Planning Commission staff does not support the requested waiver due to the locational criteria because the locational criteria based it concerns about the compatibility of the proposed use to the surrounding development pattern.

18 Staff concurs that immediately surrounding 19 the development pattern raises compatibility 20 concerns with the introduction of commercial uses 21 outside of the established commercial nodes located 22 at the intersection of Boyette Road and Rhodine 23 Road and does not provide for an appropriate land 24 use transition from the subject intersection. 25 Therefore, based on these considerations,

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1	staff finds the request not supportable.
2	HEARING MASTER FINCH: All right. Thank you
3	so much.
4	Planning Commission, please.
5	MS. MILLS: Yeneka Mills, Planning
6	Commission staff.
7	The subject property is located within the
8	Residential-4 Future Land Use classification, the
9	Urban Service Area, and the Riverview and
10	Southshore Areawide Systems Community Plan.
11	The proposed request is inconsistent with the
12	Residential-4 Future Land Use classification which
13	designates areas for low density residential
14	development.
15	The subject property does not meet
16	commercial locational criteria. A waiver has been
17	submitted for review. According to the waiver, the
18	locational criteria for Policy 22.2 requires that
19	neighborhood-serving commercial uses be located
20	within 9 feet of the intersection of the node given
21	the project's Residential-4 Future Land Use
22	classification.
23	The waiver states that the project is
24	located within a thousand feet of an intersection
25	node, and a thousand feet is a very slight short

fall.

1

2	According to the waiver, the neighborhood
3	commercial use proposed by the project is
4	compatible with the adjacent commercial land uses.
5	The intersection of Balm-Riverview Road and Rhodine
6	Road is emerging commercial node that is (audio
7	interruption) personal service businesses, a new
8	child day care facility, and a convenience store
9	and gas station.
10	Southerly, adjacent to the project is an
11	auto repair store with open storage. To the west,
12	the land is undeveloped and is ultimately
13	transitioned to agricultural field. And (audio
14	interruption) to the parcel single-family
15	residential community residential community that
16	serves as a barrier to further commercial
17	development northwards.
18	The waiver also states that the mere
19	adjacency to residential use does not make the
20	commercial neighborhood excuse me, make the
21	neighborhood commercial project incompatible.
22	The waiver also states that to address the
23	compatibility concerns, the project commercial
24	building is 60 feet from northern residential
25	property line which provides more than enough

Page 198 buffering between the commercial and residential 1 uses.

3 Planning Commission staff acknowledges that 4 the applicant utilized the site plan techniques 5 that result in the commercial building being located adjacent to Balm-Riverview Road, a 6 7 collector. The applicant has also committed to 8 excluding certain uses.

9 Consequently, the zoning and development pattern transitions from commercial to low density 10 11 residential moving away from the intersection. 12 Commercial Neighborhood would disrupt the regular 13 transition of uses from the intersection and that 14 overall development pattern of residential area 15 that is located further away from the node.

16 While the applicant's application has 17 attempted to move closer towards the intent of 18 Commercial Neighborhood through site planning, the 19 Planning Commission staff finds the development does not meet commercial locational criteria and 20 21 does not (unintelligible) the intent of Objective 22 16, 16.1, 16.2, and 16.3 of the Future Land Use 23 Element. The site does not fall within the (audio 24

interruption) Balm-Riverview and Rhodine (audio

## Executive Reporting Service

25

Page 199 interruption) the parcel is, again, approximately a 1 2 thousand feet outside of that node. 3 Consequently, (audio interruption) commercial locational criteria. The site is 4 located within the residential district of the 5 planning area, which is primarily residential 6 7 development. (Audio interruption) existing adjacent land uses, particularly with agricultural 8 operations and the land applied for preservation 9 and/or open space. 10 There are wetlands located on the subject 11 12 property and EPC wetlands division has reviewed the 13 proposed rezoning and site plan's current 14 configuration of resubmittal is not necessary. 15 And based on those considerations, the 16 Planning Commission staff finds the proposed 17 Planned Development inconsistent with the Future of 18 Hillsborough Comprehensive Plan. Thank you. 19 HEARING MASTER FINCH: Thank you very much. 20 Is there anyone either in the room or online 21 that would like to speak in support of this application? Anyone in favor? 22 23 All right. Seeing no one, anyone in 24 opposition? Either in the room or online? 25 Seeing no one, Mr. Grady, anything else?

MR. GRADY: Yes. I've a comment or question I need the County Attorney's Office to weigh in on. With respect to the applicant's proposed conditions as he indicated, you know, I had received an e-mail from the applicant shortly before the start of this hearing.

7 I was under the assumption that someone from the applicant may be attending the hearing. 8 So with respect to those conditions, looking at them, 9 they -- for the most part, pretty much reflect the 10 proposed conditions that were submitted by 11 12 Transportation Staff in their report. EPC 13 recommended conditions that are in their report.

So they reflect existing conditions proposed by the various reviewing agencies that are in the record. In addition to that, they do propose restricting the FAR to .13, which is also in the record of their site plan and then proposed setbacks and buffering and screening per the Land Development Code.

21 So, again, it does appear that their 22 proposed conditions reflect, again, what's in the 23 record with respect to the various reviewing 24 agencies. So I wanted to get their opinion from a 25 procedural standpoint proceeding forward.

# Executive Reporting Service

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#### Page 201 1 Again, understanding that staff did not 2 provide conditions of approval, and when this 3 ultimately goes to the Board of County Commissioners, if the Board chooses to do 4 something -- or the Hearing Officer chooses to 5 recommend something different than what is proposed 6 7 with the fact that, again, going over these verbally as I have and the fact that they do 8 reflect existing conditions from various staff 9 agency reviews, is there any procedural issue do 10 you see with, you know -- with the applicant. 11 12 I wanted the Board to be able to entertain 13 proposed conditions with the assets we have right 14 now with respect to those proposed conditions. 15 MS. LUNDGREN: Yes. This is Johanna 16 Lundgren from the County Attorney's Office. Are 17 you able to hear me? I hear an echo. 18 MR. LAMPE: Yes, we can hear you. 19 MS. LUNDGREN: I -- as Mr. Grady has stated, 20 those conditions have been adequately entered into 21 the record, and Mr. Grady is basically confirming 2.2 at this time that the staff has evaluated those 23 conditions and is prepared to find that they are in 24 the record as he stated. 25 So I believe that that should answer your

Page 202 question, Mr. Grady. If there's anything else that 1 2 you need from me, let me know. 3 MR. GRADY: That's sufficient. I just wanted to get confirmation. Thank you. 4 HEARING MASTER FINCH: All right. 5 Then we'll go back to -- we've completed staff comments. 6 7 Now we'll go back to the applicant who has five minutes for rebuttal. Mr. Gardner. 8 9 MR. GARDNER: Sure. Thank you. And thank you everybody for their time. Again, in this 10 instance, we have satisfied all of the concerns 11 12 with -- with respect to this application except for 13 one and one only, and that's the locational criteria. 14 15 Again, we are 100 feet from being in 16 compliance with it. So, basically, we're meeting 17 nine-tenths of it. So with respect to that, on that additional 100 feet, I think it's important to 18 19 look at the mitigating circumstances, and there's three here, as I mentioned before. 20 One, the property itself, its former use, 21 and it's just not suitable for residential 22 23 development. Two, the development pattern at the 24 intersection and not just at the intersection itself, but the precedent that's been set to the 25

	Page 203
1	south where numerous commercial developments have
2	been approved that are in excess of a thousand
3	feet.
4	And then third, the 20 conditions that have
5	been submitted which limit the FAR, restrict the
6	uses, provide for enhanced landscape and buffering,
7	and yards agreed to the traffic improvements that
8	Mr. Ratliff requested, as well as the negotiations
9	reflected as well with EPC.
10	So with that, we'd ask for your
11	consideration of this request.
12	HEARING MASTER FINCH: All right. Thank you
13	for your time and testimony.
14	And with that, we'll close Rezoning 20-1266
15	and go to the next case.
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	Page
	BOROUGH COUNTY, FLORIDA O OF COUNTY COMMISSIONERS
 IN RE:	X )
ZONE HEARING MASTE HEARINGS	)
ZONIN	IG HEARING MASTER HEARING OF TESTIMONY AND PROCEEDINGS
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master
DATE:	Monday, February 15, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 11:35 p.m.
PLACE:	Appeared via Cisco Webex Videoconference
	Reported By:
	nristina M. Walsh, RPR

Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

Executive Reporting Service

Page 5 1 PROCEEDINGS 2 HEARING MASTER HATLEY: Thank you and thank 3 you-all for your patience. This is February 15th, 4 2021, Zoning Hearing Master meeting. We'll bring 5 the meeting to order. 6 I'm Pamela Jo Hatley, and I will serve as the 7 Zoning Hearing Master this evening. Mr. Brian 8 Grady from the Development Services Department will introduce agenda changes, withdrawals, and 9 10 continuances. MR. GRADY: Good evening, Madam Hearing 11 Officer. Again, Brian Grady, Hillsborough County 12 13 Development Services Department. We do have two changes to the agenda on 14 15 tonight's published agenda. The first is on page 4 16 of the agenda in the continuances and withdrawals, 17 it's agenda item page 4 item A-3, Rezoning PD 18 20 - 0286. 19 The agenda was listed as an out-of-order 20 continuance to the March 15th, 2021, hearing and 21 it's actually going to be -- it's actually an 22 applicant requested continuance to the April 19th, 23 2021, Zoning Hearing Master Hearing. 24 And then the other change is on page 9, agenda item D-9, Rezoning-PD 20-1266. 25 The

applicant is Revestart, LLC. The staff is 1 2 requesting a continuance of this application to the March 15th, 2020, (sic) Zoning Hearing Master 3 4 Hearing. 5 The reasons for the staff-requested continuance is it's some late discussions and 6 7 negotiations with the Environmental Protection 8 Commission, the applicant regarding some provisions of the plan in order to make those revisions to 9 10 address EPC comments and changes necessary. That's

the reason for the requested continuance.

12 HEARING MASTER HATLEY: Do we need to hear 13 from the applicant tonight or do we need to rule --14 MR. GRADY: I think you have -- I think you 15 can certainly ask to see if anyone wants to speak 16 to the continuance. The applicant, I think, is on 17 virtually, is available for comments. But you 18 don't need to even necessarily hear from him, but 19 you probably do need just to make sure if anyone 20 wants to speak to the continuance. 21 HEARING MASTER HATLEY: Okay. All right. 22 This is item D-9, RZ-PD 20-1266. Is the applicant 23 present to speak? All right. Is --24 MR. HUDSON: Good evening, Zoning Hearing 25 Master. Tyler Hudson, 400 North Ashley Drive on

Executive Reporting Service

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Page 7 behalf of the applicant. 1 2 Brian said it perfectly. I can't really add anything more to that. Happy to answer any 3 questions. 4 5 HEARING MASTER HATLEY: All right. Is there 6 anyone here to speak as a proponent or an opponent 7 to item 20-1266, to the continuance of this item 8 tonight? 9 Okay. Seeing none, the continuance is 10 granted. 11 MR. GRADY: I'll now go through the 12 published withdrawals and continuances beginning on 13 page 4 of the agenda. Item A-1, Major Mod Application 19-0521. This application is out of 14 15 order to be heard and is being continued to the 16 March 15th, 2021, Zoning Hearing Master Hearing. 17 Item A-2, Rezoning-PD 19-1458. This 18 application is being continued by the applicant to the March 15th, 2021, Zoning Hearing Master 19 20 Hearing. 21 Item A-3, Rezoning-PD 20-0286. This 22 application is being continued by the applicant --23 that's the one that -- that's the item that we 24 spoke to in the changes that is being continued to the April 19th, 2021, Zoning Hearing Master 25

<pre>X IN RE: X IN RE: X ZONE HEARING MASTER HEARINGS X ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: DWIGHT WELLS Land Use Hearing Master DATE: Tuesday, January 19, 2021 TIME: Commencing at 6:00 p.m. Concluding at 6:08 p.m. PLACE: Appeared via Webex Videoconference Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740</pre>		Page SBOROUGH COUNTY, FLORIDA RD OF COUNTY COMMISSIONERS
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Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	TIME:	
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Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762		Reported By:
	Exe Ul 13555	ecutive Reporting Service merton Business Center Automobile Blvd., Suite 100 Clearwater, FL 33762

Page 10 2021, Zoning Hearing Master Hearing at 6:00 p.m. 1 2 Item A-15, Rezoning-PD 20-1253. This application is being continued by the applicant to 3 the May 17th, 2021, Zoning Hearing Master Hearing 4 5 beginning at 6:00 p.m. 6 Item A-16, Rezoning-PD 20-1255. This 7 application is being continued by staff to the 8 February 15th, 2021, Zoning Hearing Master Hearing 9 beginning at 6:00 p.m. Item A-17, Rezoning-PD 20-1256. 10 This application is being continued by the applicant to 11 12 the February 15th, 2021, Zoning Hearing Master 13 Hearing beginning at 6:00 p.m. 14 Item A-18, Rezoning-PD 20-1257. This 15 application is being withdrawn from the Zoning 16 Hearing Master process. 17 Item A-19, RZ-PD 20-1264. This application 18 is out of order to be heard and is being continued to the February 15th, 2021, Zoning Hearing Master 19 20 Hearing beginning at 6:00 p.m. Item A-20, Rezoning-PD 20-1266. This 21 22 application is being continued by staff to the February 15th, 2021, Zoning Hearing Master Hearing 23 24 beginning at 6:00 p.m. 25 Item A-21, Rezoning-PD 20-1270. This

	Page 1 SBOROUGH COUNTY, FLORIDA D OF COUNTY COMMISSIONERS
IN RE: ZONE HEARING MASTE HEARINGS	X ) ) ) ER ) ) ) )
	NG HEARING MASTER HEARING F OF TESTIMONY AND PROCEEDINGS
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master
DATE:	Monday, December 14, 2020
TIME:	Commencing at 6:00 p.m. Concluding at 8:36 p.m.
PLACE:	Appeared via Webex videoconference
Exec Ulm 13555 A	Reported By: nristina M. Walsh, RPR cutive Reporting Service merton Business Center Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

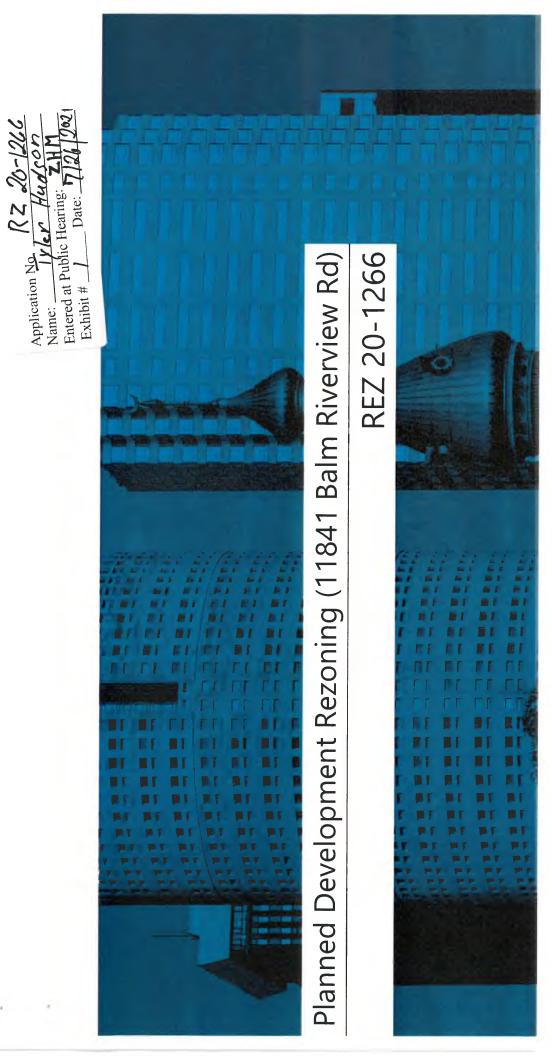
Page 12 1 Hearing Master Hearing. 2 Item A-24, Rezoning-PD 20-1265. This application is being continued by the applicant to 3 the January 19, 2021, Zoning Hearing Master 4 5 Hearing. Item A-25, Rezoning-PD 20-1266. 6 This 7 application is being continued by the applicant to 8 the January 19, 2021, Zoning Hearing Master Hearing. 9 And item A-26, Rezoning Standard 20-1282. 10 This application is out of order to be heard and is 11 12 being continued to the January 19, 2021, Zoning 13 Hearing Master Hearing. 14 That concludes all withdrawals and 15 continuances. 16 HEARING MASTER HATLEY: Thank you, 17 Mr. Grady. 18 All right. I'm going to go over a few 19 procedures for the meeting this evening. First of 20 all, the agenda items tonight are items that 21 require a public hearing by a Hearing Officer 22 before going before the Board of County 23 Commissioners for final decision. 24 I will conduct a hearing on each item on the 25 agenda and will submit a written recommendation.

### EXHIBITS SUBMITTED DURING THE ZHM HEARING



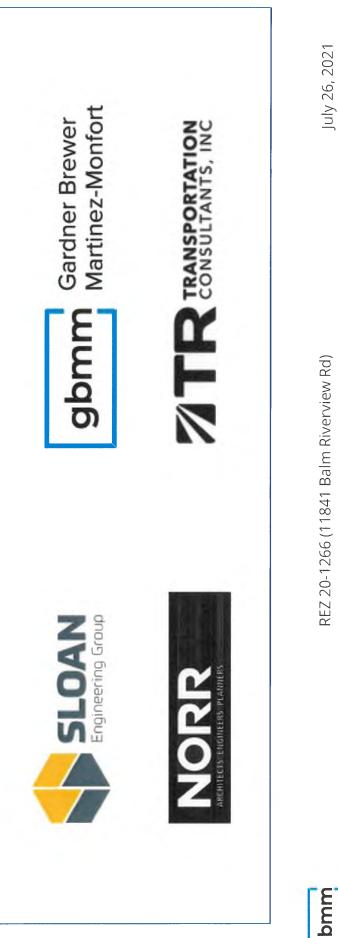
Hillsborough County Zoning Hearing Master (ZHM) Hearing











gbmm

REZ 20-1266 (11841 Balm Riverview Rd)

ě Ne	<ul> <li>November 2020:</li> <li>Staff expressed concerns regarding impact to environmentally sensitive land on site and locational criteria.</li> </ul>
• •	<ul> <li>January 2021:</li> <li>Transportation staff raised concerns regarding the impact of the project to Balm Riverview Rd. In response, developer limited uses to remove any that were deemed high impact.</li> </ul>
• Fe	<ul> <li>February 2021:</li> <li>EPC was still concerned regarding the impact to wetlands. In response, Developer revised site to show wetland area more clearly and designed site so there was no impact to environmentally sensitive land.</li> </ul>
≥ •	<ul> <li>March 2021:</li> <li>Attended ZHM. Staff recommended denial due to locational criteria policy.</li> <li>Received ZHM recommendation for denial.</li> <li>Requested and received remand back to ZHM.</li> </ul>
•AF	<ul> <li>April 2021:</li> <li>Development team had meeting with Zoning and Planning Commission staff to discuss revisions to site plan.</li> <li>Site development plan was substantially modified to further mitigate any concerns.</li> </ul>
	REZ 20-1266 (11841 Balm Riverview Rd)

### How We Got Here

September 2020:

Rezoning application filed with Hillsborough County.



### Site Details

- Located just north of Rhodine Road and Balm Riverview Road intersection.
- Comprised of one (1) parcel, totaling 4.86 acres
- Current site is vacant with abandoned fish farming ponds remaining.
- Auto repair, business professional office, commercial, and low density single-family residential in immediate vicinity.





### **Development Proposal**

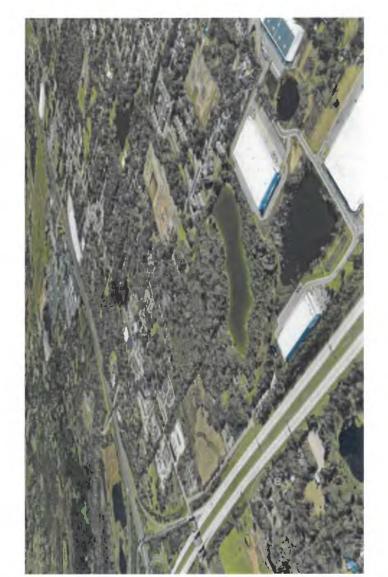
Proposed Use: Variety Store Retail

Shoppers' Goods: Commercial establishments that, in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a community, including but not limited to: variety stores

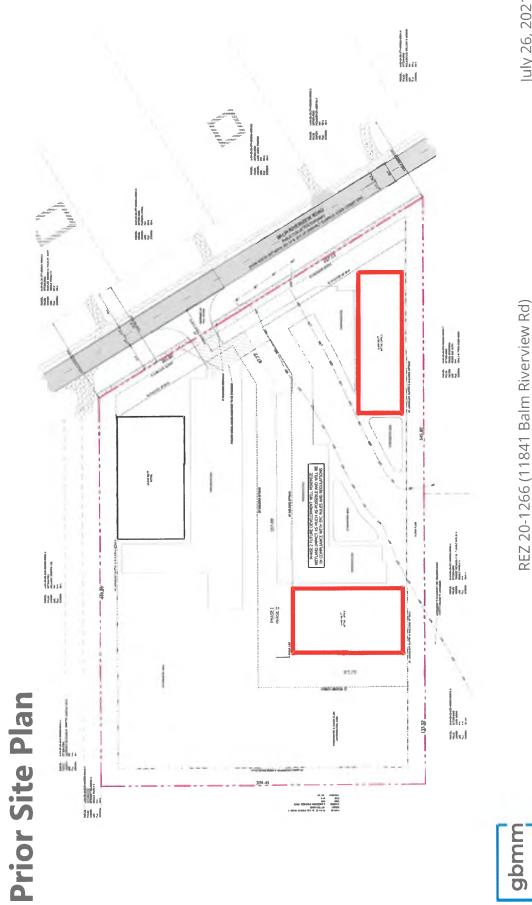
- 10,640 SF proposed
- FAR: 0.05 (MAX ALLOWED 0.25)
- Maximum height: 35'
- Front yard setback: 30'
- Side/Rear yard setback: 20'
- Wetland footprint onsite (0.4 acres) will remain as-is



REZ 20-1266 (11841 Balm Riverview Rd)

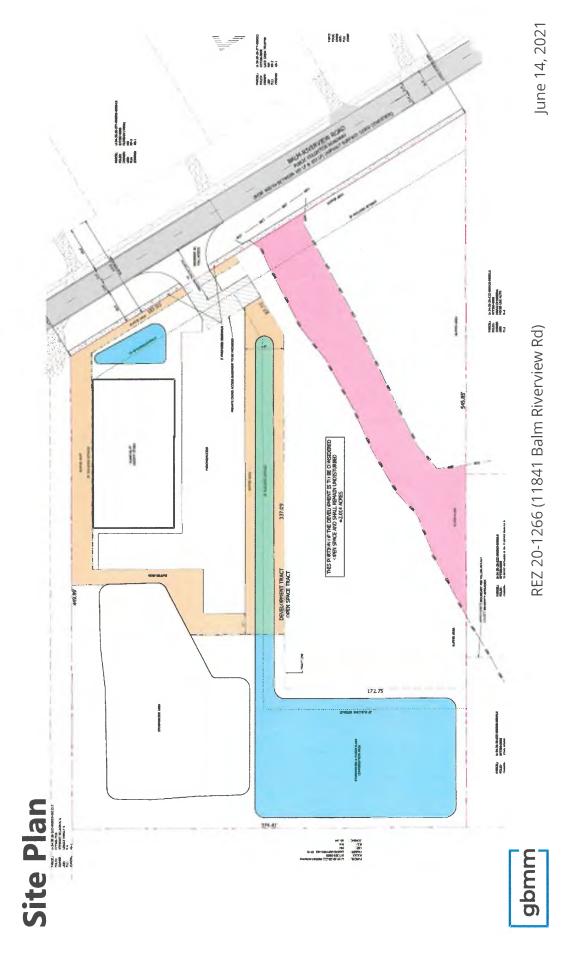


July 26, 2021

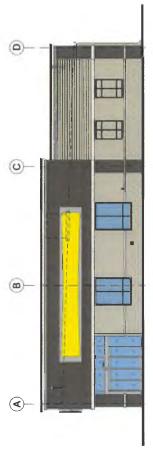


REZ 20-1266 (11841 Balm Riverview Rd)

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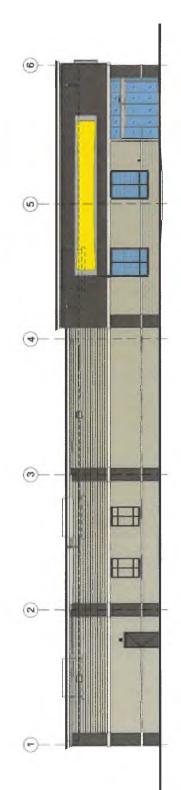
Elevations



EAST ELEVATION

### **Residential Architectural Enhancements:**

- Raised, Stepped Parapet
- Enhanced Stucco/EIFS and Split-Faced Block façade
- Spandrel glazing on east and south elevation
  - Earth-toned color scheme



SOUTH ELEVATION



REZ 20-1266 (11841 Balm Riverview Rd)

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## **Conceptual Landscape Plan**

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USES (EXCLUDING DAYCARE, PHARMACY, V/WO DRIVE THRU), RESTAURANT (W/WO HRU)) S.F.	PRIOR PROPOSED	CURRENTLY PROPOSED
ARE FOOTAGE28,190 S.F.ABER OF28,190 S.F.ABER OF7ABER OF7ABER OF7ABER OF7ABER OF0.13ADDUS CLIDEACE2.12 AC	0	VARIETY STORE RETAIL ONLY
ABER OF DINGS THREE 0.13 0.13	10,640 S	S.F. (62% reduction)
0.13 MOLE SUBEACE 2.12 AC	ONE – D SOUTHE GREATEI FLOODP	ONE – DEVELOPER HAS REMOVED SOUTHERN STRUCTURES TO PROVIDE GREATER ASSURANCES TO WETLAND AND FLOODPLAIN PROTECTION
2 1 2 A C F C	0.05	
DA 21.C	4.14 AC	

- Increased buffer on southern portion of site to provide greater protection to adjacent single-family home. #4
  - #11 Limit store operating hours from 7:00 AM to 9:00 PM.
- Committing to architectural design characteristics that give the structure a more residential appearance. #12

gbmm

REZ 20-1266 (11841 Balm Riverview Rd)

July 26, 2021

۵.	Policy 22.2 – Locational Criteria Waiver		
٠	<b>3' Beyond 900' Requirement.</b> Previously it was stated we were over 1,000 feet from the Rhodine Rd/Balm Riverview Rd intersection. It was later determined we are in fact only 903' away. Only 3' shy of the 900' requirement.	e Rd/Balm Riverview quirement.	
•	<b>Two Capital Improvement Projects.</b> Furthermore, there are two (2) Capital Improvement Projects ("CIP") proposed at the Balm Riverview Road and Rhodine Road intersection that will widen the right-of-way and replace the existing flashing beacon at the Balm Riverview/Rhodine intersection with a signal.	cts ("CIP") proposed replace the existing	
•	Adding Pedestrian Connection. As part of a Design Exception application, the developer is also extending a pedestrian connection north to the existing residential subdivision that is located approximately seven hundred feet north of the subject property. The connection of the two properties promotes internal connectivity as well as significantly increases the safety of pedestrian travel in the area.	extending a / seven hundred feet vity as well as	
٠	<b>Increased Setback and Buffers.</b> To address compatibility concerns, the project's commercial building is a full 60' from the northern residential property line. This provides enhanced buffering between the commercial and residential uses.	lding is a full 60' from nis provides enhanced	
gbmm	REZ 20-1266 (11841 Balm Riverview Rd)	July 26, 2021	

## **Addressing Inconsistencies**

Planning Commission



**Commercial Development in Area** 

gbmm

REZ 20-1266 (11841 Balm Riverview Rd)

July 26, 2021

### Opposition

- Development has received one letter of opposition from adjacent property owner to the south.
- Property owner to south rezoned more than half of his property from CN (R) to CG (R) in 2017.
- REZ 17-0929 allows ALL COMMERCIAL USES except convenience stores with fuel sales; fuel sales and service; restaurants with drive-up facilities; and brew on-premises facilities.
- Per the HCPA website, the distance from the auto repair to the property owner's single family residence is 84' with only a partial vinyl fence as screening.
- Our development is over 200 feet away from property line.

gbmm



REZ 20-1266 (11841 Balm Riverview Rd)

July 26, 2021



Gardner Brewer Martinez-Monfort

MFMORANDUM

To: Brian Grady, Hillsborough County Development Services Melissa Lienhard, AICP, Planning Commission Andrea Papandrew, AICP, Planning Commission

From: Truett Gardner Tyler Hudson

Date: July 2, 2021

Re: Summary of Changes for PD 20-1266 (11841 Balm Riverview Road)

On behalf of the applicant, Revestart, LLC, and our client, Palmetto Capital Group, Gardner Brewer Martinez-Monfort, P.A. is providing the following additional information regarding the above-referenced rezoning application.

Following our March 15, 2021 ZHM hearing, we discovered that the distance from the property boundary to the commercial node was only 902.8 feet (*See attached graphic*). This is only 2.8 feet shy of meeting the 900' distance separation suggested in Policy 22.2 of the Comprehensive Plan. As you may recall, we originally thought the distance was over 1,000 feet, which is what was reported to the ZHM. While we acknowledge that 75% of the subject property does not fall within the specified distance from the intersection, we believe the reduction in distance separation from over 100 feet to only 2.8 feet is an important factor to consider.

Perhaps more important to the reduction in distance separation - and in furtherance of Policies 22.7 and 22.8 - we have completely overhauled the site plan and added conditions to the development that will help ensure compatibility of the use with the surrounding neighborhood it will serve, as well as to compensate for any potential adverse impacts. These changes have been made in direct response to the findings of the ZHM and through numerous conversations with officials from Hillsborough County and the Planning Commission. We are grateful for everyone's time, and we firmly believe that this project has vastly improved as a result of everyone's efforts.

Below is a summary of the site plan modifications, with references to specific zoning conditions, that have been made to help ensure compatibility and to hopefully justify our minor waiver request:

- Reduction in development pads. Originally, there were three proposed development pads. Two of the 3 pads have been eliminated, thus leaving a singular development pad. (See site plan.)
- Reduction in proposed development square footage. Originally, 28,190 square feet of development was proposed. We are now only requesting 10,640 square feet, which represents a 62% reduction (reduction of 17,550 square feet). (See site plan and Condition #1.)
- Limitation on allowable uses. Originally, we were requesting the approval of Commercial Neighborhood (CN) uses with limited exceptions. In order to reduce the potential for negative impacts to the surrounding neighborhood, we are now <u>only</u> requesting the specific use of Variety Store Retail. (See site plan and Condition #1.)



Cover Memo (PD 20-1266) July 2, 2021 Page - 2 -

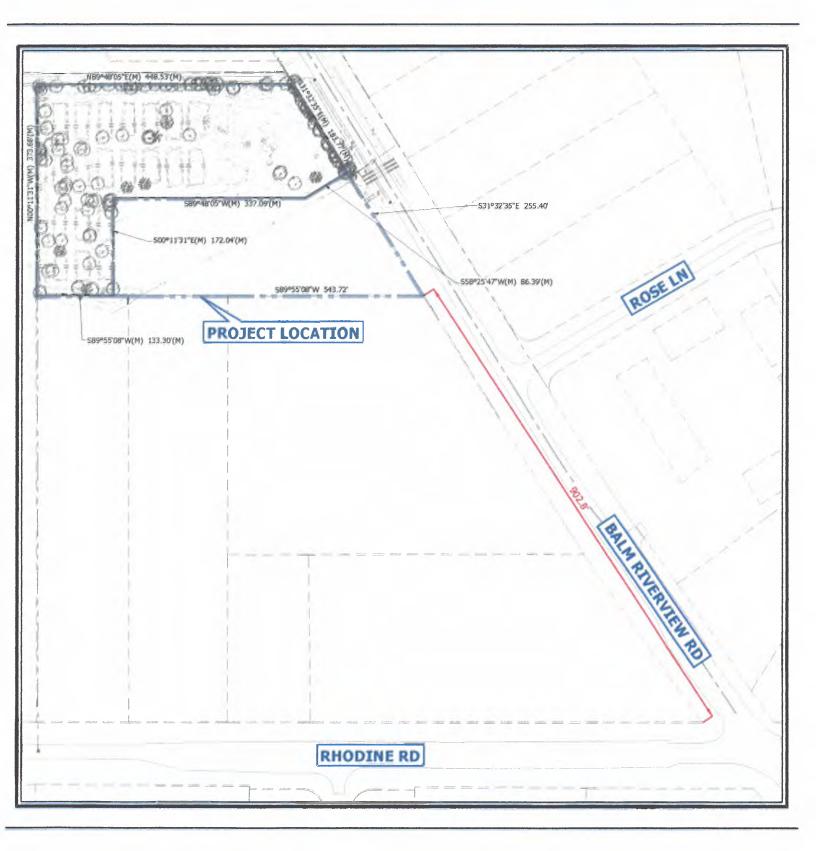
- Enhanced landscape and enlargement of perimeter buffers. To reduce negative impacts, and to be as sensitive as possible to surrounding properties, the landscaping has been enhanced and the perimeter buffers have been enlarged. (See site plan and landscape plan.)
- Provision of additional open space. In the original application, 66% of the site was open space. The new site plan vastly increases the amount of open space to 85% of site. (See site plan.)
- Building separation from the residential home to the south. The separation between the
  residential building to the south and the closest proposed commercial building was originally 20
  feet. The revised proposal provides over 172 feet of separation. (See site plan.)
- Wetland and floodplain protection. In order to provide greater assurances of protection for the on-site environmentally sensitive lands (ESL), the site plan has been bifurcated to provide an "Open Space Tract" that will serve to provide maximum protection to the ESLs within this tract. (See site plan.)
- Reduced variety store operating hours. In order to reduce potential adverse impacts to the surrounding neighborhood, the operating hours for the proposed store have been restricted to 7:00 AM to 9:00 PM. (See Condition #9.)
- Addition of architectural enhancements. In order to provide more of a residential aesthetic to the building, architectural enhancements have been added to the publicly visible façades. (See elevations and Condition #10.)
- Provision of pedestrian connections. In order to make the development more pedestrian friendly, an extension of a pedestrian connection/sidewalk to the residential subdivision (approximately 700 feet north of the subject site) is being provided. This will result in a pedestrian link between commercial and residential uses. (See Design Exception deemed approvable by County Engineer.)

Accompanying this cover memo, and enclosed with the revised application, please find the following:

- Additional/Revised Information Sheet
- Updated Project Narrative
- Revised Commercial Locational Criteria Waiver
- Revised General Development Plan
- Presentation for Zoning Hearing Master



Exhibit A



### **Rome, Ashley**

From:HearingsSent:Thursday, June 10, 2021 4:06 PMTo:Timoteo, RosalinaCc:Rome, AshleySubject:FW: REZ 20-1266 (Palmetto/Balm)Attachments:REZ 20-1266 - 11841 Balm Riverview Rd - Hearing Presentation.pdf; 2021-06-09<br/>\_Proposed Conditions of Approval.docx

Good Afternoon Rosa and Ashley,

I let Megan know that she will need to bring a copy of the presentation.

Please see the attachments for the record.

Thank you,

### **Connor MacDonald, MURP**

Planning & Zoning Technician Development Services Department (DSD)

P: (813) 829-9602 | VoIP: 39402 M: (813) 272-5600 E: macdonaldc@hillsboroughcounty.org W: HillsboroughCounty.Org

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

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From: Megan Smith <msmith@gbmmlaw.com>
Sent: Thursday, June 10, 2021 3:59 PM
To: Hearings <Hearings@HillsboroughCounty.ORG>
Cc: Truett Gardner <TGardner@gbmmlaw.com>; Grady, Brian <GradyB@HillsboroughCounty.ORG>
Subject: REZ 20-1266 (Palmetto/Balm)

[External]

Good afternoon –

Attached please find our presentation regarding item REZ 20-1266 for the record and our use at the ZHM hearing on June 14, 2021. Additionally, please find attached a draft in word of the proposed conditions of approval. Condition number seven and eight are highlighted for transportation staff to revised based on their new staff report.

If you have any questions or concerns please feel free to reach out to our office.

	Megan Smith
Gardner Brewer	O: (813) 221-1584 E: <u>msmith@gbmmlaw.com</u>
gbmm Gardner Brewer Martinez-Monfort	400 N. Ashley Dr. Ste. 1100 Tampa, FL 33602
	gbmmlaw.com

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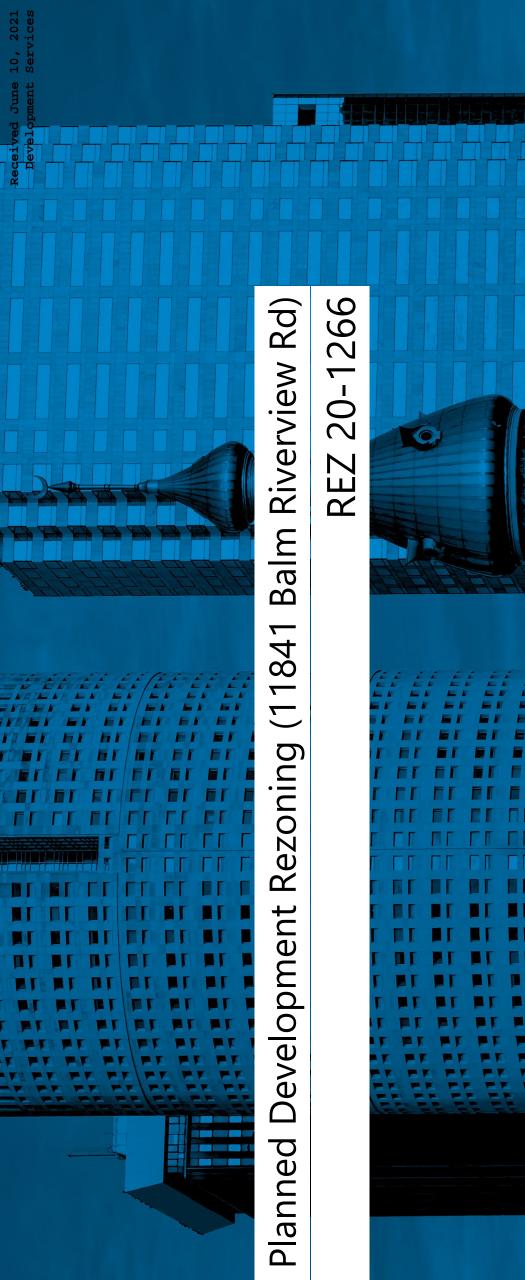
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Hillsborough County Zoning Hearing Master (ZHM) Hearing





Development Services Received June 10, 2021

### **Project Team**









## ZHRANSPORTATION CONSULTANTS, INC







June 14, 2021 **20-1266** 

### How We Got Here

April 2021	Development team had meeting with Zoning and Planning Commission staff to discuss revisions to site plan. Site development plan was substantially modified to further mitigate any concerns.
March 2021	Attended ZHM. Staff recommended denial due to locational criteria policy. Received ZHM recommendation for denial. Requested and received remand back to ZHM.
February 2021	EPC was still concerned regarding the impact to wetlands. In response, Developer revised site to show wetland area more clearly and designed site so there was no impact to environmentally sensitive land.
January 2021	Transportation staff raised concerns regarding the impact of the project to Balm Riverview Rd. In response, developer limited uses to remove any that were deemed high impact.
November 2020	Staff expressed concerns regarding impact to environmentally sensitive land on site and locational criteria.
September 2020 November 2020	Rezoning application filed with Hillsborough County.



### Site Details

 Located just north of Rhodine Road and Balm Riverview Road

intersection.

- Comprised of one (1) parcel, totaling 4.86 acres
- Current site is vacant with abandoned fish farming ponds remaining.
- Auto repair, business professional office, commercial, and low density single-family residential in immediate vicinity.





## **Development Proposal**

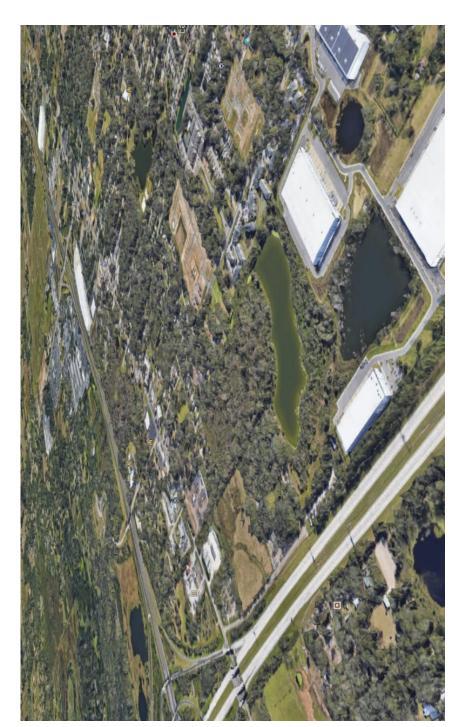
Proposed Use: Variety Store Retail

Shoppers' Goods: Commercial establishments that, in addition to serving day-to-day commercial needs of a community, also supply the more durable and permanent needs of a community, including but not limited to: variety stores

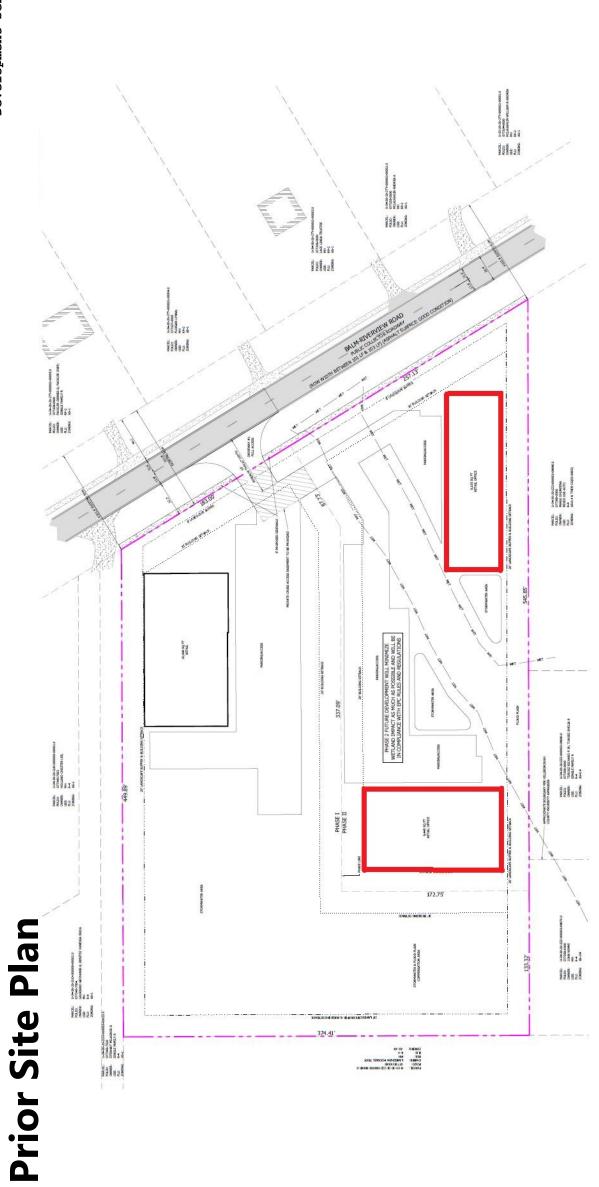
- 10,640 SF proposed
- FAR: 0.05 (MAX ALLOWED 0.25)
- Maximum height: 35'
- Front yard setback: 30'
- Side/Rear yard setback: 20'
- Wetland footprint onsite (0.4 acres) will remain as-is



REZ 20-1266 (11841 Balm Riverview Rd)

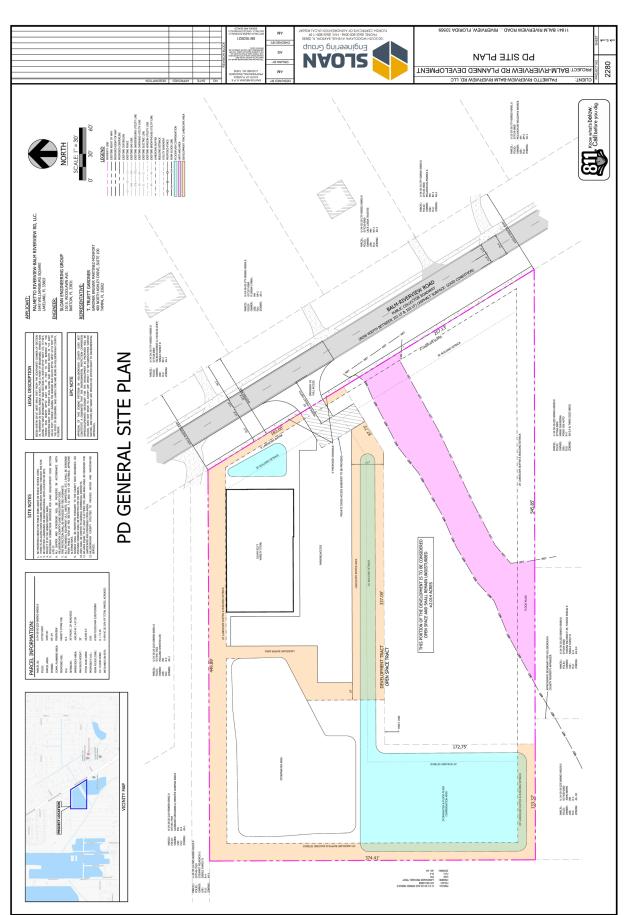


Received June 10, 2021 Development Services



June 14, 202**1<sub>20-1266**</sub>





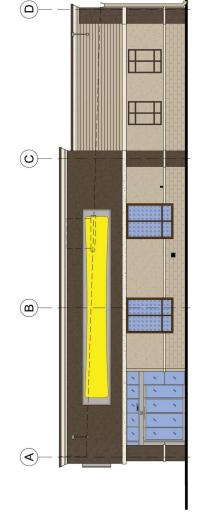
Site Plan



June 14, <sup>202</sup>**20-1**266

REZ 20-1266 (11841 Balm Riverview Rd)

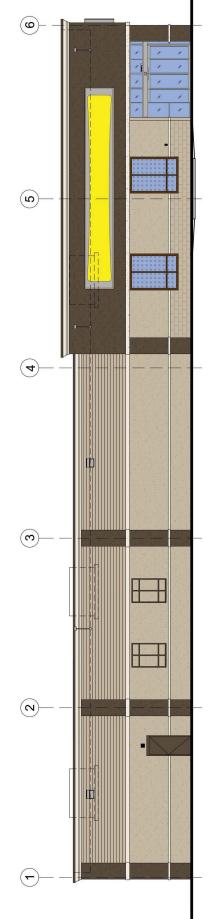




EAST ELEVATION

## **Residential Architectural Enhancements:**

- Raised, Stepped Parapet
- Enhanced Stucco/EIFS and Split-Faced Block façade
  - Spandrel glazing on east and west elevation
- Earth-toned color scheme

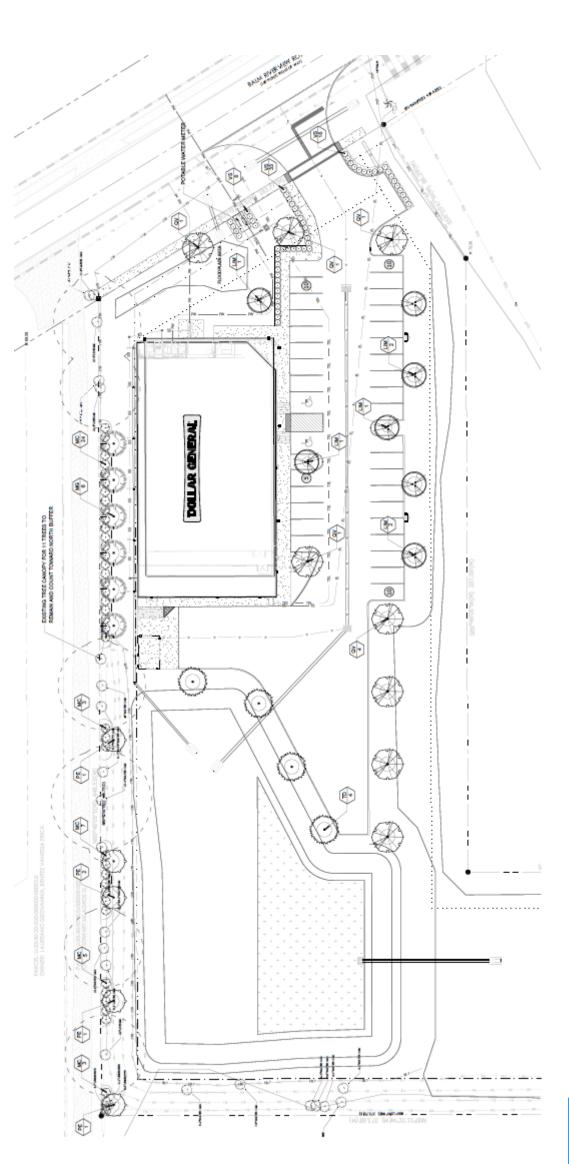


SOUTH ELEVATION



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## **Conceptual Landscape Plan**



REZ 20-1266 (11841 Balm Riverview Rd)

gbmm

June 14, 202**20-1266** 

# **Revisions since prior ZHM hearing:**

	PRIOR PROPOSED	CURRENTLY PROPOSED
PROPOSED USE	ALL CN USES (EXCLUDING DAYCARE, PHARMACY, BANK (W/WO DRIVE THRU), RESTAURANT (W/WO DRIVE THRU))	VARIETY STORE RETAIL ONLY
SQUARE FOOTAGE	28,190 S.F.	10,640 S.F. (38% reduction)
NUMBER OF BUILDINGS	TWO	ONE – DEVELOPER HAS REMOVED SOUTHERN STRUCTURE TO PROVIDE GREATER ASSURANCES TO WETLAND AND FLOODPLAIN PROTECTION
FAR	0.13	0.05
<b>PERVIOUS SURFACE</b>	3.12 AC	3.52 AC
Conditions Added:		

- Increased buffer on southern portion of site to provide greater protection to adjacent single-family home. - Limit store operating hours from 7:00 AM to 9:00 PM. #4 6#
  - Committing to architectural design characteristics that give the structure a more residential appearance. #10



## **Addressing Inconsistencies**

Planning Commission

## Policy 22.2 – Locational Criteria Waiver

- Previously it was stated we were over 1,000 feet from the Rhodine Rd/Balm Riverview Rd intersection. It was later determined we are in fact only 903' away. Only 3' shy of the 900' requirement.
- Rhodine Road intersection that will widen the right-of-way and replace the existing flashing beacon at the Balm Furthermore, there are two (2) Capital Improvement Projects ("CIP") proposed at the Balm Riverview Road and Riverview/Rhodine intersection with a signal
- existing residential subdivision that is located approximately seven hundred feet north of the subject property. The As part of a Design Exception application, the developer is also extending a pedestrian connection north to the connection of the two properties promotes internal connectivity as well as significantly increases the safety of pedestrian travel in the area.
- property line, and over 200' from southern residential property line. This provides enhanced buffering between the To address compatibility concerns, the project's commercial building is a full 60' from the northern residential commercial and residential uses.



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# **Commercial Development in Area**



June 14, 2021 **20–11266** 

REZ 20-1266 (11841 Balm Riverview Rd)

gbmm

### Opposition

- Development has received one letter of opposition from adjacent property owner to the south.
- Property owner to south rezoned more than half of his property from CN (R) to CG (R) in 2017.
- REZ 17-0929 allows ALL COMMERCIAL USES except convenience stores with fuel sales; fuel sales and service; restaurants with drive-up facilities; and brew on-premises facilities.
- Per the HCPA website, the distance from the auto repair to the property owner's single family residence is 84' with only a partial vinyl fence as screening.







Balm Riverview Ro

### PARTY OF RECORD

From:HearingsTo:Timoteo, RosalinaSubject:FW: RZ-PD 20-1266 - traffic commentsDate:Tuesday, December 1, 2020 5:20:11 PMAttachments:image001.png

### Connor MacDonald, MURP

**Planning & Zoning Technician** Development Services Department (DSD)

P: (813) 829-9602 | VoIP: 39402 M: (813) 272-5600 E: macdonaldc@hillsboroughcounty.org W: HillsboroughCounty.Org

### Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: David Lennon [mailto:dlennon@McCullaghandScott.com]
Sent: Tuesday, December 1, 2020 3:28 PM
To: Hearings <Hearings@HillsboroughCounty.ORG>
Subject: RZ-PD 20-1266 - traffic comments

[External]

Good Afternoon Team,

I would just like to share my thoughts on the development of Dollar General just north of the intersection of Rhodine and Balm Riverview. If you are not already aware that intersection is borderline dangerous without a light. In very recent past both a school and a gas station have been built at the intersection which has caused a lot of traffic.

The proposed Dollar General is not right at the corner, but is close and will produce even more traffic to an already stressed road/intersection. I noticed in the traffic report that the traffic engineer also stated that the road was substandard, however the engineer said that it should not be the responsibility of the developer to improve the deficiency.

I don't care if the developer or the county fixes the deficiency, but I'm begging that someone improve that road way if Dollar General is approved (or worse the additional 17,000 SF of "to

be determined" usage).

Thank you for your time and consideration in this matter.

David Lennon Cell 813-344-8603

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### **Rome, Ashley**

From: Sent: To: Cc: Subject: Attachments: Hearings Tuesday, June 1, 2021 1:36 PM Timoteo, Rosalina Rome, Ashley FW: PD20-1266 Maraj letter to oppose rezoning .docx

### **Connor MacDonald, MURP**

Planning & Zoning Technician Development Services Department (DSD)

P: (813) 829-9602 | VoIP: 39402 M: (813) 272-5600 E: macdonaldc@hillsboroughcounty.org W: <u>HillsboroughCounty.Org</u>

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

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From: Nadia Maraj <maraj\_n@yahoo.com> Sent: Tuesday, June 1, 2021 1:02 PM To: Hearings <Hearings@HillsboroughCounty.ORG> Subject: PD20-1266

### [External]

Attached is a letter opposing zoning for PD 20-1266.

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June 1 , 2021

Dhureena Maraj 11863 Balm Riverview Rd Riverview, FL 33569 Maraj\_n@yahoo.com

Application #: PD20-1266 Re: Public hearing on June 14, 2021

To whom it may concern;

Please be advised that I, Dhureena Maraj as the owner at the above mentioned property and together with my family. We are expressing our concern in opposition of rezoning all parcels of vacant land, north or next to our beautiful residential home into commercial use.

First, our uttermost concerns are clearly after the Covid-19 pandemic, we all have seen the need to a cleaner and open-air space living as our livelihood depends on it.

Secondly, I have my eighty-five (85) year old grandmother living with us and part of the reason for building this home from ground up in 2014 was to accommodate her housing needs on a ground level living. Also, having plenty of fruit trees and vegan gardening to keep her as healthy as possible to avoid the need for a nursing home, which is very costly.

As you can see, I have spent so much time planning and selecting where I will build my retirement home and allowing commercial activities next to our home which will be very harmful in many ways, including, noise, traffic, and air pollution. Also, the birds & bees that pollinate our vegan garden & flowers, to name a few.

I am asking the zoning board to please consider my request to not grant a rezoning of the residential lots next to my beautiful home which could also depreciate in value and my life long sweat & equity was put into building it for my retirement and enjoyment of my family.

Respectfully, <u>*Dhureena Maraj*</u> Dhureena Maraj January 3<sup>rd</sup>, 2021

Dhureena Maraj 11863 Balm Riverview Rd Riverview, FL 33569 Maraj\_n@yahoo.com

Application #: PD20-1266 Re: Public hearing on January 19, 2021

To whom it may concern;

Please be advised that I, Dhureena Maraj as the owner at the above mentioned property and together with my family. We are expressing our concern in opposition of rezoning all parcels of vacant land, north or next to our beautiful residential home into commercial use.

First, our uttermost concerns are clearly after the Covid-19 pandemic, we all have seen the need to a cleaner and open-air space living as our livelihood depends on it.

Secondly, I have my eighty-five (85) year old grandmother living with us and part of the reason for building this home from ground up in 2014 was to accommodate her housing needs on a ground level living. Also, having plenty of fruit trees and vegan gardening to keep her as healthy as possible to avoid the need for a nursing home, which is very costly.

As you can see, I have spent so much time planning and selecting where I will build my retirement home and allowing commercial activities next to our home which will be very harmful in many ways, including, noise, traffic, and air pollution. Also, the birds & bees that pollinate our vegan garden & flowers, to name a few.

I am asking the zoning board to please consider my request to not grant a rezoning of the residential lots next to my beautiful home which could also depreciate in value and my life long sweat & equity was put into building it for my retirement and enjoyment of my family.

Respectfully, <u>*Dhureena Maraj*</u> Dhureena Maraj