

Rezoning Application: RZ-PD 22-0096
Zoning Hearing Master Date: January 18, 2022
BOCC Land Use Meeting Date: March 8, 2022

1.0 APPLICATION SUMMARY

Applicant: Bricklemyer Law Group, P.L.
FLU Category: Light Industrial Planned (LI-P)
Service Area: Rural
Site Acreage: 8.69 acres
Community Plan Area: Little Manatee South
Overlay: None



Introduction Summary:

The request is to rezone the subject property from the existing Planned Development-Commercial (PD-C) 91-0159 and Commercial, General (CG) zoning districts to a new Planned Development (PD) zoning district to be allowed Manufacturing (M) zoning district uses on the subject property to accommodate the two land owners' open storage businesses.

Zoning:	Existing	Proposed
District(s)	PD-C and CG	PD
Typical General Use(s)	PD-C - Intensive Commercial, Office, Personal Services, and Industrial/Manufacturing CG - General Commercial, Office and Personal Services	Industrial/Manufacturing (Open Storage)
Acreage	8.69	8.69
Density/Intensity	PD-C - NA / 0.25 (or 60,000 sf, whichever is less) CG - NA / 0.27	NA / 0.75
Mathematical Maximum*	PD-C - 60,000 sf CG - 102,204.83 sf	283,902.30 sf

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	PD-C and CG	PD
Lot Size / Lot Width	PD-C - 10,000 sf / 75' CG - 10,000 sf / 75'	20,000 sf / 100'

Setbacks/Buffering and Screening	<p>PD-C 30' Front Sides - Per LDC CG Zoning District Development Standards Rear - Per LDC CG Zoning District Development Standards</p> <p>CG 30' Front Sides - Per LDC CG Zoning District Development Standards Rear - Per LDC CG Zoning District Development Standards</p>	<p>30' Front Side - Per LDC M Zoning District Development Standards Rear - Per LDC M Zoning District Development Standards</p>
Height	<p>PD-C - 50' CG - 50'</p>	110'

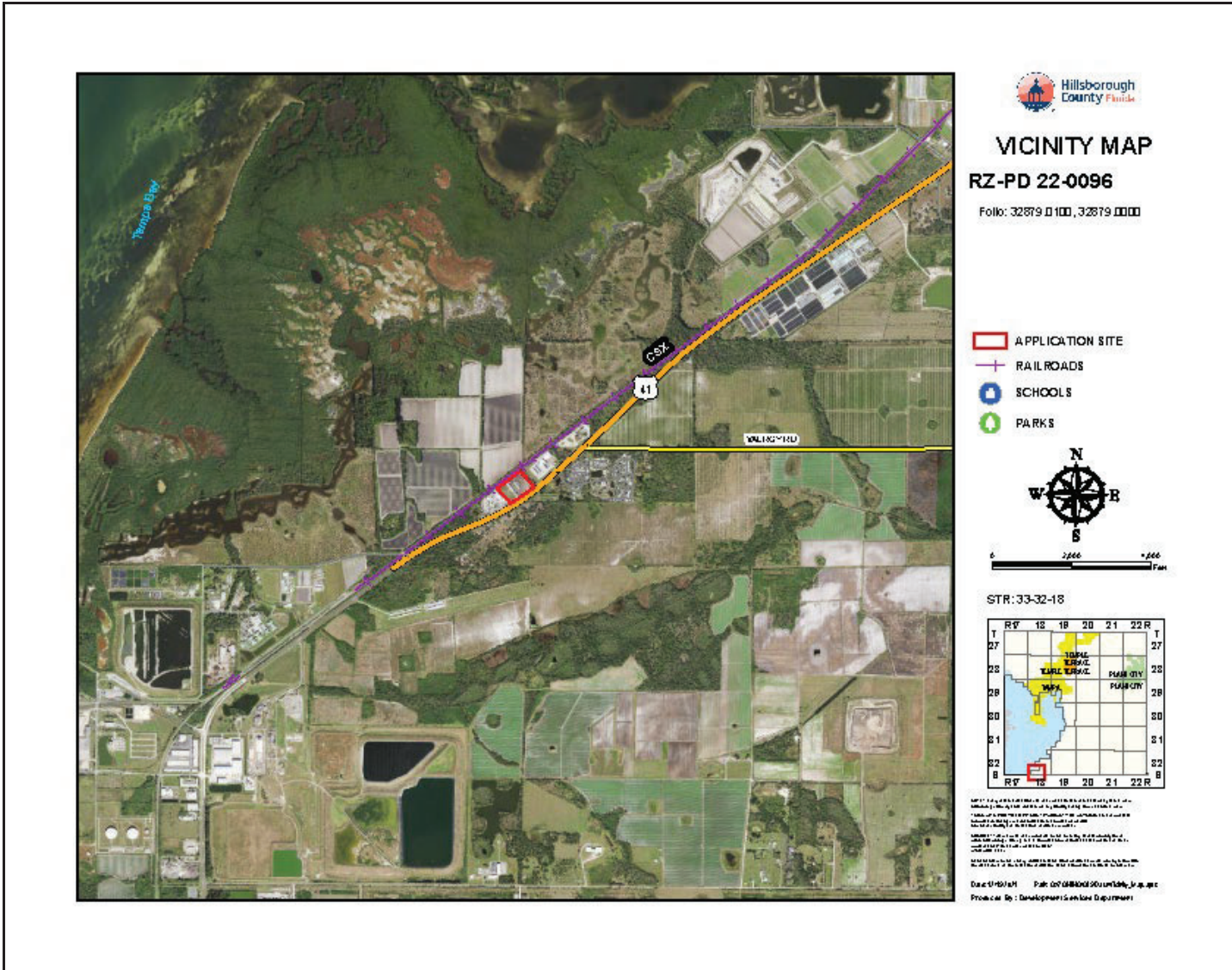
Additional Information:

PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested.

<p>Planning Commission Recommendation: Consistent</p>	<p>Development Services Recommendation: Approvable, subject to proposed conditions</p>
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

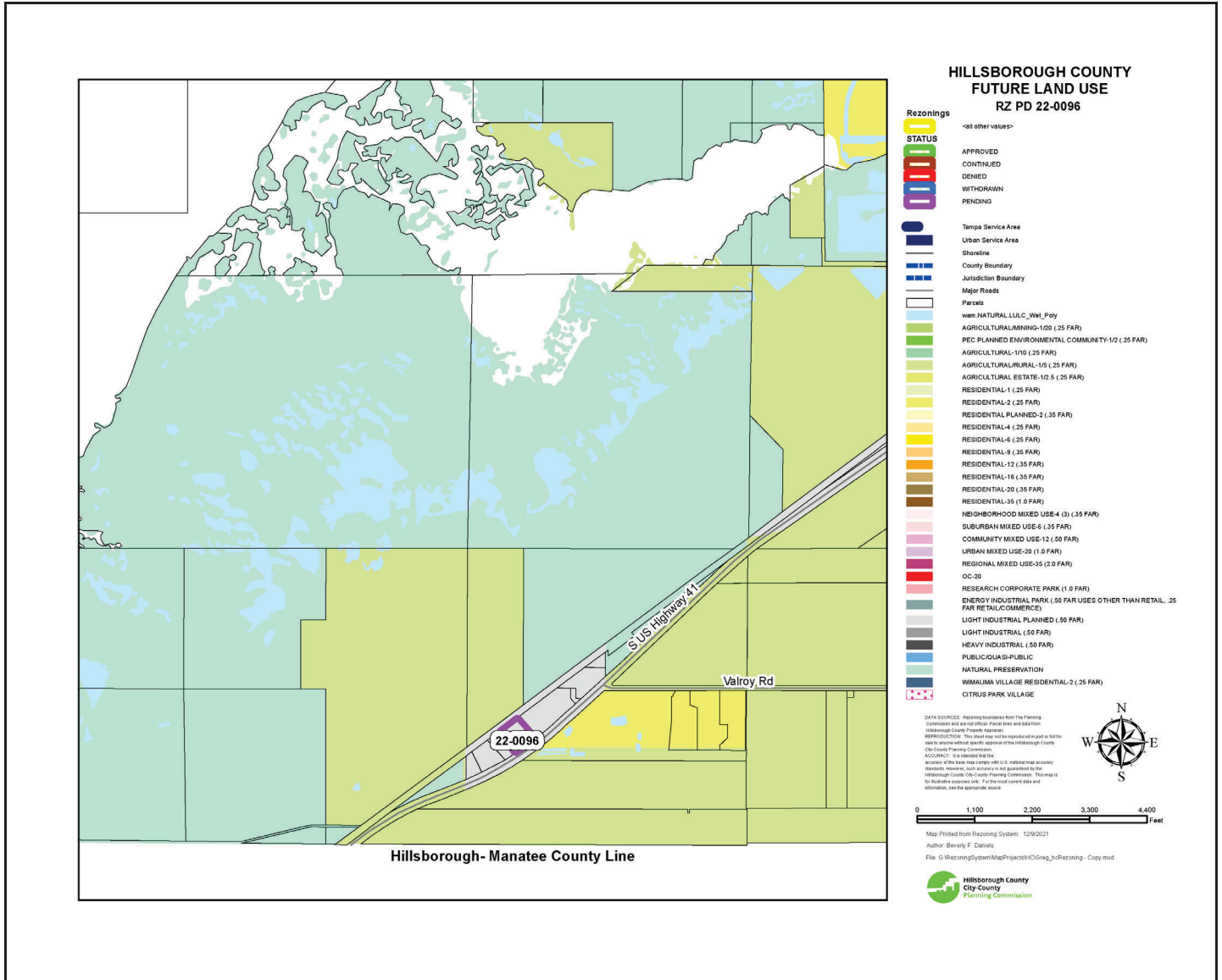


Context of Surrounding Area:

Existing land uses within the area include industrial (lumber yard storage/mill, open storage, warehouse), commercial (mixed use auto repair), residential (recreational vehicle park), and agricultural uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

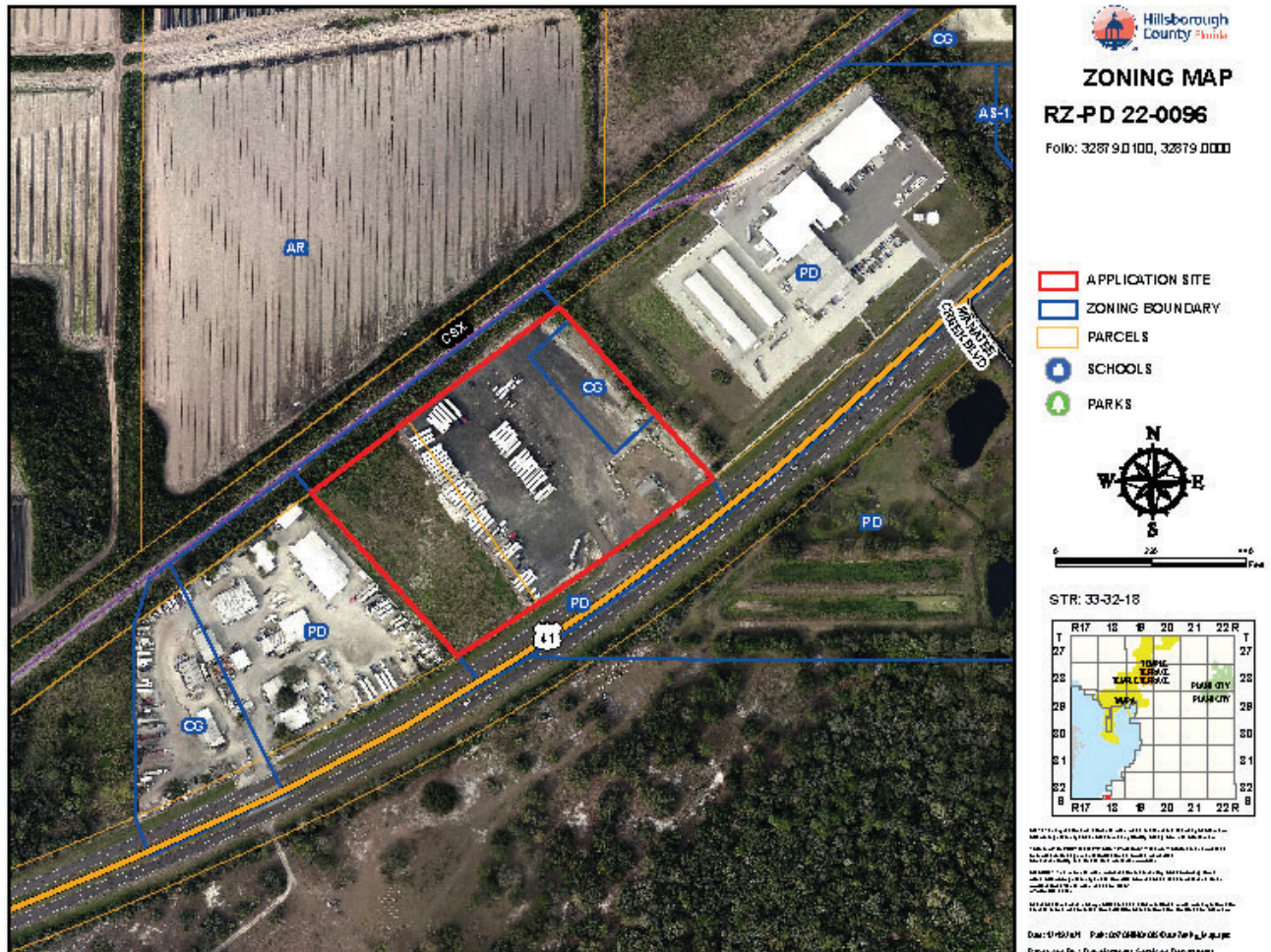
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial Planned (LI-P)
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	Light industrial uses such as processing, manufacturing, recycling and storage of materials as the predominant uses including support offices, warehousing, and rural scale retail uses pursuant to locational criteria.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



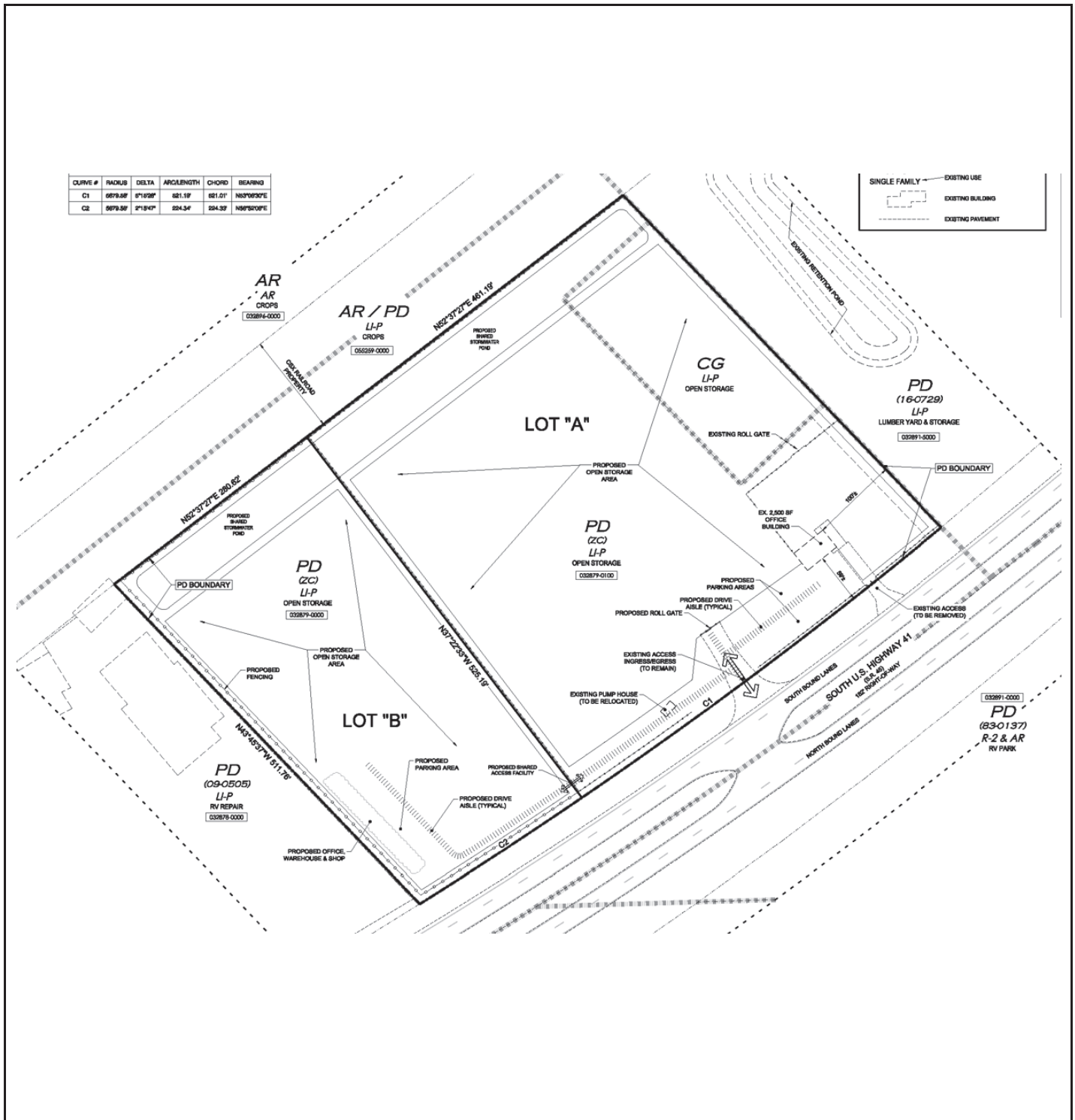
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AR	217,800 sf/u / N/A	Agricultural and agricultural-related uses per LDC Section 2.02.02	CSX railroad right-of-way and Agricultural

South	PD and AR	PD - 400 space recreational vehicle park and three single-family residential parcels at 217,800 sf/u AR - 217,800 sf/u / NA	PD - Recreational Vehicle Park and Single-Family Residential AR - Agricultural and agricultural-related uses per LDC Section 2.02.02	South US Highway 41 right-of-way, Recreational Vehicle Park, and Agricultural
East	PD	NA / 0.30	Lumberyards and accessory administrative offices	Lumber Yard Storage / Mill
West	PD	NA / 0.75	Security residence, trucking company and open storage	Mixed Use Auto Repair and Warehouse

2.0 LAND USE MAP SET AND SUMMARY DATA

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



3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US 41	FDOT Principal Arterial - Rural	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing			
Proposed			
Difference (+/-)			

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See report.
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. if the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These

				points-of-connection will have to be determined at time of application fo service as additional anaysis will be required to make the final determination.
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

Based on the adjacent zonings and uses identified above in the report, staff finds the proposed PD zoning district compatible with the existing zoning districts and development pattern in the area.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site development plan received December 14, 2021.

- 1. The development shall be approved for Manufacturing (M) zoning district uses.
- 2. The project shall be developed in accordance with the certified site development plan and the following standards:

Minimum lot area:	20,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	30 feet
Minimum side yard setback:	Per LDC M Zoning District Development Standards
Minimum rear yard setback:	Per LDC M Zoning District Development Standards
Maximum building height:	110 feet
Maximum building coverage:	75%
Maximum impervious surface:	75%

- 3. The landscape buffering and screening shall be in accordance with the requirements of Part 6.06.00 of the Land Development Code.
- 4. The exterior lighting shall be in accordance with the standards of Part 6.10.00 of the Land Development Code.
- 5. The parking shall be in accordance with the requirements of Part 6.05.00 of the Land Development Code.
- 6. The project shall be served by one (1) project access to US Highway 41 as generally shown on the PD site plan. All other existing access connections shall be closed upon approval of this zoning petition, with the pavement being removed and sod restored. Notwithstanding the foregoing, one (1) existing connection may remain as a gated emergency only access (with Knox Box or similar device acceptable to the Hillsborough County Fire Marshall) subject to FDOT approval.
- 7. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, cumulative project trip generation shall not exceed 50 a.m. or 50 p.m. peak hour trips. Should certain high trip generating uses be constructed by a developer, this cap will potentially result in an inability to construct the maximum approved entitlements, and/or could result in the inability to construct on certain parcels. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on site, as well as a trip generation analysis of the existing, approved, and to be constructed uses in order to demonstrate that this cap has not been exceeded. Transportation impacts shall be quantified based on data from the latest edition of Institute of Transportation Engineer’s Trip Generation Manual, or as otherwise approved by Development Services Staff where the Trip Generation Manual does not contain appropriate data.
- 8. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 9. The developer shall submit written proof during the plat/site/construction plan review process that the Florida Department of Transportation (FDOT) approves of the design of the project access, provided throat depth, and the location of any access control measures (e.g. gates) within the site.

10. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure the internal access/circulation design and proposed gating location if necessary to obtain approval by FDOT as outlined in condition 8, above. Such change shall not require a zoning modification.


11. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.

12. 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.

13. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

14. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

Zoning Administrator Sign Off:


J. Brian Grady
Mon Jan 10 2022 12:47:36

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

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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

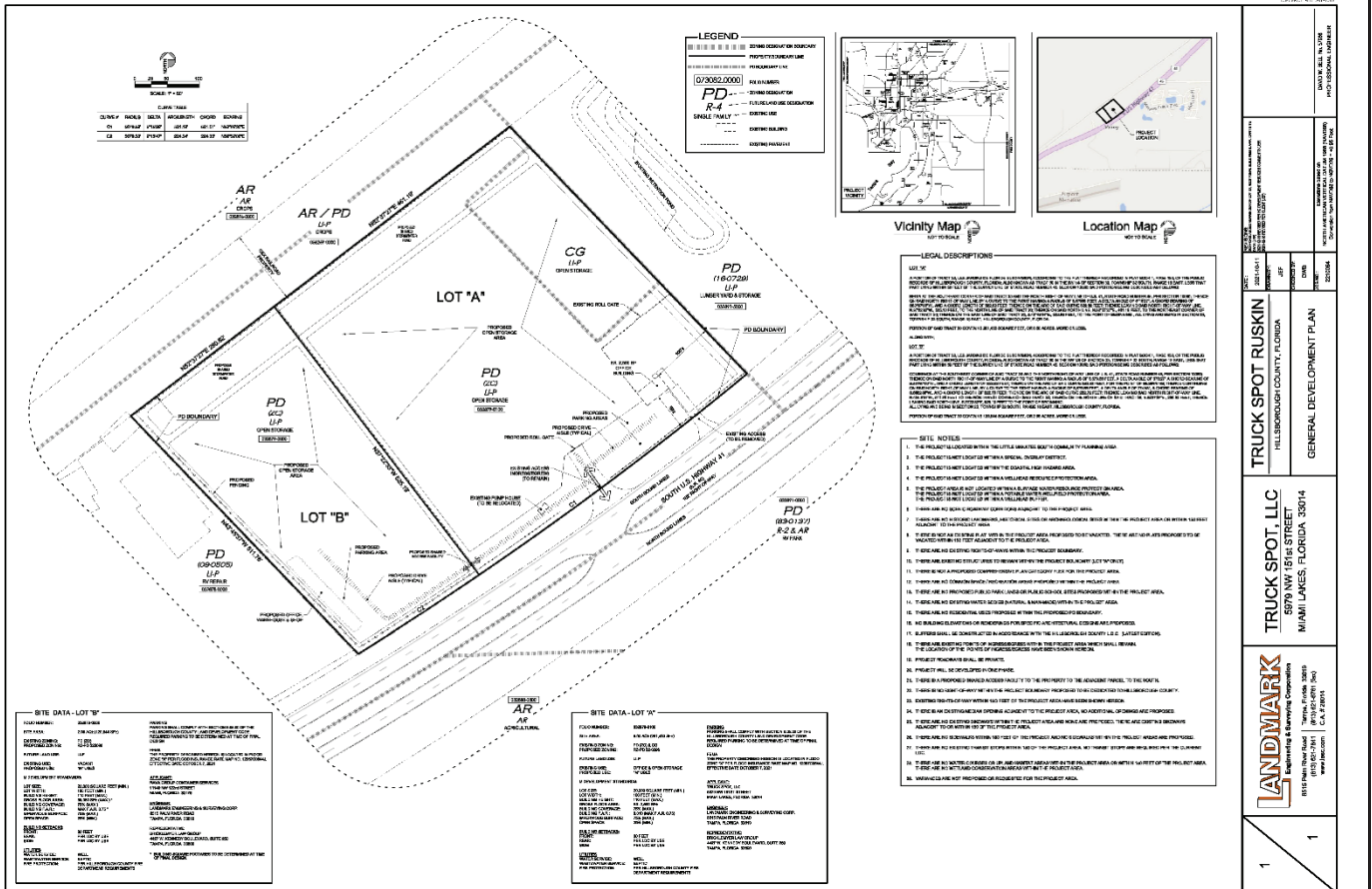
7.1 - The Florida Department of Transportation (FDOT) provided a memorandum associated with the subject project. The memorandum states:

“This project is on a state road, US 41.

This site was reviewed at a Pre-Application meeting with FDOT on 2/26/19, which included folios 32879.0000 and 32879.0100. There was a Pre-Application meeting held on 2/2/21 for folio 32879.0000. The FDOT Pre-Application Findings are attached.”

8.0 PROPOSED SITE PLAN (FULL)

PLANNING DEPARTMENT 14.210
 2022.01.14.210



PLANNING DEPARTMENT 14.210
 2022.01.14.210

<p>TRUCK SPOT RUSKIN HELLSBROOK COUNTY, FLORIDA</p>	<p>TRUCK SPOT, LLC 5979 NW 151st STREET MIAMI LAKES, FLORIDA 33014</p>	<p>LANDMARK Engineering & Surveying Corporation 8115 North Dixie Road Fort Lauderdale, FL 33309 (954) 551-1000 www.landmark.com</p>
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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 01/09/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING SECTOR/AREA: South/ LMS

PETITION NO: PD 22-0096

-
- 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 grounds.

PROPOSED CONDITIONS OF APPROVAL

1. The project shall be served by one (1) project access to US 41 as generally shown on the PD site plan. All other existing access connections shall be closed upon approval of this zoning petition, with the pavement being removed and sod restored. Notwithstanding the foregoing, one (1) existing connection may remain as a gated emergency only access (with Knox Box or similar device acceptable to the Hillsborough County Fire Marshall) subject to FDOT approval.
2. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, cumulative project trip generation shall not exceed 50 a.m. or 50 p.m. peak hour trips. Should certain high trip generating uses be constructed by a developer, this cap will potentially result in an inability to construct the maximum approved entitlements, and/or could result in the inability to construct on certain parcels. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on site, as well as a trip generation analysis of the existing, approved, and to be constructed uses in order to demonstrate that this cap has not been exceeded. Transportation impacts shall be quantified based on data from the latest edition of Institute of Transportation Engineer's Trip Generation Manual, or as otherwise approved by Development Services Staff where the Trip Generation Manual does not contain appropriate data.
3. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
4. The developer shall submit written proof during the plat/site/construction plan review process that the Florida Department of Transportation (FDOT) approves of the design of the project access, provided throat depth, and the location of any access control measures (e.g. gates) within the site.
5. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure the internal access/circulation design and proposed gating location if necessary to obtain approval by FDOT as outlined in condition 3, above. Such change shall not require a zoning modification.

PROJECT OVERVIEW AND TRIP GENERATION

The applicant is requesting to rezone two parcels, totaling +/- 8.69 ac. parcel from Commercial General (CG) and Planned Development (PD) to PD. The portion of the project with an existing PD zoning was zoned under file 91-0159 as a Zoning Conformance (ZC) action. No subsequent modifications to the PD-ZC were located. The PD-ZC allowed up to 60,000 s.f. of "...agriculturally oriented commercial development and uses, such as warehousing and the processing and shipping of agricultural products...". The applicant is seeking approval of Manufacturing (M) district uses up to the maximum 0.75 allowable floor area ratio. This equates to approximately 283,902 s.f. of uses.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter indicating that the project would not exceed 50 peak hour trips and, therefore, no trip generation or site access analysis was required to process this request. Staff prepared a comparison of the maximum trip generation potential of the subject site utilizing the existing and proposed zoning designations, utilizing a scenario for warehouse uses which slightly exceeds the 50 trips. Staff notes that the M district uses also potentially permits much more intensive uses than simply warehousing (e.g. gas stations, restaurants, etc.), which would generate significantly more trips than would a warehousing project. Given these discrepancies and the proposed PD site plan, staff has proposed a condition limiting development to an equivalent of 50 peak hour trips. Should the applicant wish to exceed this threshold, they will need to obtain a PRS and document the trip generation impacts of the more intensive uses (as well as obtain FDOT comments with respect to such uses). Data shown below was obtained from the Institute of Transportation Engineer's Trip Generation Handbook, 10th Edition.

Existing Zoning (PD-ZC 91-0159):

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
PD-ZC, 60,000 s.f. warehouse uses' (ITE LUC 150)	494	48	54

Proposed Zoning (With Staff Conditions Restrictions, Based on Applicant's Analysis):

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
PD, 14,938 s.f. general office uses (ITE LUC 710)	500(est)*	50	50

*Based on the range of allowable uses and proposed trip cap, a specific use could not be studied, as such staff used the rule of thumb whereby peak hour trips are assumed to represent 10% of AADT.

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	Total Peak Hour Trips
		AM	PM
Difference	(+) 6	(+) 2	(-) 4

EXISTING AND PROPOSED TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

US 41 is a 4-lane, principal arterial roadway owned and maintained by the Florida Department of Transportation. The roadway is characterized by +/- 12-foot wide travel lanes in average condition. The roadway appears to lie within a +/- 180-foot wide right-of-way along the project's frontage. There are no sidewalks along US 41 in the vicinity of the proposed project. There are +/- 5-foot wide bicycle facilities (on paved shoulders) on US 41 in the vicinity of the proposed project.

SITE ACCESS

Vehicular and pedestrian access pedestrian will be from US 41. Vehicular access will be via a single access which currently generally aligns with an existing median opening on US 41. The applicant has committed to removing all other existing access connections. FDOT has reviewed the project access. FDOT comments (dated February 26, 2019) which were placed in the file indicated that FDOT staff approved the concept with a condition/recommendation which stated, “Facility will only be used for minor maintenance and storage, there will be no gas facilities on site.” Transportation Review Section (TRS) staff contacted FDOT staff to obtain clarification regarding this comment (it is unusual for FDOT to make a comment regarding land use). FDOT staff indicated that they were unsure why the comment was there, but that they don’t object to the land use per say. FDOT staff indicated that the applicant will need to come back to meet with FDOT staff in the future if they pursue more intense development of the site in order to determine what additional site access improvements may be warranted. FDOT staff did have concerns regarding the configuration of internal access and gating. Staff has proposed a condition to address these concerns.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
US 41	Manatee County Line	Cockroach Bay Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US 41	FDOT Principal Arterial - Rural	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
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Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	494	48	54
Proposed	500	50	50
Difference (+/-)	(+) 6	(+) 2	(-) 4

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

Transportation Comment Sheet

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

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

Application number:	RZ-PD 22-0096
Hearing date:	January 18, 2022
Applicant:	Brickelmyer Law Group
Request:	Rezone to Planned Development to allow Manufacturing zoning district uses
Location:	6415 South Highway 41, Ruskin
Parcel size:	8.69 acres +/-
Existing zoning:	PD-C 91-0159 and CG
Future land use designation:	LI-P (0 du/ac; 0.75 FAR)
Service area:	Urban
Community planning area:	Little Manatee South and Southshore Community Plans

A. APPLICATION REVIEW

**DEVELOPMENT SERVICES STAFF REPORT
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**

1.0 APPLICATION SUMMARY

Applicant: Bricklemyer Law Group, P.L.

FLU Category: Light Industrial Planned (LI-P)

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Community Plan Area: Little Manatee South

Overlay: None



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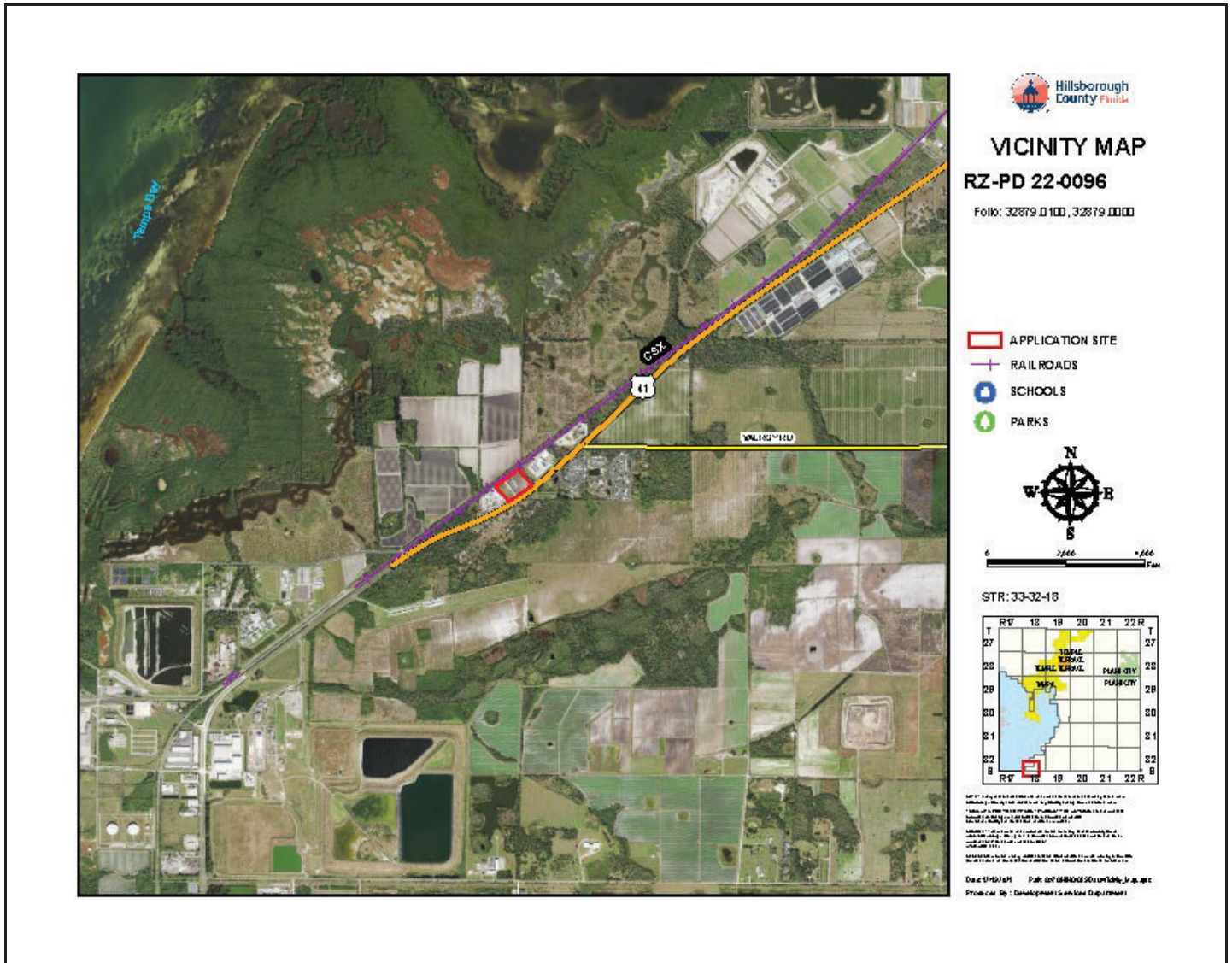
Setbacks/Buffering and Screening	<p style="text-align: center;">PD-C 30' Front Sides - Per LDC CG Zoning District Development Standards Rear - Per LDC CG Zoning District Development Standards</p> <p style="text-align: center;">CG 30' Front Sides - Per LDC CG Zoning District Development Standards Rear - Per LDC CG Zoning District Development Standards</p>	<p style="text-align: center;">30' Front Side - Per LDC M Zoning District Development Standards Rear - Per LDC M Zoning District Development Standards</p>
Height	<p style="text-align: center;">PD-C - 50' CG - 50'</p>	<p style="text-align: center;">110'</p>

Additional Information:	
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested.

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

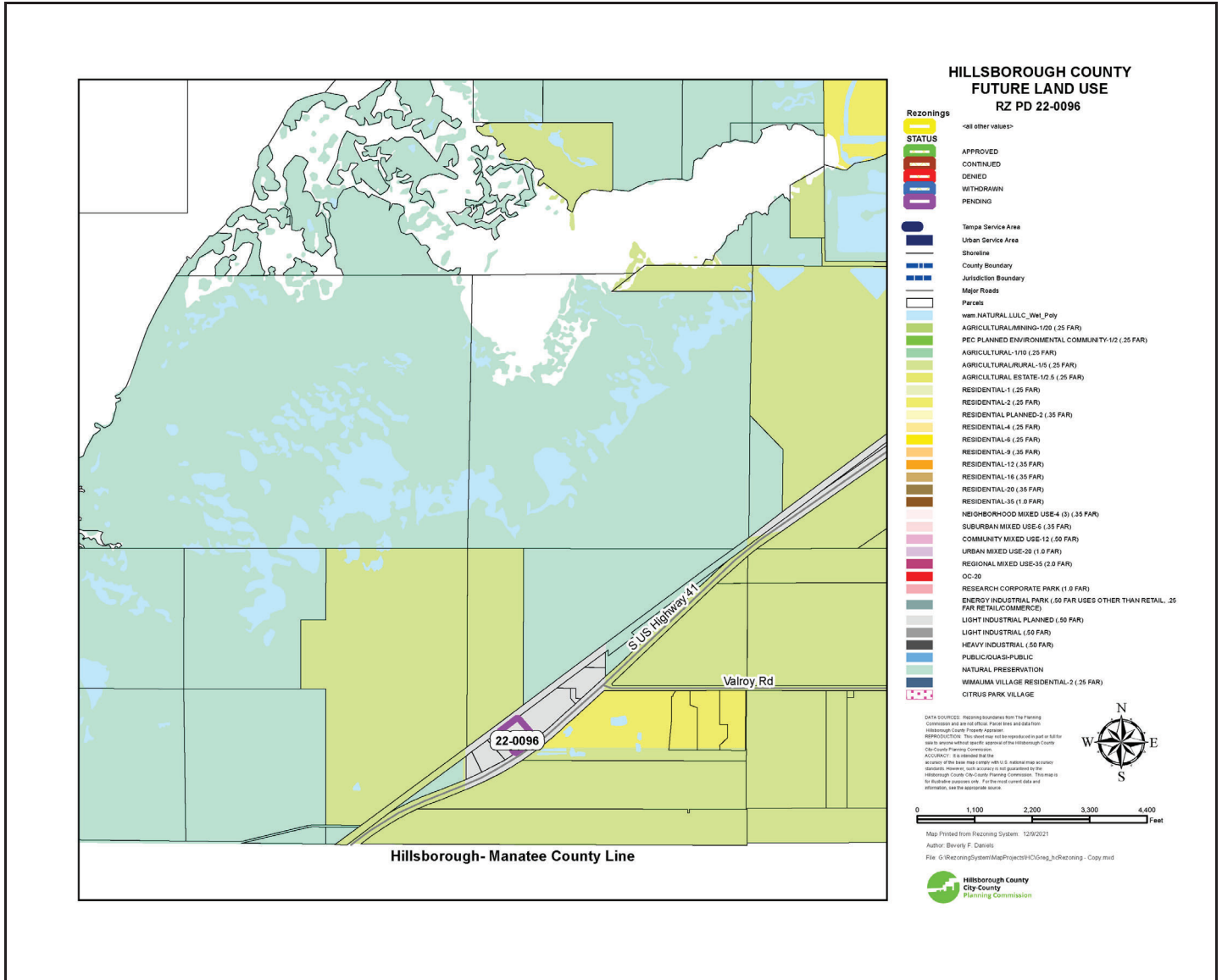


Context of Surrounding Area:

Existing land uses within the area include industrial (lumber yard storage/mill, open storage, warehouse), commercial (mixed use auto repair), residential (recreational vehicle park), and agricultural uses.

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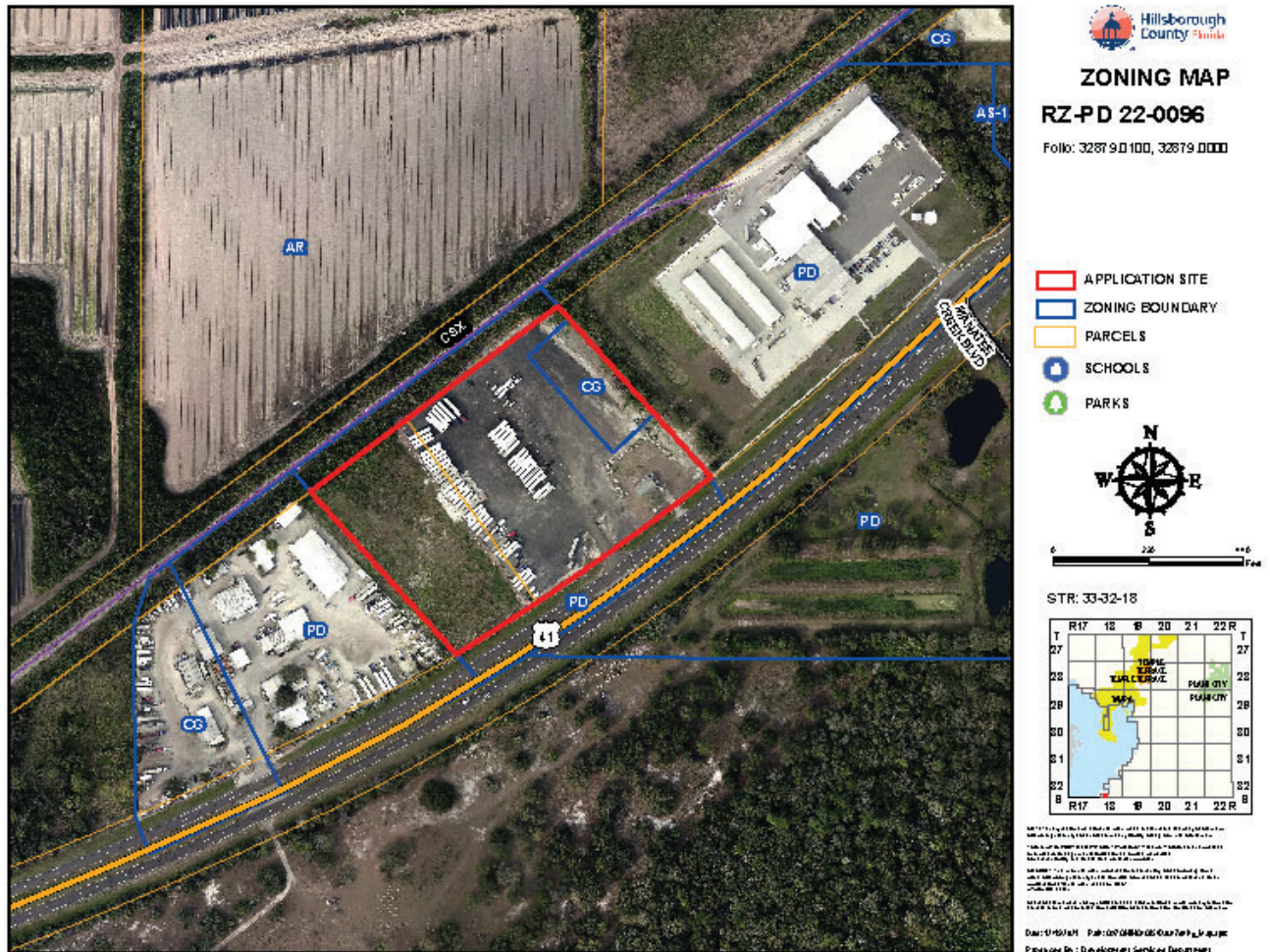
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial Planned (LI-P)
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	Light industrial uses such as processing, manufacturing, recycling and storage of materials as the predominant uses including support offices, warehousing, and rural scale retail uses pursuant to locational criteria.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



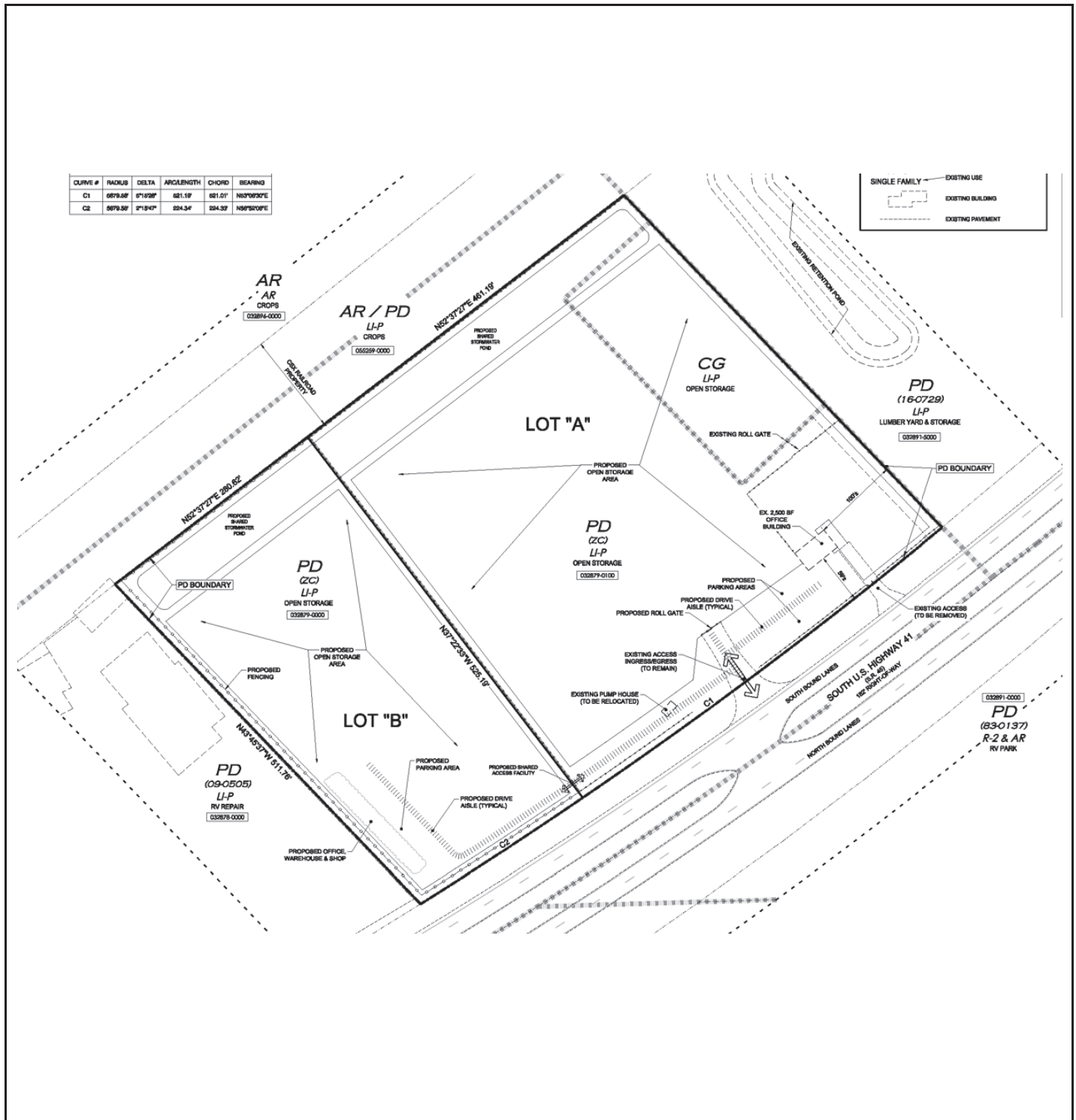
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AR	217,800 sf/u / N/A	Agricultural and agricultural-related uses per LDC Section 2.02.02	CSX railroad right-of-way and Agricultural

South	PD and AR	PD - 400 space recreational vehicle park and three single-family residential parcels at 217,800 sf/u AR - 217,800 sf/u / NA	PD - Recreational Vehicle Park and Single-Family Residential AR - Agricultural and agricultural-related uses per LDC Section 2.02.02	South US Highway 41 right-of-way, Recreational Vehicle Park, and Agricultural
East	PD	NA / 0.30	Lumberyards and accessory administrative offices	Lumber Yard Storage / Mill
West	PD	NA / 0.75	Security residence, trucking company and open storage	Mixed Use Auto Repair and Warehouse

2.0 LAND USE MAP SET AND SUMMARY DATA

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



3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US 41	FDOT Principal Arterial - Rural	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing			
Proposed			
Difference (+/-)			

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <ul style="list-style-type: none"> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See report.
Service Area/ Water & Wastewater <ul style="list-style-type: none"> <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. if the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These

				points-of-connection will have to be determined at time of application fo service as additional anaysis will be required to make the final determination.
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

Based on the adjacent zonings and uses identified above in the report, staff finds the proposed PD zoning district compatible with the existing zoning districts and development pattern in the area.

5.2 Recommendation

Based on the above considerations, staff recommends approval of the request, subject to conditions.

6.0 PROPOSED CONDITIONS


Approval - Approval of the request, subject to the conditions listed below, is based on the general site development plan received December 14, 2021.

1. The development shall be approved for Manufacturing (M) zoning district uses.
2. The project shall be developed in accordance with the certified site development plan and the following standards:

Minimum lot area:	20,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	30 feet
Minimum side yard setback:	Per LDC M Zoning District Development Standards
Minimum rear yard setback:	Per LDC M Zoning District Development Standards
Maximum building height:	110 feet
Maximum building coverage:	75%
Maximum impervious surface:	75%

3. The landscape buffering and screening shall be in accordance with the requirements of Part 6.06.00 of the Land Development Code.
4. The exterior lighting shall be in accordance with the standards of Part 6.10.00 of the Land Development Code.
5. The parking shall be in accordance with the requirements of Part 6.05.00 of the Land Development Code.
6. The project shall be served by one (1) project access to US Highway 41 as generally shown on the PD site plan. All other existing access connections shall be closed upon approval of this zoning petition, with the pavement being removed and sod restored. Notwithstanding the foregoing, one (1) existing connection may remain as a gated emergency only access (with Knox Box or similar device acceptable to the Hillsborough County Fire Marshall) subject to FDOT approval.
7. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, cumulative project trip generation shall not exceed 50 a.m. or 50 p.m. peak hour trips. Should certain high trip generating uses be constructed by a developer, this cap will potentially result in an inability to construct the maximum approved entitlements, and/or could result in the inability to construct on certain parcels. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on site, as well as a trip generation analysis of the existing, approved, and to be constructed uses in order to demonstrate that this cap has not been exceeded. Transportation impacts shall be quantified based on data from the latest edition of Institute of Transportation Engineer's Trip Generation Manual, or as otherwise approved by Development Services Staff where the Trip Generation Manual does not contain appropriate data.
8. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
9. The developer shall submit written proof during the plat/site/construction plan review process that the Florida Department of Transportation (FDOT) approves of the design of the project access, provided throat depth, and the location of any access control measures (e.g. gates) within the site.

10. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure the internal access/circulation design and proposed gating location if necessary to obtain approval by FDOT as outlined in condition 8, above. Such change shall not require a zoning modification.
11. Approval of this application does not ensure that public wastewater and potable water services will be available at the time when the applicant seeks permits to actually develop.
12. 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.
13. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
14. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

Zoning Administrator Sign Off:	 J. Brian Grady Mon Jan 10 2022 12:47:36
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on January 18, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Clayton Bricklemyer spoke on behalf of the applicant. He stated the evening is late and Development Services will do a good job with its presentation. He stated the applicant is happy with the staff report and the Planning Commission report and the conditions that are in those reports.

Development Services Department

Mr. Kevie Defranc, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

Planning Commission

Ms. Jillian Massey, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

Proponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

Opponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

Development Services Department

Mr. Grady stated Development Services Department had nothing further.

Applicant Rebuttal

Mr. Bricklemyer thanked staff for their work and stated the applicant had nothing further.

The hearing officer closed the hearing on rezoning 22-0096.

C. EVIDENCE SUBMITTED

No additional documentary evidence was submitted into the record at the hearing.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 8.69 acres located at 6415 South Highway 41, Ruskin.
2. The Subject Property is zoned PD-C 91-0159 and CG and is designated LI-P on the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* Future Land Use Map.
3. The Subject Property is in the Rural Services Area and is within the boundaries of the Little Manatee South and Southshore Community Plans.
4. The applicant is requesting to rezone the Subject Property to Planned Development to allow Manufacturing zoning district uses to accommodate the property owners' open storage business.
5. Existing land uses in the surrounding area include industrial (lumber yard storage/mill, open storage, warehouse), commercial (mixed use auto repair), residential (recreational vehicle park), and agricultural uses. North of the Subject Property are parcels zoned AR in agricultural use and a CSX railroad right-of-way. South of the Subject Property are properties zoned PD and AR developed with a RV park, agricultural use, and US Highway 41 right-of-way. East and west of the Subject Property are parcels zoned PD and developed as a lumber yard storage and mill, auto repair, and warehouse.
6. County staff found the proposed rezoning compatible with the existing zoning districts and development pattern in the area. Staff recommends approval of the rezoning request subject to conditions based on the applicant's general site development plan received December 14, 2021.
7. Planning Commission staff report states the subject property is approximately 2.98 acres. However, the subject property consists of two parcels, one of which is 5.72 acres, and the other of which is 2.98 acres. The total acreage of the subject property is approximately 8.69 acres as stated in the Development Services staff report.
8. Planning staff found the proposed rezoning to be consistent with the intent of the LI-P Future Land Use category and supports the vision of the Little Manatee South Community Plan. Staff found the rezoning compatible with the existing development pattern in the area and concluded the request is consistent with the county's comprehensive plan subject to the conditions proposed by the Development Services Department.

E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN

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

F. CONCLUSIONS OF LAW


A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The applicant is requesting to rezone the Subject Property to Planned Development to allow Manufacturing zoning district uses to accommodate the property owners’ open storage business.

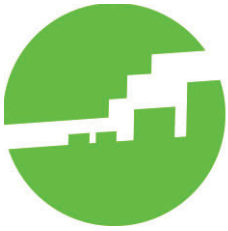
H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request subject to the conditions stated in the Hillsborough County Development Services staff report based on the applicant’s general site development plan received December 14, 2021.


Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

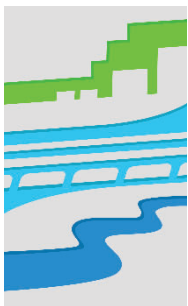
2-8-2022

Date:



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: January 18, 2022	Petition: PD 22-0096
Report Prepared: January 6, 2022	6415 S. US Highway 41 <i>Folio: 32879.0100</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Light Industrial- Planned (LI-P) (0 du/ac; 0.75 FAR)
Service Area	Urban
Community Plan:	Little Manatee South and Southshore Community Planning Areas
Requested Modification:	Rezone from Commercial General (CG) and Planned Development (PD) to PD to allow for open storage and an accessory office building.
Parcel Size (Approx.):	2.98 +/-acres (129,844 square feet)
Street Functional Classification:	S. US Highway 41– State Principal Arterial
Locational Criteria	Not Applicable
Evacuation Zone	Not Applicable



Context

- The subject property is approximately 2.98 acres and is located on the northwest of US Highway 41. The property is located within the limits of the Little Manatee South and Southshore Community Plan and is in the Rural Area (RA).
- The subject property is in the Light Industrial-Planned (LI-P) Future Land Use (FLU) category. Typical uses within the LI-P Future Land Use category includes light industrial uses such as processing, manufacturing, recycling and storage of materials as the predominant uses including support offices, warehousing, and rural scale retail uses pursuant to locational criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The LI-P Future Land Use category surrounds the subject property on all sides. Further south on the other side of US Highway 41 is designated as Agricultural Rural -1/5 (AR-1/5). Further north of the subject property is also designated as AR-1/5.
- The subject property is currently zoned as Planned Development (PD) and Commercial General (CG). The site is being used for open storage. There is PD zoning surrounding the site on all sides. Further south on the other side of US Highway 41 is Agricultural Rural (AR) zoning. Further north of the subject property is also AR zoning. There are also some CG zoned parcels east and west of the subject property along US Highway 41. Surrounding the property there are light and heavy commercial uses to the east and west, and agricultural uses to the north, and south of US Highway 41.
- The applicant requests to rezone the site from CG and PD to a PD by changing the CG portion of property to PD and incorporating the parcel to southwest. The proposal is to allow Manufacturing (M) zoning uses the use the site for open storage with an accessory office.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Relationship to Land Development Regulations

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the

federal government unless such requirements have been previously waived by those governmental bodies.

Neighborhood/Community Development

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

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

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

Policy 26.7: A site plan-controlled zoning district shall be required for all new and expanded industrial uses, other than government owned or leased facilities, located on major water bodies as identified on the Future Land Use Map.

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.

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

LIVABLE COMMUNITIES ELEMENT

Little Manatee South Community Plan

Vision

US Highway 41

It is not the intention nor the desire of the Little Manatee South community, that US Highway 41 be developed as strip development when allowing for long term development options that include activity center(s), mixed use, office park, or industrial/warehouse uses. These long term options recognize that consideration for them would be conditioned upon a set of “growth thresholds” being met, because currently this area is outside the Urban Service Area and the development character is Rural (under the County’s adopted Comprehensive Plan’s 2025 horizon timeline).

Staff Analysis of Goals, Objectives, and Policies:

The subject property is located on approximately 2.98 acres on the northwest side of US Highway 41. The property is located within the limits of the Little Manatee South and Southshore Community Plans and is in the Rural Area (RA). The applicant requests to rezone to a PD by changing the CG portion to PD and incorporating the parcel to southwest. The proposal is to allow Manufacturing (M) zoning uses the use the site for open storage with an accessory office.

The subject property is in the Light Industrial-Planned (LI-P) Future Land Use category. Typical uses within the Light Industrial – Planned (LI-P) Future Land Use category includes light industrial uses such as processing, manufacturing, recycling and storage of materials as the predominant uses including support offices, warehousing, and rural scale retail uses pursuant to locational criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Commercial Locational Criteria (CLC) does not apply to the request because only retail requires CLC in LI-P.

The proposed Planned Development is consistent with the intent of the LI-P Future Land Use category. The intent of the LI-P Future Land Use designation is to be those areas in the County potentially suitable for industrial activities but are located outside of concentrated industrial designated areas or in areas where the need for a site plan would be beneficial to ensure land use compatibility. The LI-P FLU category offers flexibility in permitted uses and in creativity for design of the required site plan to ensure that the proposed industrial operation creates minimal degree of impact on the surrounding

environment. The intensity and proposed use is consistent with the LI-P Future Land Use category.

The requirements of developing within the Light Industrial-Planned (LI-P) designation include rezoning to a site plan-controlled zoning district such as a Planned Development. Surrounding the property there are light and heavy commercial uses to the east and west, and agricultural uses to the north, and south of US Highway 41. The request is consistent with Objective 16 and Policies 16.1, 16.2, 16.3 and 16.5 (FLUE). The request is also consistent with Objective 26 and Policy 26.7 (FLUE).

The property is located within the limits of the Little Manatee South Community Plan. The plan envisions US Highway 41 to be developed as strip commercial development when allowing for long term development options that include activity center(s), mixed use, office park, or industrial/warehouse uses. The proposed open storage use with accessory office is consistent with the vision of the Community Plan. There are no policies in the Southshore Community Plan that are applicable to this proposal.

Overall, staff finds that the proposed Planned Development is consistent with the intent of the LI-P Future Land Use category and supports the vision of the Little Manatee South Community Plan. The request is compatible with the existing development pattern in the area. The request would allow for a development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ PD 22-0096

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

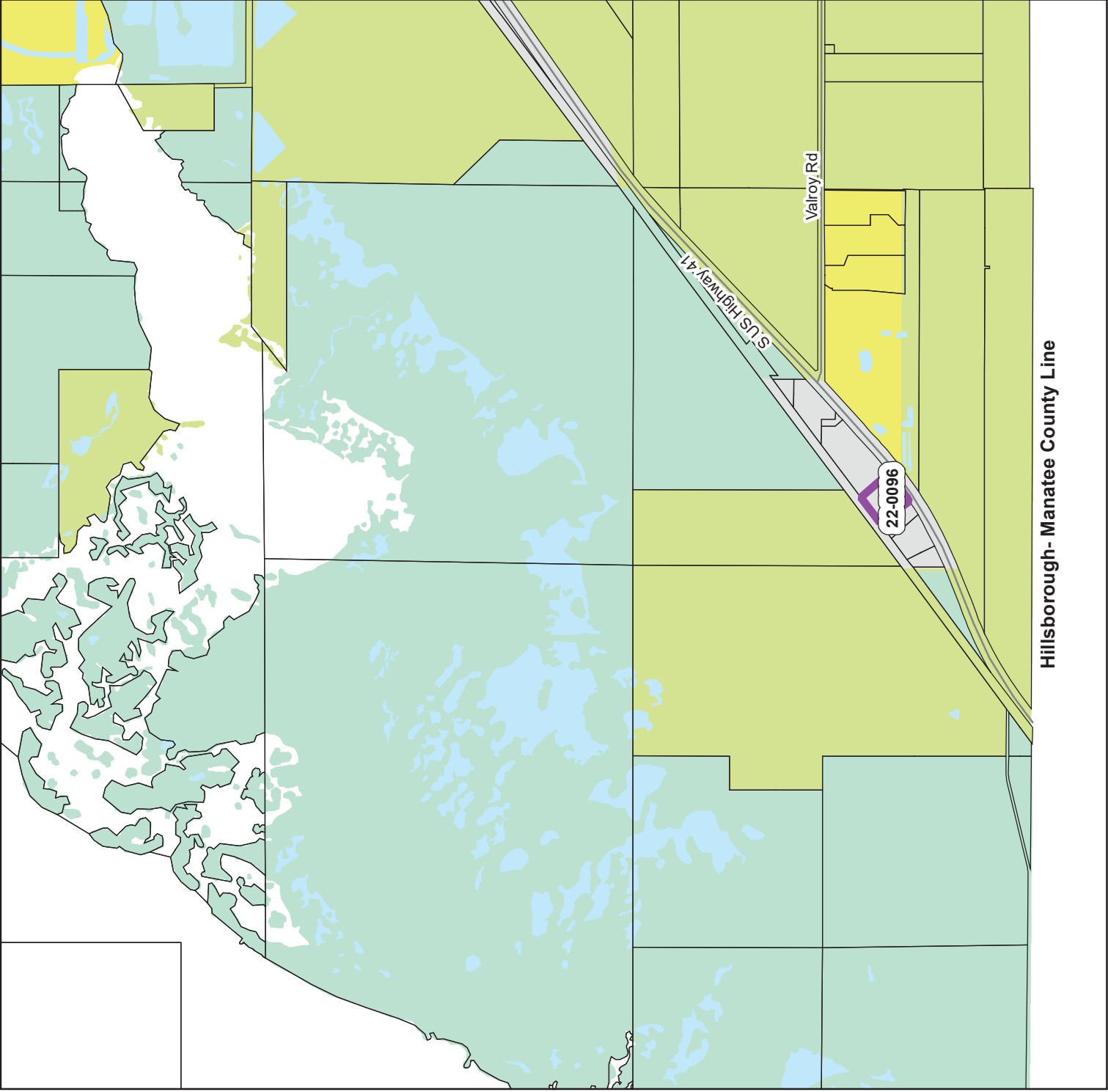
Legend for land use categories and boundaries:

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels
- warm NATURAL LULC, Wet Poly
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL-RURAL-1/5 (.25 FAR)
- AGRICULTURAL-ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only and is not intended to be used for any legal purpose without specific approval of the Hillsborough County Planning Commission. ACCURACY: It is intended that the information on this map is for informational purposes only. The information on this map is not intended to be used for any legal purpose without specific approval of the Hillsborough County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 12/9/2021
Author: Beverly F. Daniels
File: G:\Rezoning\System\MapProjects\HIC\Rezoning - Copy.mxd



Hillsborough - Manatee County Line



**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: RZ-PD (22-0096)

Zoning File: RZ-PD (22-0096) Modification: None

Atlas Page: None Submitted: 02-15-22

To Planner for Review: 02-15-22 Date Due: ASAP

Contact Person: Clayton Bricklemyer Phone: 813-229-7700/ clayton@bricklawgroup.com

Right-Of-Way or Land Required for Dedication: Yes No

The Development Services Department HAS NO OBJECTION to this General Site Plan.

The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: J. Brian Grady Date: 02/16/22

Date Agent/Owner notified of Disapproval: _____



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 01/09/2022

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING SECTOR/AREA: South/ LMS

PETITION NO: PD 22-0096

- 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 grounds.

PROPOSED CONDITIONS OF APPROVAL

1. The project shall be served by one (1) project access to US 41 as generally shown on the PD site plan. All other existing access connections shall be closed upon approval of this zoning petition, with the pavement being removed and sod restored. Notwithstanding the foregoing, one (1) existing connection may remain as a gated emergency only access (with Knox Box or similar device acceptable to the Hillsborough County Fire Marshall) subject to FDOT approval.
2. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, cumulative project trip generation shall not exceed 50 a.m. or 50 p.m. peak hour trips. Should certain high trip generating uses be constructed by a developer, this cap will potentially result in an inability to construct the maximum approved entitlements, and/or could result in the inability to construct on certain parcels. Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on site, as well as a trip generation analysis of the existing, approved, and to be constructed uses in order to demonstrate that this cap has not been exceeded. Transportation impacts shall be quantified based on data from the latest edition of Institute of Transportation Engineer's Trip Generation Manual, or as otherwise approved by Development Services Staff where the Trip Generation Manual does not contain appropriate data.
3. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
4. The developer shall submit written proof during the plat/site/construction plan review process that the Florida Department of Transportation (FDOT) approves of the design of the project access, provided throat depth, and the location of any access control measures (e.g. gates) within the site.
5. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, the developer shall be permitted to reconfigure the internal access/circulation design and proposed gating location if necessary to obtain approval by FDOT as outlined in condition 3, above. Such change shall not require a zoning modification.

PROJECT OVERVIEW AND TRIP GENERATION

The applicant is requesting to rezone two parcels, totaling +/- 8.69 ac. parcel from Commercial General (CG) and Planned Development (PD) to PD. The portion of the project with an existing PD zoning was zoned under file 91-0159 as a Zoning Conformance (ZC) action. No subsequent modifications to the PD-ZC were located. The PD-ZC allowed up to 60,000 s.f. of "...agriculturally oriented commercial development and uses, such as warehousing and the processing and shipping of agricultural products...". The applicant is seeking approval of Manufacturing (M) district uses up to the maximum 0.75 allowable floor area ratio. This equates to approximately 283,902 s.f. of uses.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter indicating that the project would not exceed 50 peak hour trips and, therefore, no trip generation or site access analysis was required to process this request. Staff prepared a comparison of the maximum trip generation potential of the subject site utilizing the existing and proposed zoning designations, utilizing a scenario for warehouse uses which slightly exceeds the 50 trips. Staff notes that the M district uses also potentially permits much more intensive uses than simply warehousing (e.g. gas stations, restaurants, etc.), which would generate significantly more trips than would a warehousing project. Given these discrepancies and the proposed PD site plan, staff has proposed a condition limiting development to an equivalent of 50 peak hour trips. Should the applicant wish to exceed this threshold, they will need to obtain a PRS and document the trip generation impacts of the more intensive uses (as well as obtain FDOT comments with respect to such uses). Data shown below was obtained from the Institute of Transportation Engineer's Trip Generation Handbook, 10th Edition.

Existing Zoning (PD-ZC 91-0159):

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
PD-ZC, 60,000 s.f. warehouse uses' (ITE LUC 150)	494	48	54

Proposed Zoning (With Staff Conditions Restrictions, Based on Applicant's Analysis):

Land Use/Size	24 Hour Two-Way Volume	A.M. Peak Hour Trips	P.M. Peak Hour Trips
PD, 14,938 s.f. general office uses (ITE LUC 710)	500(est)*	50	50

*Based on the range of allowable uses and proposed trip cap, a specific use could not be studied, as such staff used the rule of thumb whereby peak hour trips are assumed to represent 10% of AADT.

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	Total Peak Hour Trips
		AM	PM
Difference	(+) 6	(+) 2	(-) 4

EXISTING AND PROPOSED TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

US 41 is a 4-lane, principal arterial roadway owned and maintained by the Florida Department of Transportation. The roadway is characterized by +/- 12-foot wide travel lanes in average condition. The roadway appears to lie within a +/- 180-foot wide right-of-way along the project's frontage. There are no sidewalks along US 41 in the vicinity of the proposed project. There are +/- 5-foot wide bicycle facilities (on paved shoulders) on US 41 in the vicinity of the proposed project.

SITE ACCESS

Vehicular and pedestrian access pedestrian will be from US 41. Vehicular access will be via a single access which currently generally aligns with an existing median opening on US 41. The applicant has committed to removing all other existing access connections. FDOT has reviewed the project access. FDOT comments (dated February 26, 2019) which were placed in the file indicated that FDOT staff approved the concept with a condition/recommendation which stated, “Facility will only be used for minor maintenance and storage, there will be no gas facilities on site.” Transportation Review Section (TRS) staff contacted FDOT staff to obtain clarification regarding this comment (it is unusual for FDOT to make a comment regarding land use). FDOT staff indicated that they were unsure why the comment was there, but that they don’t object to the land use per say. FDOT staff indicated that the applicant will need to come back to meet with FDOT staff in the future if they pursue more intense development of the site in order to determine what additional site access improvements may be warranted. FDOT staff did have concerns regarding the configuration of internal access and gating. Staff has proposed a condition to address these concerns.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
US 41	Manatee County Line	Cockroach Bay Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
US 41	FDOT Principal Arterial - Rural	4 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	494	48	54
Proposed	500	50	50
Difference (+/-)	(+) 6	(+) 2	(-) 4

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

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

Transportation Comment Sheet

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

From: [Provenzano, Joel](#)
To: [Mineer, Lindsey](#); [Ratliff, James](#); [Casey, Robert](#)
Cc: [Santos, Daniel](#); [Perez, Andrew A.](#); [Perez, Richard](#); [Defranc, Kevie](#)
Subject: RE: 22-0096 - Question Regarding FDOT Comments
Date: Monday, January 10, 2022 8:11:14 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image023.png](#)

External email: Use caution when clicking on links and attachments from outside sources.

Thanks Lindsey for the summary and the help getting this cleared up. I had to leave early on Friday so I appreciate you responding to James!

 **Joel Provenzano** 

Access Management Administrator &
Senior Traffic Engineering Specialist
FDOT D7 - Traffic Operations
Mobile (813) 373-3909
Office (813) 975-6755
Work Hours: Monday – Friday 8am – 4:30pm
Joel.Provenzano@dot.state.fl.us



From: Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>
Sent: Friday, January 7, 2022 4:13 PM
To: [Ratliff, James](mailto:RatliffJa@hillsboroughcounty.org); [Provenzano, Joel](mailto:Joel.Provenzano@dot.state.fl.us); [Casey, Robert](mailto:Robert.Casey@dot.state.fl.us)
Cc: [Santos, Daniel](mailto:Daniel.Santos@dot.state.fl.us); [Perez, Andrew A.](mailto:AndrewA.Perez@dot.state.fl.us); [Perez, Richard](mailto:PerezRL@hillsboroughcounty.org); [Defranc, Kevie](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: 22-0096 - Question Regarding FDOT Comments

James,

The applicant came to the pre-app meeting on 2/26/19 requesting review for truck storage and some maintenance. When the use changes or intensifies, we request they come back in for another pre-app meeting to review the access points, turn lanes and medians. It would be a good idea for the applicant to come in for a pre-app as soon as possible to avoid possibly having to make changes after the zoning is approved.

Lindsey Mineer
Community Planning Coordinator
11201 N. McKinley Drive
Tampa, FL 33612

(813) 975-6922

Lindsey.Mineer@dot.state.fl.us



From: Ratliff, James <RatliffJa@hillsboroughcounty.org>

Sent: Friday, January 7, 2022 2:36 PM

To: Provenzano, Joel <Joel.Provenzano@dot.state.fl.us>; Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>; Casey, Robert <Robert.Casey@dot.state.fl.us>

Cc: Santos, Daniel <Daniel.Santos@dot.state.fl.us>; Perez, Andrew A. <AndrewA.Perez@dot.state.fl.us>; Perez, Richard <PerezRL@hillsboroughcounty.org>; Defranc, Kevie <Defranck@hillsboroughcounty.org>

Subject: RE: 22-0096 - Question Regarding FDOT Comments

Thank you and sorry I had to leave early from today's TRC. I will be filing my staff report today for the above zoning case. Based on my understanding of the conversation from Rick Perez, there is no objection to a more intense land use per say, but that the applicant will need to come in and meet with FDOT during the course of its usual permitting process. It was uncertain why such restriction was listed under the FDOT recommendations section. While more intense uses may trigger additional site access requirements, such intensification would not alter project access location. Given the above clarifications, I see no reason why this case cannot continue forward as scheduled to the January ZHM.

Thank you,

James Ratliff, AICP, PTP (he/him/his)

Principal Planner

Development Services Department, Transportation Review Section

P: (813) 307-1924

E: ratliffja@hcf.gov

W: www.hcf.gov

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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Note: So that we can assist you more efficiently, **please ensure** that the subject line of all email correspondence includes the Project Information (PI) Number or Zoning Case File (PD, RZ, PRS, MM, SU, or VAR) Number, where applicable.

From: Provenzano, Joel <Joel.Provenzano@dot.state.fl.us>

Sent: Friday, January 7, 2022 11:58 AM

To: Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>; Ratliff, James <RatliffJa@hillsboroughcounty.org>; Casey, Robert <Robert.Casey@dot.state.fl.us>

Cc: Santos, Daniel <daniel.santos@dot.state.fl.us>; Perez, Andrew A. <AndrewA.Perez@dot.state.fl.us>

Subject: RE: 22-0096 - Question Regarding FDOT Comments

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Lindsey can you summarize what we discussed today with the county, for the record. Thanks.



Access Management Administrator &
Senior Traffic Engineering Specialist
FDOT D7 - Traffic Operations
Mobile (813) 373-3909
Office (813) 975-6755
Work Hours: Monday – Friday 8am – 4:30pm
Joel.Provenzano@dot.state.fl.us



From: Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>
Sent: Thursday, January 6, 2022 3:14 PM
To: Ratliff, James <RatliffJa@hillsboroughcounty.org>; Provenzano, Joel <Joel.Provenzano@dot.state.fl.us>; Casey, Robert <Robert.Casey@dot.state.fl.us>
Cc: Santos, Daniel <Daniel.Santos@dot.state.fl.us>; Perez, Andrew A. <AndrewA.Perez@dot.state.fl.us>
Subject: RE: 22-0096 - Question Regarding FDOT Comments

Bob, Joel and Dan,

James Ratliff called me about the site on US 41 near the Manatee County border that we have seen twice before. The meeting notes are attached. It originally came in for a truck storage and maintenance facility on the northern piece on 2/26/19. The southern piece came in on 2/2/21 to try to get access to US 41.

The rezoning, 22-0096, that is currently being reviewed by the County is requesting M (Manufacturing) zoning. There is cross access shown between the two parcels.

Please see James' questions below regarding refueling facilities and throat depth issues. We need to get him an answer as soon as possible.



Lindsey Mineer

Community Planning Coordinator

11201 N. McKinley Drive

Tampa, FL 33612

(813) 975-6922

Lindsey.Mineer@dot.state.fl.us



From: Ratliff, James <RatliffJa@hillsboroughcounty.org>

Sent: Thursday, January 6, 2022 2:36 PM

To: Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>; Provenzano, Joel <Joel.Provenzano@dot.state.fl.us>

Cc: Grady, Brian <GradyB@HillsboroughCounty.ORG>; masseyj@plancom.org; Defranc, Kevie

<DefrancK@hillsboroughcounty.org>

Subject: 22-0096 - Question Regarding FDOT Comments

Importance: High

EXTERNAL SENDER: Use caution with links and attachments.

Quick question regarding the above referenced case. I am writing my staff report (which is due), and noted in the February 26, 2019 preapplication meeting minutes FDOT stated "Facility will only be used for minor maintenance and storage, there will be no gas facilities on site."

The applicant is currently proposing to allow Manufacturing (M) district uses which could include fueling facilities.

Does FDOT have a concern regarding refueling facilities for some reason? We need know ASAP whether FDOT is objecting to this project because they are including such uses. I figured this could be an error, since the overall form was checked "we approve the concept as presented...", but then again there were no site plan or other information which would allow me to determine the plans that were presented to FDOT for consideration.

Please advise.

PS – We intend to incorporate FDOT's throat depth comments (which are somewhat ambiguous) by requiring written FDOT sign-off on the internal site design prior to or concurrent with plat/site/construction plan review, and then allowing the internal access and gating configuration to be modified at the time of site/plan/construction plan approval (without requiring a PD modification) to the minimum extent necessary to achieve FDOT approval with respect to access design/throat depth.

Thank you,

James Ratliff, AICP, PTP *(he/him/his)*

Principal Planner

Development Services Department, Transportation Review Section

P: (813) 307-1924

E: ratliffja@hcflgov.net

W: www.hcflgov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 N. McKinley Drive
Tampa, FL 33612

KEVIN J. THIBAUT, P.E.
SECRETARY

February 26, 2019

**THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASIS FOR PERMIT APPROVAL AFTER
08/26/2019 extended
THIS DOCUMENT IS NOT A PERMIT APPROVAL**

Re: PRE-APPLICATION REVIEW FOR ACCESS CONNECTION PERMIT REQUEST

Access Class: 3	Posted Speed: 65 MPH
Applicant: Nathan Lee	Property Name: Maintenance Facility
Approximate Mile Post: 0.708	Reference Project: SR 45/US 41
Connection Category: TBD	Section: 10 060 000
County: Hillsborough	State Road: SR 45

Request: Review and permitting requirements

Dear: Mr. Lee,

A Pre-application Review of the subject project was conducted at your request. The purpose of the Pre-application Review is to establish the permit category, number, type, general location and associated features of access connections for the applicant's property to the state road. We have given the plans, as presented, a thorough review and our comments or findings are as follows:

- We disapprove the concept as presented with the following considerations.
- We approve the concept as presented with the following conditions/considerations.
We approve the concept as submitted and we invite you to submit a permit application package to the District Office with engineering drawings that reflect the concept approved here.
- We are prepared to continue the review of the concept with the District Variance Committee.
- We are prepared to continue the review of the concept as presented with the following considerations.

Conditions/Comments:

This project proposes to connect to SR 45 which in this area is a Class 3 roadway with a 65 mile per hour speed limit. Florida Administrative Code, Rule Chapter 14-97 requires 660 feet driveway spacing, and 1320 feet directional and, 2640 feet full median opening spacing requirements. Therefore, proposed connections would be considered non-conforming in accordance to the rule chapter 1996/97 for connection spacing.

FDOT recommendation,

1. Applicant plans to remove the northern access at the existing building structure.
2. FDOT will not require a sidewalk across the front of the property, assuming that Hillsborough County agrees.
3. Access to facility will be gated, applicant needs to ensure that no stacking of trucks will occur and that there is a throat depth of at least 2 truck lengths.
4. Facility will only be used for minor maintenance and storage, there will be no gas facilities on site.
5. FDOT asks that a sidewalk connection be stubbed out from the existing building structure up to the right of way line. This will be done in the general vicinity of the driveway to be removed in this location.
6. FDOT notes that the full median opening may be changed by the Department in the future.
7. When ready to permit follow the Rule Chapter 14-96.005 Application Check List attachment for reference. Please apply on-line at <http://osp.fdot.gov> Attach a copy of this letter in submittal. Plans shall be per Standard Plans and FDM. All Plans and Documents shall be electronically signed and sealed in OSP.
8. If you don't agree with Pre-Application meeting results and would like to schedule an AMRC meeting, contact TBD – 813-975-6263
9. The following FDOT Permits will / may be required:
 - a. **Connection Permit / Construction Agreement**
 - b. **Drainage Permit or Waiver**
 - c. **Utility Permit** – for any utility connections within the FDOT R/W (Except those exempt from permitting by the 2017 FDOT Utility Accommodation Manual).

All permit application packages are to be submitted to:

Florida Department of Transportation

2822 Leslie Rd.

Tampa, Fl. 33619

Attn: Matt Campbell

Favorable review of the proposed generally means that you may develop plans complying with the review comments and submit them, within Six months, to the Department for permit processing. When permit requests are submitted subsequently to a Pre-application Review, Department staff reviews the design plans in terms of standards, compliance and constructability. The applicant's Engineer of Record is responsible for the technical accuracy of the plans. In keeping with the intent of the Rule, the Department will attempt to abide with the review comments to the extent that necessary judgment is available to the Permits Engineer. Unfavorable review generally means that a permit application based on the design proposal would likely be denied.

Please include a copy of this letter with your request for continued pre-application review or permit application in O.S.P.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Campbell", is written over the typed name.

Matt Campbell
Permits Manager

Project Location: SR 45/US 41

Road Section: 10 060 000

State Road: SR 45

Mile Post # 0.708

Road Classification Class 3

Driveway Spacing 660'

Median Opening Directional 1320', Full 2460'

Speed Limit (65) mph

SIGN IN SHEET

Project: Maintenance Facility

Lt. Rdwy.

Date: 02/26/2019 9:30 AM

Name	Company / Department	Phone / e-mail
Reebie Simms P.E. FDOT	Operation Program Engineer Tampa Operation	813-612-3313 Reebie.Simms@dot.state.fl.us
Matt Campbell FDOT <i>MC</i>	Permit Manager Tampa Operation	813-612-3318 Matthew.Campbell@dot.state.fl.us
Michael McClurg FDOT	Permit Coordinator II Tampa Operations	813-612-3212 Michael.McClurg@dot.state.fl.us
Lisa Strout FDOT <i>LS.</i>	Permit Coordinator II Tampa Operations	813-612-3214 Lisa.strout@dot.state.fl.us
Ali Khalilahmadi FDOT	District Access Management Engineer	813-975-6246 ali.khalilahmadi@dot.state.fl.us
David Skrelunas FDOT	District 7 Permit Engineer	813-975-6273 David.Skrelunas@dot.state.fl.us
Joel Provenzano FDOT <i>JP</i>	District Access Management Administrator	813-975-6263 Joel.Provenzano@dot.state.fl.us
Daniel Santos FDOT <i>DS</i>	Growth Management Analysis	813-975-6429 Daniel.Santos@dot.state.fl.us
Lindsey Mineer FDOT <i>lmm</i>	Growth Management Analysis	813-975-6922 Lindsey.Mineer@dot.state.fl.us

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 Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: January 18, 2022</p> <p>PETITION NO.: 22-0096</p> <p>EPC REVIEWER: Jackie Perry Cahanin</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1241</p> <p>EMAIL: cahaninj@epchc.org</p>	<p>COMMENT DATE: December 29, 2021</p> <p>PROPERTY ADDRESS: 6415 S U.S. Hwy 41, Ruskin, FL</p> <p>FOLIO #: 032879-0100; 032879-0000</p> <p>STR: 33-32S-18E</p>
<p>REQUESTED ZONING: : From CG to PD/M</p>	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	09/04/2019
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	NA
<p>INFORMATIONAL COMMENTS:</p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

Jpc/mst

cc: Clayton Bricklemeyer – clayton@bricklawgroup.com



AGENCY REVIEW COMMENT SHEET

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: 12/22/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Bricklemyer Law Group, P.L.

PETITION NO: 22-0096

LOCATION: 6415 S 41 Hwy

FOLIO NO: 32879.0100 32879.0000

Estimated Fees:

No additional impacts. Existing structures/use on site.

Project Summary/Description:

Rural Mobility, South Fire - Merging properties, no new structures. Existing uses. no additional impact fees at this time.

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

PETITION NO.: PD22-0096 REVIEWED BY: Randy Rochelle DATE: 12/6/2021

FOLIO NO.: 32879.0100

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.

- A ___ inch water main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.

- A ___ inch wastewater gravity main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject site is located outside of the Hillsborough County Urban Service Area, therefore water and/or wastewater service is not generally allowed. if the site is required or otherwise allowed to connect to the potable water and/or wastewater systems, there will be offsite improvements required that extend beyond a connection to the closest location with existing infrastructure. These points-of-connection will have to be determined at time of application fo service as additional anaysis will be required to make the final determination .

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 24 November 2021

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

APPLICANT: Clayton Bricklemyer

PETITION NO: RZ-PD 22-0096

LOCATION: 6415 S. 41 HWY, Ruskin, FL 33570

FOLIO NO: 32879.0100

SEC: 33 TWN: 32 RNG: 18

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to listed or attached conditions.
- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.



VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

-----X
)
IN RE:)
)
ZONE HEARING MASTER)
HEARINGS)
)
-----X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, January 18, 2022

TIME: Commencing at 6:00 p.m.
Concluding at 10:27 p.m.

PLACE: Robert W. Saunders, Sr. Public
Library
Ada T. Payne Community Room
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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
January 18, 2022
ZONING HEARING MASTER: PAMELA JO HATLEY

D11:
Application Number: RZ-PD 22-0096
Applicant: Brickleyer Law Group
Location: 6415 S. 41 Hwy
Folio Number: 032879.0100
Acreage: 5.72 acres, more or less
Comprehensive Plan: LI-P
Service Area: Rural
Existing Zoning: PD & CG
Request: Rezone to Planned Development

1 MR. GRADY: The next item is agenda item
2 D-11, PD 22-0096. The applicant is Bricklemyer Law
3 Group. The request is to rezone from PD and CG to
4 Planned Development.

5 Kevie Defranc will provide staff
6 recommendation after presentation by the applicant.

7 MR. BRICKLEMYER: Good evening. Can you-all
8 hear me?

9 HEARING MASTER HATLEY: Yes.

10 MR. BRICKLEMYER: This is Clayton
11 Bricklemyer, Bricklemyer Law Group, here
12 representing the applicant. 4427 West Kennedy.
13 Sorry.

14 I'm -- it's late, and I think that Kevie is
15 going to do a really good job with his
16 presentation. So I would just say that we are
17 happy with the staff report and the Planning
18 Commission report and the conditions that are in
19 those reports, and that I'm available for
20 questions.

21 HEARING MASTER HATLEY: Okay. Thank you. I
22 have no questions for you right now.

23 Development Services.

24 MR. DEFRANC: Hello, again. Kevie Defranc
25 with Development Services. Can you see my

1 presentation?

2 HEARING MASTER HATLEY: Yes, we can. Thank
3 you.

4 MR. DEFRANC: For this case, the applicant
5 is requesting to rezone the subject property from
6 the existing PD-C 91-0159 and CG zoning districts
7 to the proposed PD to be allowed Manufacturing
8 zoning district uses on the subject property.

9 And the subject property is located at 6415
10 South 41 Highway in Ruskin, which is on the north
11 side of South 41 Highway, south of Valroy Road.

12 The property has a FLU designation of LI-P.
13 The maximum FAR within the LI-P FLU category is
14 0.75, and the nearby FLU category is AR. The
15 property is adjacent to property zoned AR to the
16 north and PD to the northeast, south, and
17 southwest.

18 Within the general area, there are other
19 properties zoned CG to the southwest and AS-1 to
20 the northeast. And the subject property is located
21 in an area comprised of industrial, commercial,
22 residential, and agricultural uses.

23 As stated before, the development of the
24 project shall be limited to Manufacturing zoning
25 district uses with a maximum FAR of 0.75, the

1 maximum building coverage of 75 percent, and the
2 maximum impervious coverage of 75 percent, which is
3 consistent with the current development standards
4 for the M zoning district within the Land
5 Development Code.

6 And based on the LI-P FLU category, the
7 surrounding zoning and development pattern, and the
8 proposed uses, slash, development standards for the
9 PD zoning district, staff finds approvable subject
10 to the conditions listed in the report.

11 And that concludes my presentation, and I'm
12 available for questions. Thank you.

13 HEARING MASTER HATLEY: All right. Thank
14 you.

15 Planning Commission.

16 MS. MASSEY: Hi. This is Jillian Massey
17 with Planning Commission staff.

18 The property is located in the Rural Area and
19 within the limits of the Little Manatee South and
20 Southshore community plans.

21 Overall, staff finds that the proposed
22 development is consistent with the intent of the
23 Light Industrial-Planned or LI-P Future Land Use
24 Category and supports the division of the Little
25 Manatee South Community Plan.

1 The community plan envisions U.S. Highway 41
2 to be developed as a strip -- a strip commercial
3 development while allowing for long-term
4 development options that include activity centers,
5 mixed-use office park, or industrial or warehouse
6 uses.

7 The proposed open storage use with accessory
8 office is consistent with the vision of the
9 community plan. The request is compatible with the
10 existing development pattern in the area.

11 It would allow for a development that is
12 consistent with the goals, objectives, and policies
13 of Future Land Use Element of the Future of
14 unincorporated Hillsborough County Comprehensive
15 Plan for unincorporated Hillsborough County.

16 And based on that, Planning Commission staff
17 has found that the proposed Planned Development is
18 consistent subject to the conditions proposed by
19 the Development Services Department. And that
20 concludes my presentation.

21 HEARING MASTER HATLEY: All right. Thank
22 you.

23 Is there anyone here or online who wishes to
24 speak in support of this application? I do not
25 hear anyone.

1 Is there anyone here or online who wishes to
2 speak in opposition to this application? All
3 right. Don't hear anyone.

4 Development Services, do you have anything
5 further?

6 MR. GRADY: Nothing further.

7 HEARING MASTER HATLEY: All right. And
8 applicant, anything further?

9 MR. BRICKLEMYER: Nope. Just to thank staff
10 for their work and ask for your recommendation of
11 approval. Thanks.

12 HEARING MASTER HATLEY: All right. Thank
13 you.

14 This will close the hearing then on
15 Rezoning 22-0096.

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**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE