

# PD Modification Application: MM 22-0686

Zoning Hearing Master Date: December 12, 2022

BOCC Land Use Meeting Date: February 14, 2023



**Hillsborough  
County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant: Ryan Plate, 2022 Balm Riverview LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: 15.22 +/-

Community Plan Area: South Shore Areawide Systems

Overlay: None



### Introduction Summary:

The applicant requests a modification to PD (Planned Development) 17-1402, which seeks to remove existing entitlements and allow CG (Commercial General) zoning district uses.

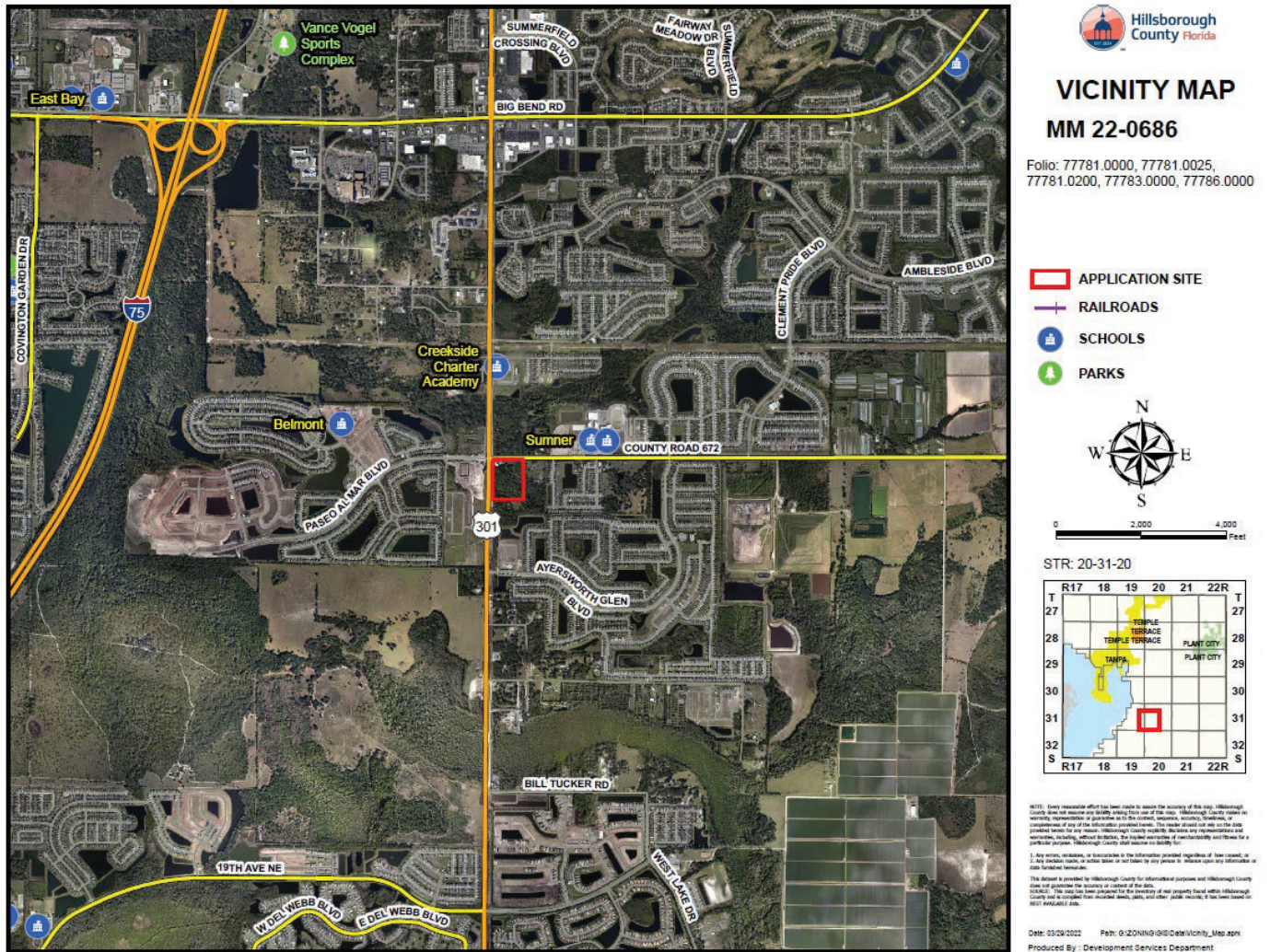
Existing Approval(s):	Proposed Modification(s):
A 65,052 square foot charter school (K-8) with a maximum number of 1,250 students. Project access points include one access on Balm Road and one exit-only access on US Hwy 301.	Remove the existing approvals.  Permit the project for a maximum of 150,000 sf of Commercial General (CG) zoning district uses. Project access points include one access on Balm Road, one access on US Hwy 301, a cross-access point along the southern boundary and a cross-access point along the eastern boundary.

Additional Information:	
PD Variation(s):	LDC Part 6.06.00 (Landscaping/Buffering)
Waiver(s) to the Land Development Code:	None Requested as part of this application

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

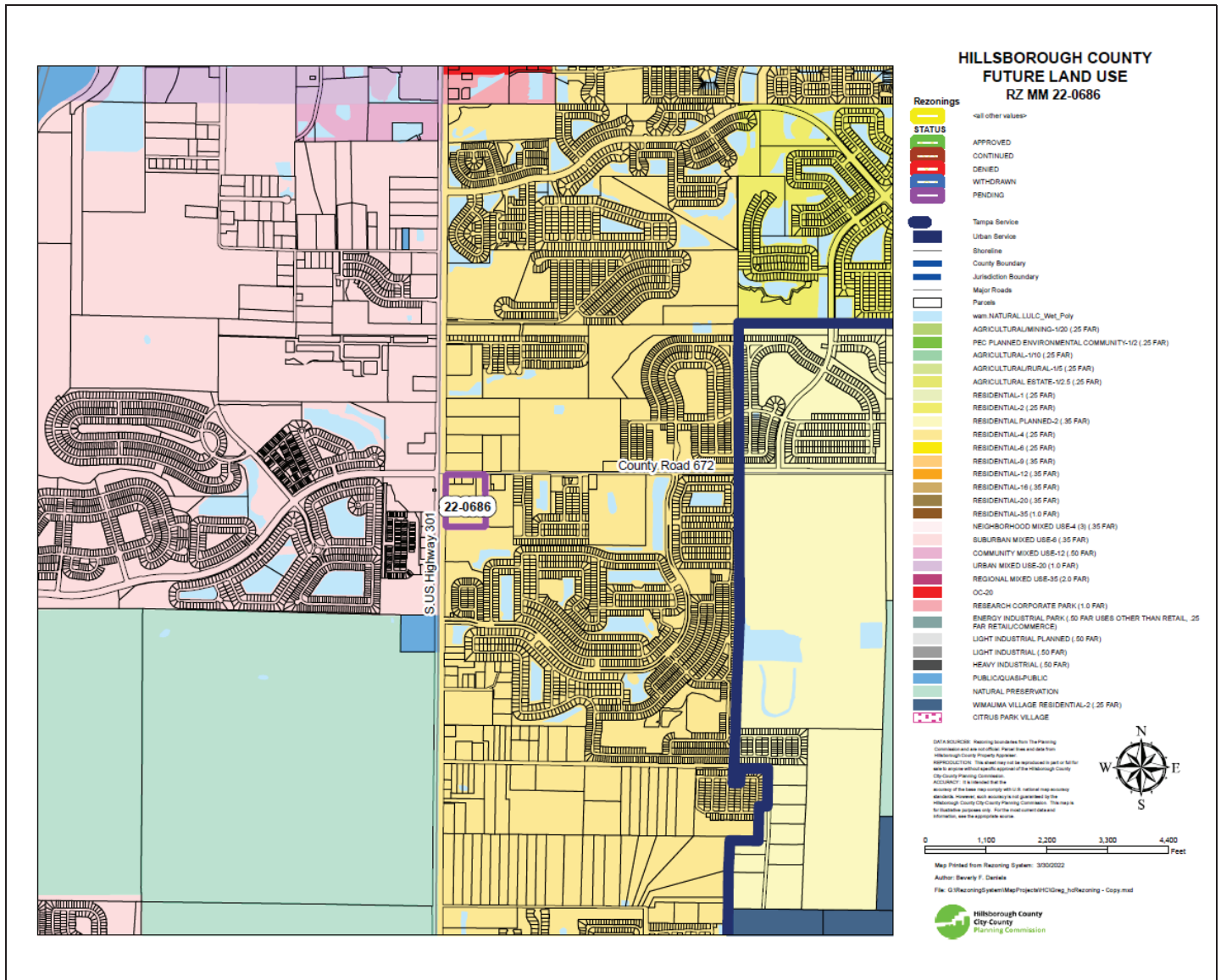
### 2.1 Vicinity Map





## 2.0 LAND USE MAP SET AND SUMMARY DATA

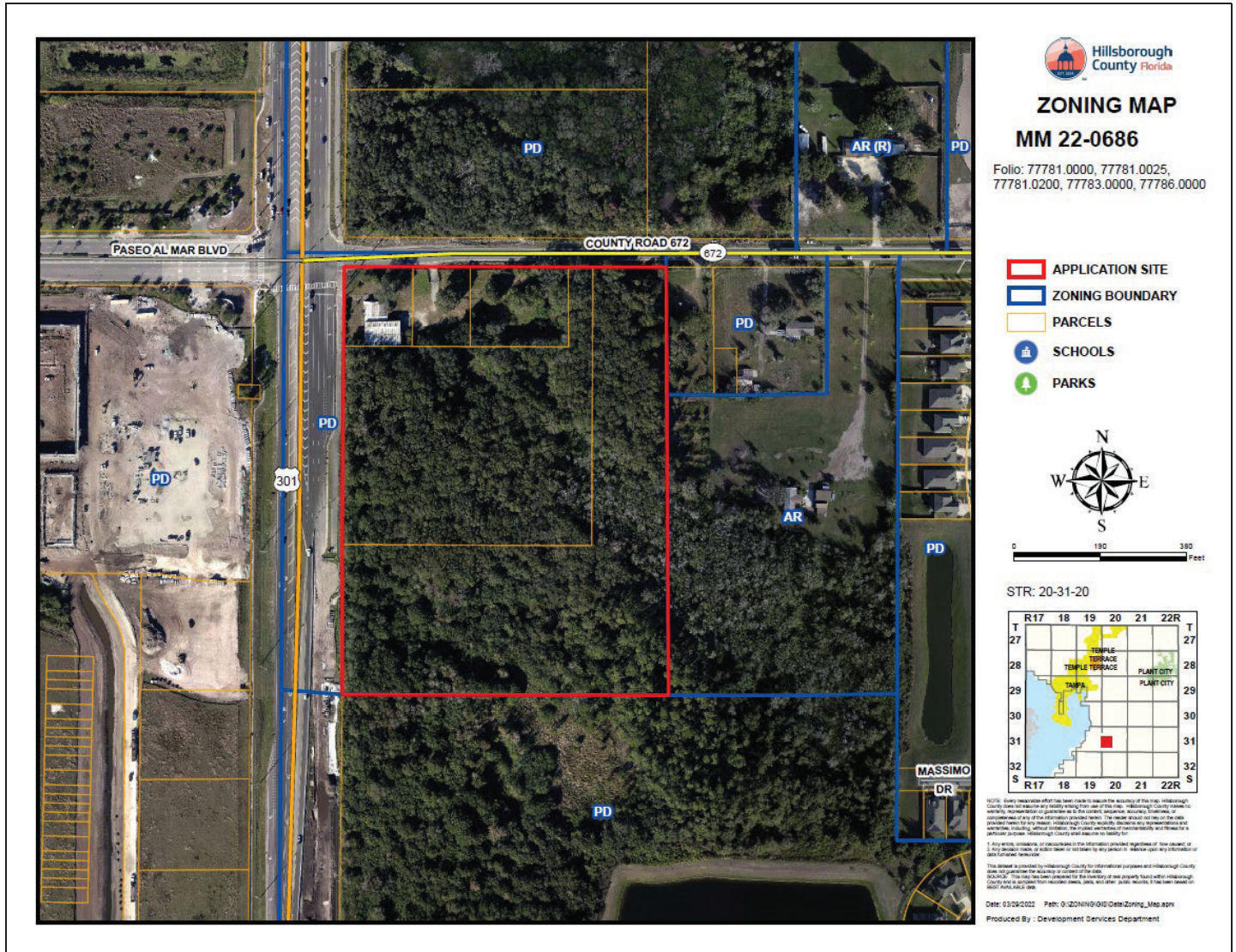
## 2.2 Future Land Use Map



Subject Site Future Land Use Category:	RES-4 (Neighborhood-Mixed Use)
Maximum Density/F.A.R.:	0.25
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi-purpose or mixed use projects.

## 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	PD 20-1270	0.25 FAR	General Commercial Uses	Vacant
South	PD 80-0067	4 u/a	Single-Family Residential	Single-Family Residential and Open Space
East	PD 06-1142 & AR	PD: 0.10 FAR AR: 1 unit/5 acres	PD: Office, Daycare, Church Uses AR: Single-Family Residential and Agriculture	PD: Single-Family Residential AR: Single-Family Residential
West	PD 04-0558 (Parcel F)	0.35 FAR	Townhome, Multi-Family, Commercial	Shopping Center

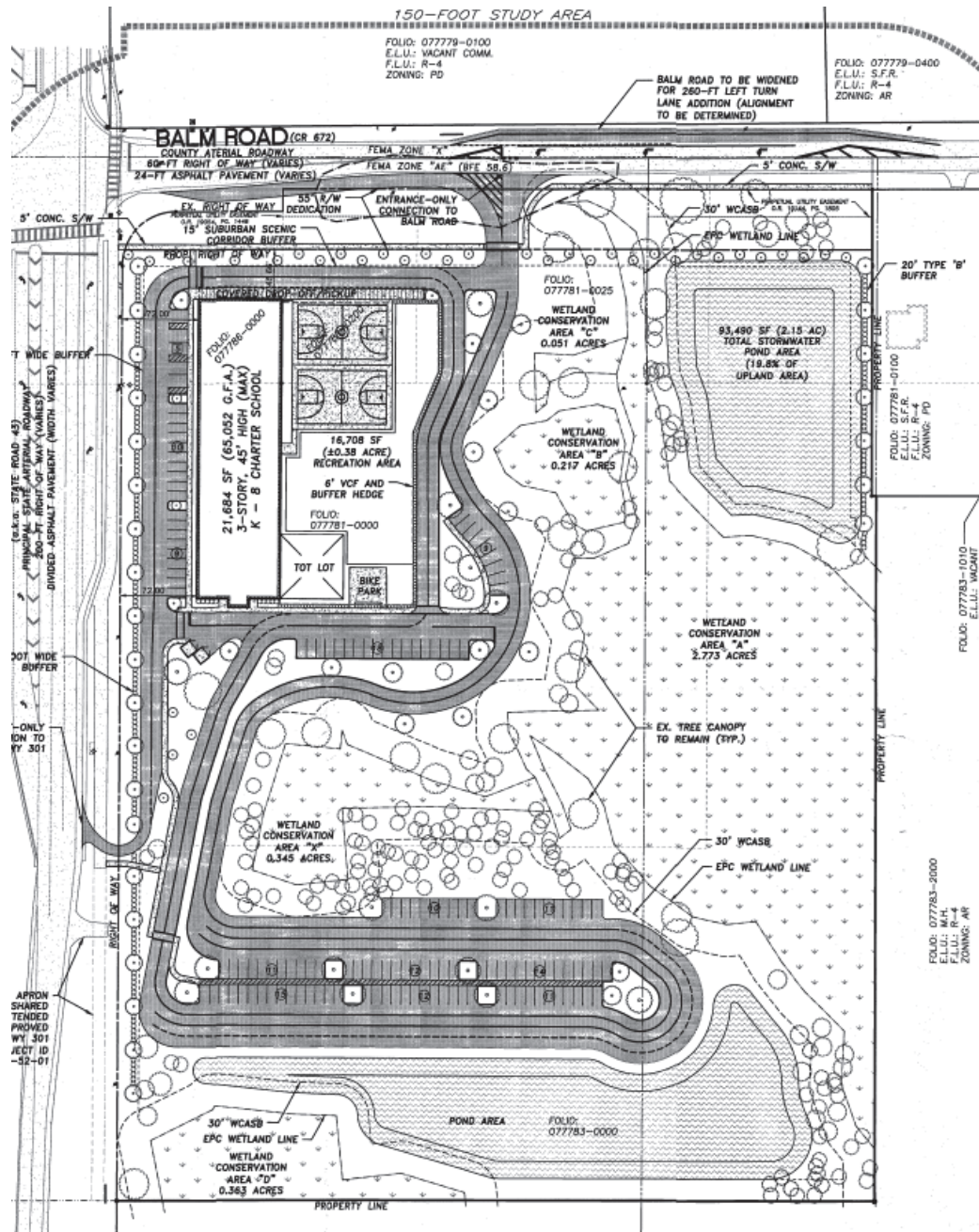


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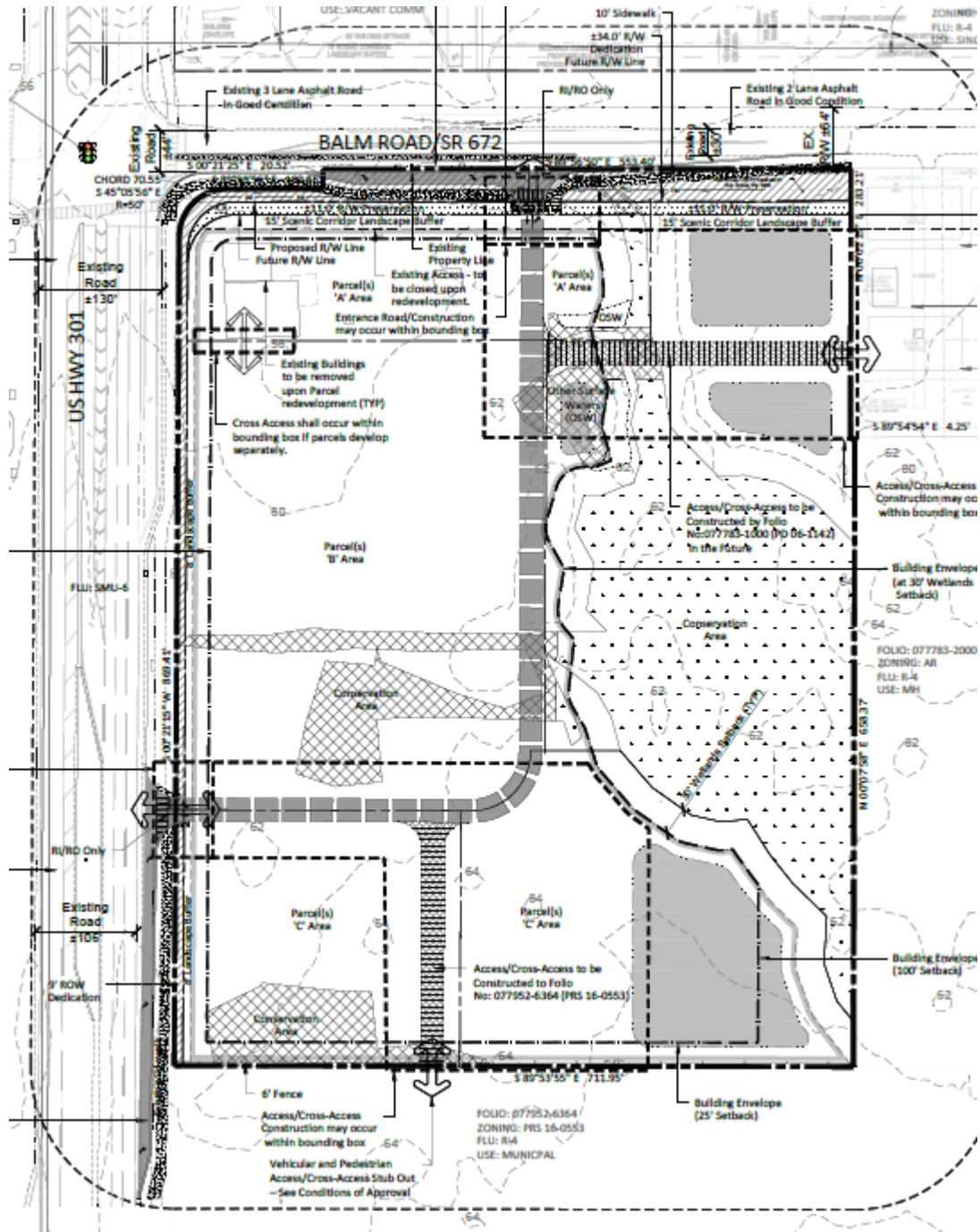
## 2.0 LAND USE MAP SET AND SUMMARY DATA

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



## 2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

<b>Adjoining Roadways (check if applicable)</b>			
Road Name	Classification	Current Conditions	Select Future Improvements
US 301	FDOT Principal Arterial - Urban	6 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other
CR 672 (Balm Rd.)	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input checked="" 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

<b>Project Trip Generation <input type="checkbox"/> Not applicable for this request</b>			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	2,838 (Gross) 2,838 (Net New)	1,301 (Gross) 1,301 (Net New)	932 (Gross) 932 (Net New)
Proposed	6,735 (Gross) 4,216 (New New)	634 (Gross) 394 (Net New)	540 (Gross) 358 (Net New)
Difference (+/-)	(+) 3,897 (Gross) (+) 1,378 (Net New)	(-) 667 (Gross) (-) 907 (New New)	(-) 392 (Gross) (-) 574 (New New)

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

<b>Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request</b>		
Road Name/Nature of Request	Type	Finding
CR 672 (Balm Rd.) – Substandard Rd.	Design Exception Requested	Approvable
	Choose an item.	Choose an item.
Notes:		



## 4.0 ADDITIONAL SITE INFORMATION &amp; 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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
Check if Applicable: <input checked="" 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						
<b>Transportation</b> <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Impact/Mobility Fees</b> (Various use types allowed. Estimates are a sample of potential development) <table border="1"> <tbody> <tr> <td> <b>Industrial</b>            (Per 1,000 s.f.)            Mobility: \$4,230            Fire: \$57         </td> <td> <b>Retail - Shopping Center</b>            (Per 1,000 s.f.)            Mobility: \$13,530            Fire: \$313         </td> <td> <b>Warehouse</b>            (Per 1,000 s.f.)            Mobility: \$1,377            Fire: \$34         </td> </tr> <tr> <td> <b>Bank w/Drive Thru</b>            (Per 1,000 s.f.)            Mobility: \$20,610            Fire: \$313         </td> <td> <b>Retail - Fast Food w/Drive Thru</b>            (Per 1,000 s.f.)            Mobility: \$104,494            Fire: \$313         </td> <td> <b>Mini-Warehouse</b>            (Per 1,000 s.f.)            Mobility: \$725*115 = \$83,375            Fire: \$32*115 = \$3,680         </td> </tr> </tbody> </table> Urban Mobility, South Fire – Commercial General (CG), unspecified 35,000 sf; including 115,000 sf mini-warehouse/storage					<b>Industrial</b> (Per 1,000 s.f.) Mobility: \$4,230 Fire: \$57	<b>Retail - Shopping Center</b> (Per 1,000 s.f.) Mobility: \$13,530 Fire: \$313	<b>Warehouse</b> (Per 1,000 s.f.) Mobility: \$1,377 Fire: \$34	<b>Bank w/Drive Thru</b> (Per 1,000 s.f.) Mobility: \$20,610 Fire: \$313	<b>Retail - Fast Food w/Drive Thru</b> (Per 1,000 s.f.) Mobility: \$104,494 Fire: \$313	<b>Mini-Warehouse</b> (Per 1,000 s.f.) Mobility: \$725*115 = \$83,375 Fire: \$32*115 = \$3,680
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Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <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 checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## **5.0 IMPLEMENTATION RECOMMENDATIONS**

### **5.1 Compatibility**

The site is located on the west side of US Highway 41, a 6-lane principal arterial roadway. Property to the north is developed with an office park, while property to the south is developed with an auto sales and service business. Property to the immediate west is a 33-acre undeveloped parcel, which appears to consist primarily of wetlands. This provides significant separation from the subject site and residential development found to the immediate west. Properties to the south west are located approximately 157 from the site on the south side of Cypress Lane. The presence of US Highway 41 provides separation between the site and properties to the east. A railroad track is also present along the eastern side of US Highway 41. The residential development to the east appears to be approximately 500-670 feet from the PD boundary with heavy vegetation along the east side of US Highway 41. All CG zoning district development standards, which address building height, buffering/screening and building setbacks to provide compatibility for a commercial project, are proposed to be met. With the exception of one row of parking, the project will comply with the Lutz Rural Development Standards.

Based upon the above, staff has not identified any compatibility issues associated with the requests.

### **5.2 Recommendation**

Approvable, subject to proposed conditions.



## 6.0 PROPOSED CONDITIONS

### Requirements for Certification:

1. General Development Note #4 to correct the maximum FAR to 0.23.
2. General Development Note #27 to be modified. Changes to the internal vehicular and pedestrian circulation are not subject to change during permitting. Limited flexibility in general compliance with the depicted internal vehicular and pedestrian circulation is permitted.
3. Prior to PD site plan certification, the developer shall:
  - 3.1 Modify the label(s) reading “+/- 11’ R/W Preservation” to read “+/- 11-foot Right-of-way Preservation Consistent with Hillsborough County Corridor Preservation Plan”;
  - 3.2 Modify the label(s) reading “+/- 34.0’ R/W Dedication Future R/W Line” to read “+/- 34-foot Right-of-Way Dedication and Conveyance to Hillsborough County for Site Access Improvements and Consistent with the Hillsborough County Corridor Preservation Plan”.
  - 3.3 Remove the linework, arrows and affiliated note which states “Cross Access shall occur within bounding box if parcels develop separately.” As discussed with the applicant, staff notes there is insufficient detail for staff to support such restrictions, and which could result in Parcel A being landlocked.
  - 3.4 Modify the label reading “Existing Access – To Be Closed Upon Redevelopment” to instead read “Existing Access To Be Closed – See Conditions of Approval”;
  - 3.5 Modify the label reading “Access/Cross-Access to be Constructed by Folio No:077783-1000 (PD06-1142) in the future” to instead state “Proposed Vehicular and Pedestrian Access/Cross-Access – See Conditions of Approval”.
  - 3.6 Modify the access/cross-access geometry, pond locations, and stubout/connection location as shown in the graphic below, and remove the existing arrow and portions of the driveway conflicting with the new geometry. Staff notes that this revised location corresponds to the approved location within adjacent PD 06-1142).
  - 3.7 Modify Note 29 to indicate, subject to additional zoning condition restrictions.
  - 3.8 Modify Note 33 to correct typo and eliminate reference to Balm Rd. Staff notes that Balm Rd. improvements are subject to a Design Exception request which, if approved, will waive strict technical manual compliance for certain technical standards.
  - 3.9 Modify the Site Data Table to eliminate the references to “Office” uses. Staff notes that Commercial General (CG) uses already allow office, and so this inclusion is duplicative and confusing. Also, the footnotes stating “See Conditions of Approval” under “Non-Residential Type” and “Maximum Non-Residential Square Footage” shall be modified to instead state “Subject to Compliance with Trip Generation Caps – See Conditions of Approval”.

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted November 21, 2022.

- ~~1. The project shall be limited to a 65,052 square foot charter school (K-8) with a maximum of 1,250 students.~~
- ~~2. The charter school building shall be developed where generally shown on the general site plan with following development standards:~~

North setback (Balm Road/CR 672):	46 feet*
West setback (US Hwy 301 S.):	72 feet
East setback:	550 feet
South setback:	550 feet
Maximum Building Height:	45 feet/3 stories

~~\*from the right-of-way dedication line~~

- ~~3. School associated facilities and amenities, such as but not limited to the tot lot, bike park, recreation area, playfields, drive aisles/queuing lanes and parking areas, shall be developed where generally shown on the general site plan.~~
- ~~4. Lighting of the outdoor recreation area shall be permitted until 9:00pm Monday-Saturday. As shown on the general site plan, a six foot high vinyl fence and hedge shall be provided along the southern and eastern perimeter of the outdoor recreation area.~~
- ~~5. A 15 foot wide Suburban Scenic Corridor in compliance with LDC Section 6.06.03.I.2.b shall be provided along the project's Balm Road/CR 672 frontage, exclusive of any wetland areas.~~
- ~~6. A 20 foot wide buffer with Type B screening shall be provided along the eastern PD boundary, exclusive of any wetland areas.~~
- ~~7. A 20 foot wide buffer shall be provided along the western PD boundary, exclusive of any wetland areas. Within the buffer, landscaping shall be provided in accordance with LDC Section 6.06.04.G.1. Due to the presence of overhead electricity lines along the east side of US Highway 301, ornamental trees may be used if deemed necessary by Natural Resources staff. Additionally, as depicted on the general site plan, hedges shall be planted between tree plantings. A six foot high chain link, vinyl coated fence shall be permitted within the 20 foot buffer.~~
- ~~8. A 10 foot wide buffer with Type A screening shall be provided along the southern PD boundary, exclusive of any wetland areas.~~
- ~~9. In accordance with the Hillsborough County Corridor Preservation Plan, the Developer shall preserve up to 55 feet of right of way along its CR 672 (Balm Rd.) frontage, such that a minimum of 85 feet is preserved south of the existing right-of-way centerline. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right of way line.~~

~~The above stated amount includes the additional right-of-way needed to accommodate certain site access improvements. Specifically, the required preservation includes right-of-way needed to accommodate the entire eastbound right turn lane into the project site as well as a portion of the westbound left turn lane into the project site; however, the developer may be required to obtain additional right of way on Balm Rd. east of the project if necessary to accommodate the final approved westbound left turn lane design.~~
- ~~10. Parking shall be provided in accordance with the General Site Plan (sheet 1 of 2) and an Event Parking Plan (which shall be submitted together with the site/construction plan submittal for the proposed project). The Event Parking Plan shall meet the requirements of Land Development Code Section 6.03.13.C. and is subject to review and approval of Hillsborough County Public Works.~~
- ~~11. Annually, at the beginning of each school year during the fourth week of class, the developer at its sole expense shall conduct traffic monitoring to assess the sufficiency of queuing both on-site and off-site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,250 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be required to submit corrective measures, which could include~~



~~revised staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.~~

~~12. As Balm Rd. (from US 301 to the project driveway) may be a substandard roadway, the developer shall work with Hillsborough County Public Works to determine the improvements which may be required prior to or concurrent with plat/site/construction plan approval. Any required improvements shall be constructed unless otherwise approved in accordance with Section 6.04.02.B. of the Hillsborough County Land Development Code. Deviations from Transportation Technical Manual (TTM) standards may be considered in accordance with Section 1.7.2. and other applicable sections of the Hillsborough County TTM.~~

~~13. The developer shall construct the following site access improvements:~~

~~13.1 Construct an eastbound to southbound right turn lane on Balm Rd. at the project access driveway;~~

~~13.2 Construct a westbound to southbound left turn lane on Balm Rd. at the project access driveway;~~

~~13.3 Extend the existing northbound to eastbound right turn lane at the US 301 and Balm Rd. intersection; and,~~

~~13.4 Extend the existing southbound to eastbound left turn lane at the US 301 and Balm Rd. intersection.~~

~~The design and construction of these turn lanes shall be approved by Hillsborough County Public Works and the Florida Department of Transportation (as applicable). The queue (storage) length will be determined based on consideration of the required detailed transportation analysis.~~

~~14. The project entrance on Balm Rd. shall be restricted to inbound movements only. The project exit on US 301 shall be restricted to outbound movements only. Both the entrance and exit shall be signed appropriately to restrict any outbound/inbound movements, as applicable.~~

~~15. The school shall utilize a split arrival and dismissal schedule, with the first arrival and dismissal period occurring at 7:30 AM and 2:30 PM, respectively, and the second arrival and dismissal period occurring at 8:00 AM and 3:00 PM, respectively. Schedule times may be modified, subject to the review and approval of Hillsborough County Public Works.~~

~~16. Notwithstanding anything on the site plan to the contrary, bicycle/pedestrian access shall be permitted anywhere along the property boundary.~~

~~17. Access management, vehicle queuing, and staff placement shall occur consistent with the Traffic Circulation Plan (sheet 2 of 2). Modifications to this plan may be submitted consistent with Condition 11, above, or as otherwise approved by Hillsborough County Public Works.~~

1. The project shall be limited to a maximum of 40,000 square feet of CG (Commercial General) zoning district uses (excluding mini-warehouse uses within that 40,000 square feet) and a maximum of 110,000 square feet for mini-warehouse uses. The development of mini-warehouse uses shall be limited to Parcel C. Notwithstanding the above, the maximum amount of development shall be limited by certain restrictions placed on the allowable uses and the cumulative trip generation of all existing and proposed uses within the PD as further detailed below. This condition has the effect that, depending upon the amount and type of uses ultimately developed within the PD, the maximum entitlements above may not be constructible and/or could result a property owner's inability to construct any development on Parcel A, B and/or C. Additionally, each of the following shall apply:

- 1.1 The following uses(s) shall be expressly prohibited under this planned development approval: Recyclable Material Recovery Facilities.
- 1.2 The cumulative gross trip generation of all existing and proposed uses within the PD shall not exceed 6,735 average daily trips, 634 a.m. peak hour trips, and 540 p.m. peak hour trips.
- 1.3 The cumulative net new project trip generation shall not exceed 4,216 average daily trips, 394 a.m. peak hour trips, and 358 p.m. peak hour trips.
- 1.4 Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on the site. The list shall contain data including gross floor area, type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no Project Identification number exists, and copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impact for that increment of the development, and source for the data used to develop such estimates.
- 1.5 In calculating the trip generation impacts of existing and proposed development, sole authority to determine the appropriateness of certain ITE land use codes shall rest with the Administrator, who shall consult ITE land use code definitions, trip generation datasets and industry best practices to determine whether use of an individual land use code is appropriate. Trip generation impacts for all existing and proposed uses shall be calculated utilizing the latest available ITE Trip Generation Manual data when possible. At the request of staff, applicants may be required to conduct additional studies or research where a lack of accurate or appropriate data exists to determine appropriate trip generation rates for purposes of calculating whether proposed entitlements exceed the trip cap. Given the wide range of potential uses, and since the transportation analysis submitted for purposes of the zoning does not necessarily represent a worst-case scenario of potential trip generation impacts for any individual use or group of uses, the utilization of certain land use codes within the zoning level analysis shall have no bearing on the appropriateness of the codes ultimately chosen to study project impacts, including whether uses can ultimately be authorized consistent with the above trip caps.

2. Development shall be in accordance with the following:

- 2.1 Buildings shall be setback a minimum of 25 feet from the US Highway 301 (western) PD boundary.\*
- 2.2 Buildings shall be setback a minimum of 25 feet from the Balm Road (northern) PD boundary.\*
- 2.3 Buildings shall be setback a minimum of 100 feet from the eastern PD boundary line.
- 2.4 Buildings shall be setback a minimum of 25 feet from the southern PD boundary line.
- 2.5 Buildings shall maintain a maximum building height of 50 feet/4-stories. No additional setback of 2 feet for 1 foot over 20 feet in height shall be applicable.
- 2.6 Maximum impervious surface percentage for the project shall be 70%.

\*as measured from the right-of-way preservation line

3. Balm Road is a Suburban Scenic Corridor. A minimum 15 foot wide buffer with required plantings per LDC Section 6.06.03.H. shall be provided. This buffer shall be measured from the right-of-way preservation line.
4. No buffering shall be required along the eastern and southern PD boundaries. No screening shall be required along the eastern PD boundary. A 6-foot high wooden or PVC fence shall be provided along the southern PD



boundary. No fencing shall be required within a wetland conservation area along the southern PD boundary. Alternatively, the fencing shall be located outside of the wetland conservation area at the required wetland conservation area setback interior to the site. Should the wetland conservation area meet Type A screening requirements, no fencing around the wetland conservation area shall be required.

5. No buffering and screening between uses within the project shall be required.
6. Consistent with the Hillsborough County Corridor Preservation Plan, and as proffered by the Developer, the Developer shall dedicate and convey up to 34 feet of right-of-way along the project's CR 672 (Balm Rd.) frontage, as well as preserve an additional 11 feet of right-of-way along the frontage, such that up 45 feet of right-of-way is preserved along its CR 672 (Balm Rd.) frontage and that, when added to the right-of-way preservation on both sides of the roadway, a minimum of 151 feet of right-of-way is available or preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.
7. If MM 0686 is approved, the County Engineer will approve a Design Exception (dated August 19, 2022 and last revised October 5, 2022) which was found approvable by the County Engineer (on October 7, 2022) for the CR 672 (Balm Rd.) substandard roadway improvements. As Balm Rd. is a substandard arterial roadway, the developer will be required to make certain improvements to Balm Rd. consistent with the Design Exception. Specifically, prior to or concurrent with the initial increment of development or redevelopment within Parcels A, B or C, the developer shall:
  - 7.1 Widen existing travel lanes and turn lanes such that they are 11-foot in width;
  - 7.2 Construct a 4-foot-wide raised concrete separator on Balm Rd. between US 301 and a point sufficiently east to prevent northbound left turns out of the Balm Rd. access and prevent westbound left turns into the Balm Rd. access;
  - 7.3 Construct a 10-foot-wide multi-purpose pathway and install type "F" curbing on the south side of Balm RD. along the project's frontage; and,
  - 7.4 Extend the existing westbound left turn lane on Balm Rd. at the intersection of Balm Rd. and US 301 to a length of approximately 400 feet.
8. The developer shall construct the following site access improvements together with the initial increment of development or redevelopment within Parcels A, B or C:
  - 8.1 Construct an eastbound to southbound right turn lane on Balm Rd. at the project access driveway;
  - 8.2 Construct a northbound to eastbound right turn lane on US 301 at the project access driveway;
  - 8.3 Extend the existing westbound to southbound right left turn lane at the US 301 and Balm Rd. intersection as described in the Design Exception referenced hereinabove these conditions; and,
  - 8.4 Construction of additional site access improvements if required by FDOT, which may include:

- 8.4.1 Extending the existing southbound to eastbound left turn lane at the US 301 and Balm Rd. intersection and/or restriping/construction of a second southbound to eastbound left turn lanes (with construction of appropriate signal modifications);
- 8.4.2 Constructing dual westbound to southbound left turn lanes on Balm Rd. onto US 301 and making the appropriate traffic signal modifications necessary to accommodate such movements;
- 8.4.3 Preservation and/or dedication and conveyance, as applicable, of any additional right-of-way necessary to accommodate future signalization infrastructure at the Balm Rd. and US 301 intersection and/or site access improvements along the project's US 301 frontage; and,
- 8.4.4 Extend the eastbound to southbound left turn lane on Balm Rd. to US 301 such that it becomes a second receiving lane to facilitate dual southbound to eastbound left turn lanes at the Balm Rd. and US 301 intersection.

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works and the Florida Department of Transportation (as applicable). The queue (storage) length will be determined based on consideration of the required detailed transportation analysis, unless otherwise specified.

- 9. The Project access on Balm Rd. and US 301 shall be restricted to right-in/right-out turning movements only. The project access may be shifted such access occurs anywhere within the bounding boxes shown on the PD site plan. Notwithstanding the above, such modified location for the US 301 access location shall be subject to the review and approval of FDOT, and such modified location for the Balm Rd. access shall be subject to the review and approval of Hillsborough County. Any modification of the Balm Rd. access location shall not interfere with anticipated site access improvements to be made by other area developers (i.e. eastbound to northbound left turn lanes) and the access location shall provide the necessary distance from the US 301 and Balm Rd. intersection to accommodate whatever intersection design is ultimately required by FDOT pursuant to condition 8.4.
- 10. Upon the initial increment of development or redevelopment within the adjacent properties consisting of folios 77781.0100, 77783.1000 and 77783.1010 (i.e. those currently zoned PD 06-1142), the property owner(s) of the subject PD shall construct a vehicular and pedestrian cross access stubout to the eastern project boundary, in a location shown on the PD site plan. Notwithstanding the above, the vehicular and pedestrian cross access:
  - 10.1 Shall not be required if the existing/future land uses within the adjacent property change such that they are no longer required by Section 6.04.03.Q. of LDC;
  - 10.2 May be constructed an alternate location along the eastern project boundary, provided such alternate location corresponds with a location authorized via a modification to the adjacent PD (06-1142), and provided such revised location is authorized and permitted by EPC, Natural Resources, and other applicable agencies, as applicable;
  - 10.3 The property owner shall be responsible for submitting construction plans within 90 days of approval of issuances of Certificates of Occupancy within the adjacent PD, and such improvement shall be constructed within 240 days of construction plan approval, which shall be applied for and pursued expeditiously and in good faith by the property owner; and,
  - 10.4 No stormwater ponds or floodplain compensation ponds shall be permitted within the area reserved for the future vehicular and pedestrian cross access.


11. Together with the initial increment of development or redevelopment within Parcels A, B C, the developer shall construct a vehicular and pedestrian access/cross-access stubout to the southern property boundary, as generally shown on the PD site plan. Such access may be constructed anywhere within the bounding box shown on the PD site plan, and the facility, together with the internal driveway network between the stubout and the US 301 access, shall be considered a Shared Access Facility serving the parcel(s) south of the subject PD.
12. Together with the initial increment of development or redevelopment within Parcels A, B or C, the developer shall close the existing access to Balm Rd. within Parcel A and construct the internal infrastructure system as generally shown on the PD site plan, after which Parcel A shall be access accessed solely via the internal driveway system. The project shall include a minimum of 100 feet of throat depth on Balm Rd., as measured from the edge of the existing through lane or the edge of the future through lane under the ultimate 4-lane configuration, whichever is greater. This may necessitate vehicular access to Parcel A to be taken through a driveway connection all or partially within Parcel B.
13. In accordance with Sec. 6.03.09.C.3 of the LDC, the developer shall construct a transit accessory pad and transit shelter, which shall include seating, a trash receptacle and bicycle rack as required pursuant Hillsborough Area Regional Transit (HART) standards, unless otherwise determined consistent with Sec. 6.03.09.D. of the LDC.
14. 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.
15. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
16. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code.
17. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
18. Water distribution improvements will need to be completed prior to connection to the County's water system. The improvements include two funded CIP projects that are currently under construction, C32001-South County Potable Water Repump Station Expansion and C32011-Potable Water In-Line Booster Pump Station and will need to be completed by the County prior to issuance of any building permits that will create additional demand on the system. This condition shall be noted on the project's preliminary/construction/final plat.
19. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD



unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

20. 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 any stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

**Zoning Administrator Sign Off:**

  
J. Brian Grady  
Mon Dec 5 2022 11:35:19

**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.

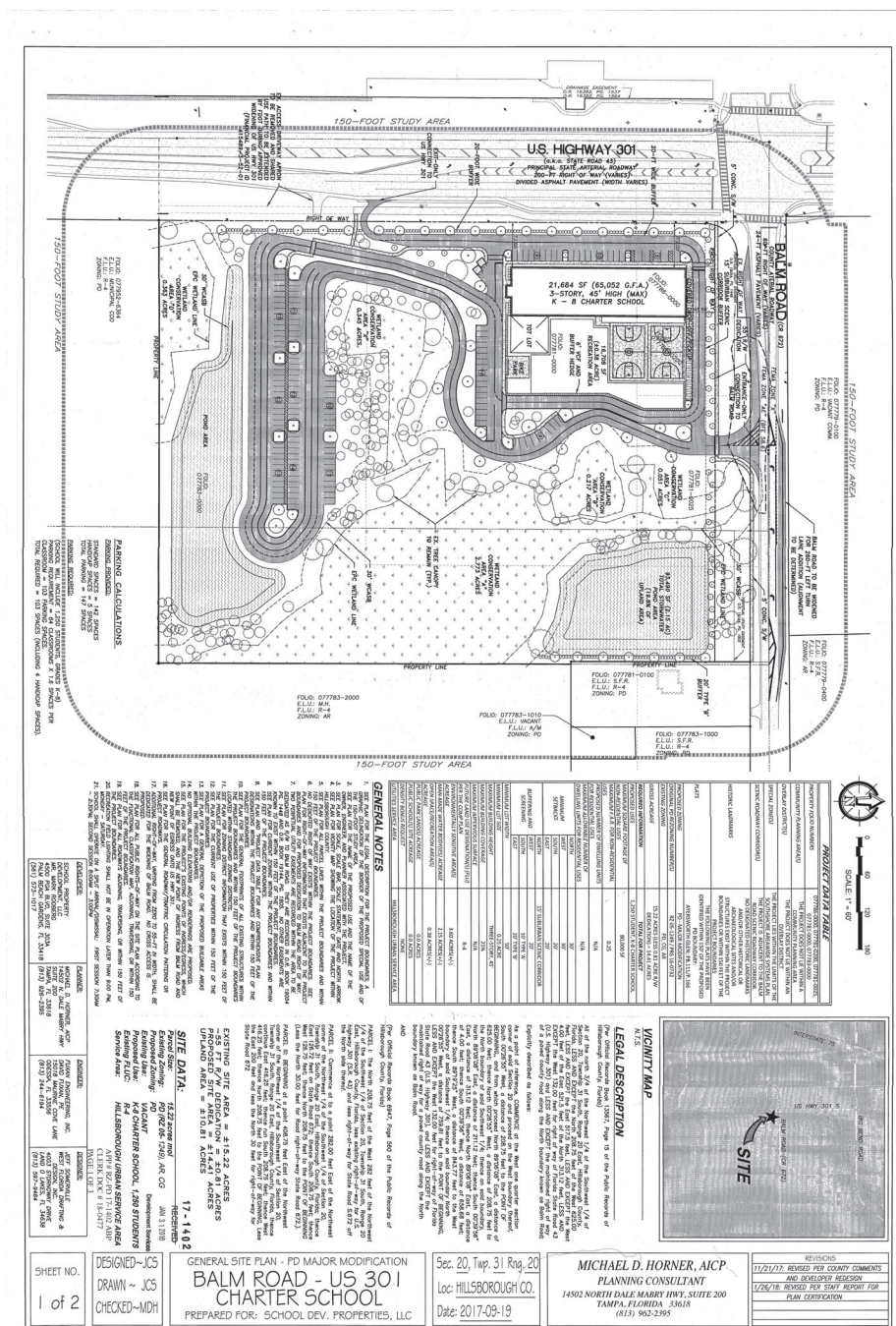
## **7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

The applicant has requested two PD Variations to LDC Section 6.06.06.

- (1) A 20-foot wide buffer with Type B screening is required along the eastern property line where abutting the AR zoned property and where abutting the PD zoned property given that it is currently developed with residential. The minimum 20-foot wide buffer can be provided given the proposed location of development. Existing vegetation which is present along the eastern boundary is proposed to be utilized for screening purposes (as shown in the applicant's submitted photographs). Additionally, development in proximity to the eastern properties will be limited due to intervening wetlands and proposed stormwater ponds.
- (2) A 20-foot wide buffer with Type B screening is required along the southern property line. No required buffer is proposed; however a building setback of 25 feet is proposed. Screening will consist of a 6-foot high fence (Type A screening) and existing vegetation. The area adjacent to the subject PD is a 15+ acre of property used for open space and stormwater retention. Residential development is located over 600 feet from the PD's southern boundary.

Staff does not object to these PD variation requests.

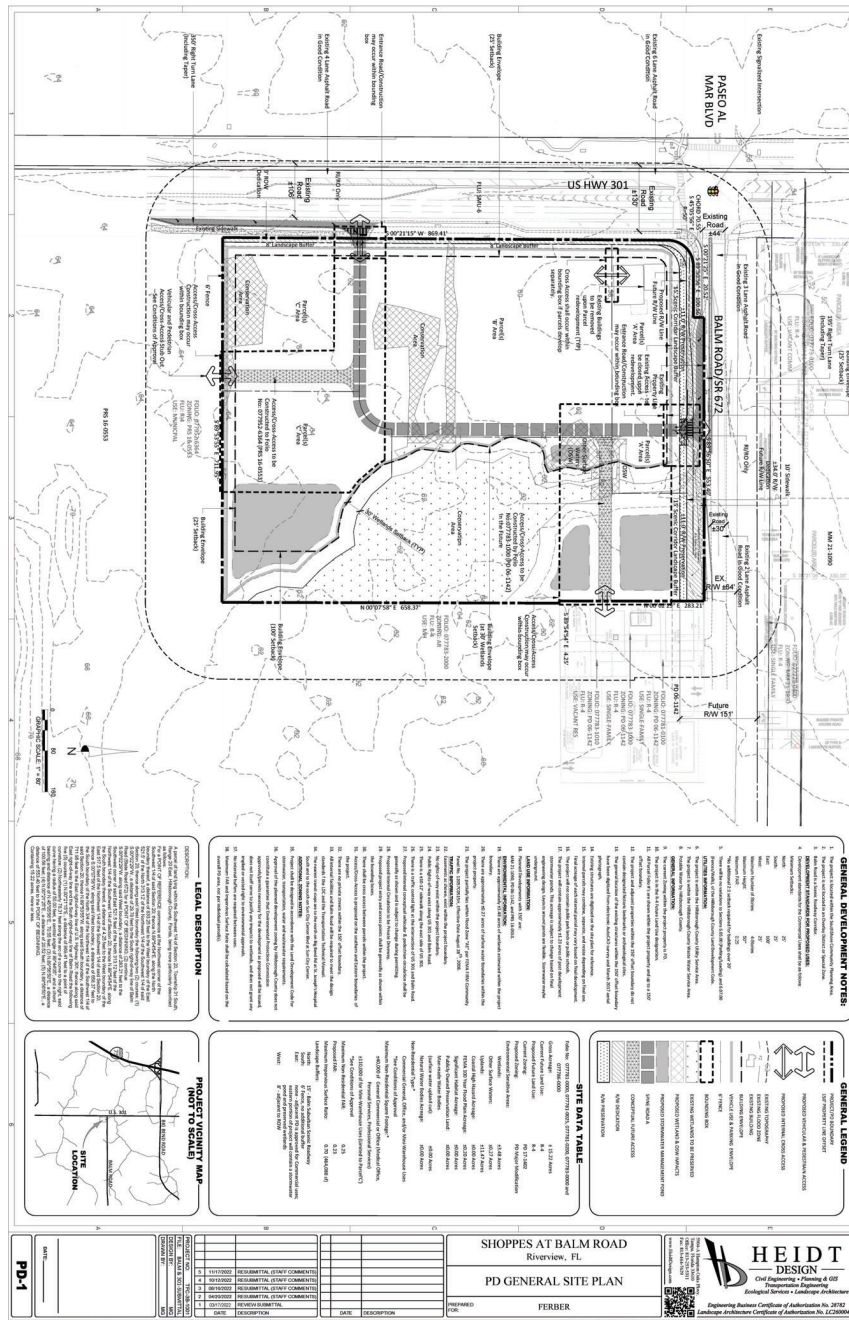
### 8.1 Approved Site Plan (Full)





## 8.0 SITE PLANS (FULL)

## 8.2 Proposed Site Plan (Full)



**APPLICATION NUMBER: MM 22-0686**

ZHM HEARING DATE: December 12, 2022

BOCC LUM MEETING DATE: February 14, 2023

Case Reviewer: Michelle Heinrich, AICP

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## **9.0 FULL TRANSPORTATION REPORT (see following pages)**

## AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 12/04/2022

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: APB/ South

PETITION NO: MM 22-0686

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

### **NEW AND REVISED CONDITIONS OF APPROVAL**

#### **Revised Conditions**

1. The project shall be limited to a maximum of 6540,052-000 square feet-feet of General Commercial (CG) Uses within Parcels A and B and a maximum of 110,000 s.f. of mini-warehouse uses within Parcel C. Notwithstanding the above, the maximum amount of development shall be limited by certain restrictions placed on the allowable uses and the cumulative trip generation of all existing and proposed uses within the PD as further detailed below. This condition has the effect that, depending upon the amount and type of uses ultimately developed within the PD, the maximum entitlements above may not be constructible and/or could result a property owner's inability to construct any development on Parcel A, B and/or C. ~~charter school (K-8) with a maximum of 1,250 students.~~ Additionally, each of the following shall apply:

- 1.1 The following uses(s) shall be expressly prohibited under this planned development approval: Recyclable Material Recovery Facilities.
- 1.2 The cumulative gross trip generation of all existing and proposed uses within the PD shall not exceed 6,735 average daily trips, 634 a.m. peak hour trips, and 540 p.m. peak hour trips.
- 1.3 The cumulative net new project trip generation shall not exceed 4,216 average daily trips, 394 a.m. peak hour trips, and 358 p.m. peak hour trips.
- 1.4 Concurrent with each increment of development, the developer shall provide a list of existing and previously approved uses on the site. The list shall contain data including gross floor area, type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no Project Identification number exists, and copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and



net trip generation impact for that increment of the development, and source for the data used to develop such estimates.

1.5 In calculating the trip generation impacts of existing and proposed development, sole authority to determine the appropriateness of certain ITE land use codes shall rest with the Administrator, who shall consult ITE land use code definitions, trip generation datasets and industry best practices to determine whether use of an individual land use code is appropriate. Trip generation impacts for all existing and proposed uses shall be calculated utilizing the latest available ITE Trip Generation Manual data when possible. At the request of staff, applicants may be required to conduct additional studies or research where a lack of accurate or appropriate data exists to determine appropriate trip generation rates for purposes of calculating whether proposed entitlements exceed the trip cap. Given the wide range of potential uses, and since the transportation analysis submitted for purposes of the zoning does not necessarily represent a worst-case scenario of potential trip generation impacts for any individual use or group of uses, the utilization of certain land use codes within the zoning level analysis shall have no bearing on the appropriateness of the codes ultimately chosen to study project impacts, including whether uses can ultimately be authorized consistent with the above trip caps.

1.

*[Staff recommends modification of this above condition to reflect the applicant's revised proposal, and proposed use of a trip generation cap to control how much development can ultimately be constructed.]*

~~2. The charter school building shall be developed where generally shown on the general site plan with following development standards:~~

North setback (Balm Road/CR 672):	46 feet*
West setback (US Hwy 301 S.):	72 feet
East setback:	550 feet
South setback:	550 feet
Maximum Building Height:	45 feet/3 stories
*from the right of way dedication line	

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

~~3. School associated facilities and amenities, such as but not limited to the tot lot, bike park, recreation area, playfields, drive aisles/queuing lanes and parking areas, shall be developed where generally shown on the general site plan.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

4. ~~Lighting of the outdoor recreation area shall be permitted until 9:00pm Monday-Saturday. As shown on the general site plan, a six foot high vinyl fence and hedge shall be provided along the southern and eastern perimeter of the outdoor recreation area.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

9. ~~In accordance~~ Consistent with the Hillsborough County Corridor Preservation Plan, and as proffered by the Developer, the Developer shall -dedicate and convey up to 34 feet of right-of-way along the project's CR 672 (Balm Rd.) frontage, as well as preserve an additional 11 feet of right-of-way along the frontage, such that up to shall preserve up to 55-45 feet of right-of-way is preserved along its CR 672 (Balm Rd.) frontage, ~~such that a minimum of 85~~ and that, when added to the right-of-way preservation on both sides of the roadway, a minimum of 151 feet of right-of-way is preserved south of the existing right-of-way centerline available or preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line.

~~The above stated amount includes the additional right of way needed to accommodate certain site access improvements. Specifically, the required preservation includes right of way needed to accommodate the entire eastbound right turn lane into the project site as well as a portion of the westbound left turn lane into the project site; however, the developer may be required to obtain additional right of way on Balm Rd. east of the project if necessary to accommodate the final approved westbound left turn lane design.~~

*[Staff recommends modification of the above condition to reflect changes in the proposed ultimate design of Balm Rd.]*

10. ~~Parking shall be provided in accordance with the General Site Plan (sheet 1 of 2) and an Event Parking Plan (which shall be submitted together with the site/construction plan submittal for the proposed project). The Event Parking Plan shall meet the requirements of Land Development Code Section 6.03.13.C. and is subject to review and approval of Hillsborough County Public Works.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

11. ~~Annually, at the beginning of each school year during the fourth week of class, the developer at its sole expense shall conduct traffic monitoring to assess the sufficiency of queuing both on site and off site at the project access points. Such report shall be submitted to the Hillsborough County Development Services and Public Works Departments. This annual monitoring requirement shall remain in effect for one (1) year beyond the time the total enrollment reaches 1,250 students. In the event that significant off-site queuing of vehicles at arrival or dismissal times is found, the school shall be~~

~~required to submit corrective measures, which could include revised staggered arrival/departure times and/or a revised on-site circulation plan to alleviate off-site queuing. Such revised plan shall be subject to review and approval by Hillsborough County Public Works.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

12. If MM 0686 is approved, the County Engineer will approve a Design Exception (dated August 19, 2022 and last revised October 5, 2022) which was found approvable by the County Engineer (on October 7, 2022) for the ~~As~~ CR 672 (Balm Rd.) ~~(from US 301 to the project driveway) may be a~~ substandard roadway improvements. As Balm Rd. is a substandard arterial roadway, the developer will be required to make certain improvements to Balm Rd. consistent with the Design Exception. Specifically, prior to or concurrent with the initial increment of development or redevelopment within Parcels A, B or C, the developer shall:

- 12.1 Widen existing travel lanes and turn lanes such that they are 11-foot in width;
- 12.2 Construct a 4-foot-wide raised concrete separator on Balm Rd. between US 301 and a point sufficiently east to prevent northbound left turns out of the Balm Rd. access and prevent westbound left turns into the Balm Rd. access;
- 12.3 Construct a 10-foot-wide multi-purpose pathway and install type "F" curbing on the south side of Balm Rd. along the project's frontage; and,
- 12.4 Extend the existing westbound left turn lane on Balm Rd. at the intersection of Balm Rd. and US 301 to a length of approximately 400 feet.

~~\_shall work with Hillsborough County Public Works to determine the improvements which may be required prior to or concurrent with plat/site/construction plan approval. Any required improvements shall be constructed unless otherwise approved in accordance with Section 6.04.02.B. of the Hillsborough County Land Development Code. Deviations from Transportation Technical Manual (TTM) standards may be considered in accordance with Section 1.7.2. and other applicable sections of the Hillsborough County TTM.~~

*[Staff recommends modification of the above condition to reflect the Design Exception found approvable by the County Engineer.]*

13. The developer shall construct the following site access improvements together with the initial increment of development or redevelopment within Parcels A, B or C:

- 13.1 Construct an eastbound to southbound right turn lane on Balm Rd. at the project access driveway;



- 13.2 Construct a northbound to eastbound right turn lane on US 301 at the project access driveway; ~~Construct a westbound to southbound left turn lane on Balm Rd. at the project access driveway;~~
- 13.3 Extend the existing ~~northbound-westbound~~ to ~~eastbound-southbound~~ ~~right-left~~ turn lane at the US 301 and Balm Rd. intersection as described in the Design Exception referenced hereinabove these conditions; and,
- 13.4 Construction of additional site access improvements if required by FDOT, which may include:
- 13.4.1 Extending the existing southbound to eastbound left turn lane at the US 301 and Balm Rd. intersection and/or restriping/construction of a second southbound to eastbound left turn lanes (with construction of appropriate signal modifications);
- 13.4.2 Constructing dual westbound to southbound left turn lanes on Balm Rd. onto US 301 and making the appropriate traffic signal modifications necessary to accommodate such movements;
- 13.4.3 Preservation and/or dedication and conveyance, as applicable, of any additional right-of-way necessary to accommodate future signalization infrastructure at the Balm Rd. and US 301 intersection and/or site access improvements along the project's US 301 frontage; and,
- 13.4.4. Extend the eastbound to southbound left turn lane on Balm Rd. to US 301 such that it becomes a second receiving lane to facilitate dual southbound to eastbound left turn lanes at the Balm Rd. and US 301 intersection.

The design and construction of these turn lanes shall be approved by Hillsborough County Public Works and the Florida Department of Transportation (as applicable). The queue (storage) length will be determined based on consideration of the required detailed transportation analysis, unless otherwise specified.

*[Staff recommends modification of the above condition to reflect the new development/access proposal.]*

14. ~~The p~~Project ~~entrance-access~~ on Balm Rd. and US 301 shall be restricted to ~~inbound-right-in/right-out turning~~ movements only. ~~The project exit on US 301 shall be restricted to outbound movements only. Both the entrance and exit shall be signed appropriately to restrict any outbound/inbound movements, as applicable.~~ The project access may be shifted such access occurs anywhere within the bounding boxes shown on the PD site plan. Notwithstanding the above, such modified location for the US 301 access location shall be subject to the review and approval of FDOT, and such modified location for the Balm Rd. access shall be subject to the review and approval of Hillsborough County. Any modification of the Balm Rd. access location shall not interfere with anticipated site access improvements to be made by other area developers (i.e. eastbound to northbound left turn

lanes) and the access location shall provide the necessary distance from the US 301 and Balm Rd. intersection to accommodate whatever intersection design is ultimately required by FDOT pursuant to condition 13.4.

*[Staff recommends modification of the above condition to reflect the new development/access proposal.]*

~~15. The school shall utilize a split arrival and dismissal schedule, with the first arrival and dismissal period occurring at 7:30 AM and 2:30 PM, respectively, and the second arrival and dismissal period occurring at 8:00 AM and 3:00 PM, respectively. Schedule times may be modified, subject to the review and approval of Hillsborough County Public Works.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

~~17. Access management, vehicle queuing, and staff placement shall occur consistent with the Traffic Circulation Plan (sheet 2 of 2). Modifications to this plan may be submitted consistent with Condition 11, above, or as otherwise approved by Hillsborough County Public Works.~~

*[Staff recommends deletion of the above condition as the charter school use is no longer proposed.]*

### **New Conditions**

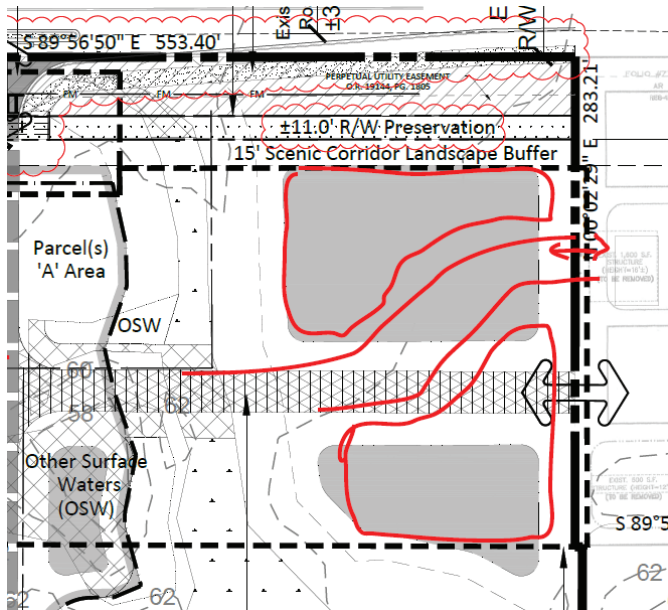
- Upon the initial increment of development or redevelopment within the adjacent properties consisting of folios 77781.0100, 77783.1000 and 77783.1010 (i.e. those currently zoned PD 06-1142), the property owner(s) of the subject PD shall construct a vehicular and pedestrian cross access stubout to the eastern project boundary, in a location shown on the PD site plan. Notwithstanding the above, the vehicular and pedestrian cross access:
  - Shall not be required if the existing/future land uses within the adjacent property change such that they are no longer required by Section 6.04.03.Q. of LDC;
  - May be constructed an alternate location along the eastern project boundary, provided such alternate location corresponds with a location authorized via a modification to the adjacent PD (06-1142), and provided such revised location is authorized and permitted by EPC, Natural Resources, and other applicable agencies, as applicable;
  - The property owner shall be responsible for submitting construction plans within 90 days of approval of issuances of Certificates of Occupancy within the adjacent PD, and such improvement shall be constructed within 240 days of construction plan approval, which shall be applied for and pursued expeditiously and in good faith by the property owner; and,

- No stormwater ponds or floodplain compensation ponds shall be permitted within the area reserved for the future vehicular and pedestrian cross access.
- Together with the initial increment of development or redevelopment within Parcels A, B C, the developer shall construct a vehicular and pedestrian access/cross-access stubout to the southern property boundary, as generally shown on the PD site plan. Such access may be constructed anywhere within the bounding box shown on the PD site plan, and the facility, together with the internal driveway network between the stubout and the US 301 access, shall be considered a Shared Access Facility serving the parcel(s) south of the subject PD.
- Together with the initial increment of development or redevelopment within Parcels A, B or C, the developer shall close the existing access to Balm Rd. within Parcel A and construct the internal infrastructure system as generally shown on the PD site plan, after which Parcel A shall be access accessed solely via the internal driveway system. The project shall include a minimum of 100 feet of throat depth on Balm Rd., as measured from the edge of the existing through lane or the edge of the future through lane under the ultimate 4-lane configuration, whichever is greater. This may necessitate vehicular access to Parcel A to be taken through a driveway connection all or partially within Parcel B.
- In accordance with Sec. 6.03.09.C.3 of the LDC, the developer shall construct a transit accessory pad and transit shelter, which shall include seating, a trash receptacle and bicycle rack as required pursuant Hillsborough Area Regional Transit (HART) standards, unless otherwise determined consistent with Sec. 6.03.09.D. of the LDC.

#### **Other Conditions**

- Prior to PD site plan certification, the developer shall:
  - Modify the label(s) reading “+/- 11’ R/W Preservation” to read “+/- 11-foot Right-of-way Preservation Consistent with Hillsborough County Corridor Preservation Plan”;
  - Modify the label(s) reading “+/- 34.0’ R/W Dedication Future R/W Line” to read “+/- 34-foot Right-of-Way Dedication and Conveyance to Hillsborough County for Site Access Improvements and Consistent with the Hillsborough County Corridor Preservation Plan”.
  - Remove the linework, arrows and affiliated note which states “Cross Access shall occur within bounding box if parcels develop separately.” As discussed with the applicant, staff notes there is insufficient detail for staff to support such restrictions, and which could result in Parcel A being landlocked.
  - Modify the label reading “Existing Access – To Be Closed Upon Redevelopment” to instead read “Existing Access To Be Closed – See Conditions of Approval”;
  - Modify the label reading “Access/Cross-Access to be Constructed by Folio No:077783-1000 (PD06-1142) in the future” to instead state “Proposed Vehicular and Pedestrian Access/Cross-Access – See Conditions of Approval”.
  - Modify the access/cross-access geometry, pond locations, and stubout/connection location as shown in the graphic below, and remove the existing arrow and portions of the driveway conflicting with the new geometry. Staff notes that this revised location corresponds to the approved location within adjacent PD 06-1142).
  - Modify Note 29 to indicate, subject to additional zoning condition restrictions.

- Modify Note 33 to correct typo and eliminate reference to Balm Rd. Staff notes that Balm Rd. improvements are subject to a Design Exception request which, if approved, will waive strict technical manual compliance for certain technical standards.
- Modify the Site Data Table to eliminate the references to “Office” uses. Staff notes that Commercial General (CG) uses already allow office, and so this inclusion is duplicative and confusing. Also, the footnotes stating “See Conditions of Approval” under “Non-Residential Type” and “Maximum Non-Residential Square Footage” shall be modified to instead state “Subject to Compliance with Trip Generation Caps – See Conditions of Approval”.



## **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting a Major Modification of multiple parcels, totaling +/- 15.22 ac. currently zoned Planned Development (PD) 17-1402. The existing PD has approval for a K-8 charter school with a maximum enrollment of 1,250 students. The proposed PD is seeking to modify project entitlements to allow up to 110,000 s.f. of mini-warehouse uses within Parcel C and up to 40,000 s.f. of Commercial General (CG) entitlements (excluding Recyclable Material Recovery Facilities), and both subject to overall project compliance with certain trip generation caps proposed by the applicant. The applicant is also proposing a variety of access changes as further discuss below.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the proposed project. This analysis does not represent a worst-case scenario for the entitlements being sought; however, the applicant has proposed a trip generation cap which will require an analysis with each increment of development at the time of plat/site/construction plan review to ensure that the cumulative project development does not exceed the gross and net trip impacts studied in the applicant’s transportation analysis.

Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The information below is based



on data from a 2017 FDOT Charter School Trip Generation Study of Charter School Trip Impacts and data from the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition.

Gross Trips - Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
1,250 Student K-8 Charter School (LUC 520/ 2017 FDOT Charter School Trip Generation Study)	2,838	1,301	932

Gross Trips - Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, Applicant Proposed Trip Cap/ Per Applicant Study	6,735	634	540

Gross Trips - Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 3,897</b>	<b>(-) 667</b>	<b>(-) 392</b>

Net New Trips - Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
1,250 Student K-8 Charter School (LUC 520/ 2017 FDOT Charter School Trip Generation Study)	2,838	1,301	932

Net New Trips - Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, Applicant Proposed Trip Cap/ Per Applicant Study	4,216	394	358

Net New Trips - Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 1,378</b>	<b>(-) 907</b>	<b>(-) 574</b>

## **TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

US 301 is a 6-lane principal arterial roadway in the vicinity of the proposed project. There are bicycle facilities (on paved shoulders) as well as a +/- 5-foot wide sidewalk along the west side of US 301 in the vicinity of the proposed project. There is a +/- 10-foot wide multi-purpose pathway along the east side US 301 in the vicinity of the proposed project.

Balm Rd. is a 2-lane, substandard arterial roadway, characterized by +/-12 foot travel lanes with 3 foot paved shoulders, with pavement in average condition. The existing right-of-way on Balm Rd. in the vicinity of the project is +/- 60 feet. There are +/- 4-foot wide bicycle facilities along portions of Balm Rd. east of the proposed project. There are +/- 5-foot side sidewalks along portions of the north and south side of Balm Rd. east of the proposed project.

Balm Rd. is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway along the project's frontage. The Type TS-6 typical section (found within the Hillsborough County Transportation Technical Manual) requires a minimum 110 feet of right-of-way to accommodate future improvements. The Community and Infrastructure Planning Section had previously conducted a Synchro Analysis at the intersection, consistent with procedures used to develop the Hillsborough County Synchro Network. Project volumes at the intersection were based on the proposed development traffic within the area and the Tampa Bay Regional Planning Model. It was determined that, based upon the analysis, the following roadway/intersection configuration for the westbound approach to the US 301 and Balm Rd. intersection would be needed, requiring a total of 161 feet for the ultimate configuration and consisting of the following elements (when going from south to north within the section):

- i. 2-foot clear area;
- ii. 8-foot wide sidewalk;
- iii. 6-foot wide sod strip;
- iv. 2-foot wide vertical curb;
- v. 11-foot wide eastbound right-turn lane;
- vi. 7-foot wide buffered bicycle lane;
- vii. 22 feet for two eastbound through lanes;
- viii. 2-foot wide vertical curb;
- ix. 6-foot wide concrete separator;
- x. 22 feet for two westbound left turn lanes;
- xi. 22 feet for two westbound through lanes;
- xii. 4-foot wide concrete separator;
- xiii. 7-foot wide buffered bicycle lane;
- xiv. 22 feet for dual westbound right turn lanes;
- xv. 2-foot wide vertical curb;
- xvi. 6-foot wide sod strip;
- xvii. 8-foot wide sidewalk; and,
- xviii. 2-foot clear area.

After further consultation between the County Engineer and the applicant's transportation professional, the following alternative configuration was identified. This section would require a total of 151 feet for the ultimate configuration and consists of the following elements (when going from south to north within the section):

- i. 2-foot clear area;
- ii. 10-foot wide sidewalk;
- iii. 6-foot wide sod strip;
- iv. 2-foot wide vertical curb;
- v. 11-foot wide eastbound right-turn lane;

- vi. 22 feet for two eastbound through lanes;
- vii. 2-foot wide vertical curb;
- viii. 6-foot wide concrete separator;
- ix. 22 feet for two westbound left turn lanes;
- x. 22 feet for two westbound through lanes;
- xi. 4-foot wide concrete separator;
- xii. 22 feet for dual westbound right turn lanes;
- xiii. 2-foot wide vertical curb;
- xiv. 6-foot wide sod strip;
- xv. 10-foot wide sidewalk; and,
- xvi. 2-foot clear area.

Staff has proposed a zoning condition which summarizes the right-of-way preservation requirement for the proposed project, based upon the above alternative configuration and available right-of-way.

### **SITE ACCESS AND CONNECTIVITY**

The applicant is proposing two access connections to serve the proposed project, consistent with Section 6.04.03.I. of the LDC. Both access connections will be restricted to right-in/right-out turning movements. Turn lanes were warranted at both access connections pursuant to Section 6.04.04.D. and FDOT standards. The applicant will be required to construct additional site access improvements as outlined in the proposed conditions included hereinabove.

### **TRANSIT FACILITIES**

Pursuant to Section 6.03.09.C.3 of the LDC, non-residential projects greater than 100,000 s.f. but less than 200,000 s.f. are required to provide a transit accessory pad including shelter, trash receptacle and bicycle rack. There is a provision to waive the requirements (consistent with Section 6.03.09.D.), which has been included in the event the applicant provides written proof at the time of plat/site/construction plan review, indicating that HART does not want the required improvements and the (Hillsborough County) Administrator agrees that such waiver is appropriate.

### **REQUESTED DESIGN EXCEPTION – CR 672 BALM RD.**

As CR 672 (Balm Rd.) is a substandard arterial roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request for Balm Rd. (dated August 19, 2022 and last revised October 5, 2022) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the request approvable (on October 7, 2022). The deviations from the Hillsborough County Transportation Technical Manual (TTM) TS-7 Typical Section (for 2-Lane Rural Local and Collector Roadways) include:

1. The developer will be permitted to utilize 11-foot wide travel lanes rather than the 12-foot wide travel lanes required per TS-7;

2. The developer will be permitted to utilize an 8-foot wide separation between the edge of the pedestrian facilities and the edge of the travel lane, rather than the 29-foot wide separation required per TS-7;
3. The developer will be permitted to eliminate the 5-foot wide bicycle facilities (on paved shoulders) and 5-foot wide sidewalks, and instead construct a 10-foot wide multi-purpose pathway;
4. The developer will be permitted to construct “F” curb along only the south side of the roadway, rather than the 8-foot wide stabilized shoulders, of which 5-feet is paved, required per TS-7, and the north side will be permitted to remain in its existing configuration (i.e. no paved shoulders and no curbing).

If this Major Modification is approved, the County Engineer will approve the Design Exception request.

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

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
US 301	SR 674	Balm Rd.	D	C
US 301	Balm Rd.	Rhodine Rd.	D	C
Balm Rd./ CR 672	US 301	Balm Riverview Rd.	D	B

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 301	FDOT Principal Arterial - Urban	6 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other
CR 672 (Balm Rd.)	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input checked="" type="checkbox"/> Substandard Road Improvements <input checked="" 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	2,838 (Gross) 2,838 (Net New)	1,301 (Gross) 1,301 (Net New)	932 (Gross) 932 (Net New)
Proposed	6,735 (Gross) 4,216 (New New)	634 (Gross) 394 (Net New)	540 (Gross) 358 (Net New)
Difference (+/-)	(+) 3,897 (Gross) (+) 1,378 (Net New)	(-) 667 (Gross) (-) 907 (New New)	(-) 392 (Gross) (-) 574 (New New)

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

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
CR 672 (Balm Rd.) – Substandard Rd.	Design Exception Requested	Approvable
	Choose an item.	Choose an item.
Notes:		

## Ratliff, James

---

**From:** Williams, Michael  
**Sent:** Friday, October 7, 2022 6:16 PM  
**To:** Vicki Castro; Micahel Yates (myates@palmtraffic.com)  
**Cc:** stirey@heidtdesign.com; Heinrich, Michelle; Ratliff, James; Tirado, Sheida; PW-CEIntake; Morales, Cintia  
**Subject:** FW: MM 22-0686 Design Exception Review  
**Attachments:** 22-0686 DReq 10-06-22.pdf  
  
**Importance:** High

Vicki/Michael,

I have found the attached Design Exception (DE) for PD 22-0686 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Cintia Morales ([moralescs@hillsboroughcounty.org](mailto:moralescs@hillsboroughcounty.org) or 813-307-1709) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

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

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

Lastly, please note that it is critical to ensure you copy all related correspondence to [PW-CEIntake@hillsboroughcounty.org](mailto:PW-CEIntake@hillsboroughcounty.org)

Mike

**Michael J. Williams, P.E.**  
**Director, Development Review**  
**County Engineer**  
Development Services Department

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**P:** (813) 307-1851  
**M:** (813) 614-2190  
**E:** [Williamsm@HillsboroughCounty.org](mailto:Williamsm@HillsboroughCounty.org)  
**W:** HCFLGov.net

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**Hillsborough County**  
601 E. Kennedy Blvd., Tampa, FL 33602

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**From:** Tirado, Sheida <TiradoS@hillsboroughcounty.org>  
**Sent:** Friday, October 7, 2022 3:50 PM  
**To:** Williams, Michael <WilliamsM@HillsboroughCounty.ORG>  
**Cc:** Morales, Cintia <MoralesCS@hillsboroughcounty.org>  
**Subject:** MM 22-0686 Design Exception Review  
**Importance:** High

Hello Mike,

The attached Design Exception is approvable to me. Please include the following people in your response email:

[myates@palmtraffic.com](mailto:myates@palmtraffic.com)  
[vcastro@palmtraffic.com](mailto:vcastro@palmtraffic.com)  
[stirey@heidtdesign.com](mailto:stirey@heidtdesign.com)  
[heinrichm@hillsboroughcounty.org](mailto:heinrichm@hillsboroughcounty.org)  
[ratliffja@hillsboroughcounty.org](mailto:ratliffja@hillsboroughcounty.org)

Best Regards,

**Sheida L. Tirado, PE** *(she/her/hers)*  
**Transportation Review Manager**  
Development Services Department

---

**P:** (813) 276-8364  
**E:** [tirados@HCFLGov.net](mailto:tirados@HCFLGov.net)  
**W:** [HCFLGov.net](http://HCFLGov.net)

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**Hillsborough County**  
601 E. Kennedy Blvd., Tampa, FL 33602

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August 19, 2022  
Revised October 05, 2022

Mr. Michael Williams, P.E.  
Hillsborough County  
Development Services Department  
Development Review Director  
County Engineer  
601 East Kennedy Boulevard, 20<sup>th</sup> Floor  
Tampa, Florida 33602

RE: US 301 and Balm Road - SEC (22-0686)  
Folios: 077781-0000, 077781-0025, 077781-0200, 077783-0000, 077786-0000  
Design Exception – Balm Road  
Palm Traffic Project No. T21074

Dear Mr. Williams:

The purpose of this letter is to provide justification for the design exception per Transportation Technical Manual (TTM) 1.7 to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L (existing facility) in association with the proposed mixed-use development consisting of 110,000 square feet of mini-warehouse uses and up to 40,000 square feet of commercial and office uses located south of Balm Road and east of US 301, as shown in Figure 1. This request is made based on our virtual meeting with Hillsborough County staff.

The project proposes to have one (1) right-in/right-out access to Balm Road. Balm Road is identified in the Hillsborough County Functional Classification Map as a collector roadway and was identified during our meeting as a substandard road. Balm Road has a posted speed limit of 35 mph and currently has 12-foot travel lanes in approximately 50 feet of right of way.

This request is a design exception to the Hillsborough County Transportation Technical Manual for Balm Road from US 301 east to the property driveway. The requested exceptions to the TS-7 typical section and the justification are as follows:

1. Per the design exception approved for PD 20-1270, a 4-foot-wide traffic separator will be provided to prevent westbound and northbound left turns at the project driveway on Balm Road. The traffic separator will be designed in accordance with FDOT Standard plans #520-020 (4'-wide option). Additionally, in accordance with FDOT Standard Plans 711-001, 18" has been provided between the edge of traffic separator and the lane stripe.
2. The request is to provide 11-foot travel and turn lanes instead of the 12-foot lanes. According to the Florida Green Book, on a suburban roadway where the speed limit is between 40 and 45 mph, 11-foot lanes may be used. The posted speed limit on Balm Road is 35 mph.
3. Provide an 11-foot wide, 195-foot-long eastbound right turn lane at the project driveway.
4. The westbound left turn lane at the intersection of US 301 and Balm Road will be extended to approximately 400 feet, including a 50-foot taper.



5. An F type curb and 10-foot multi-use path will be provided only on the south side of Balm Road from US 301 east to the eastern property line. The improvements described in this request will require approximately 34 feet of ROW dedication and an additional 11 feet of ROW preservation for ultimate geometry of the intersection. The F type curb and 10-foot multi-use path along the southside of Balm Road are consistent with the CIP project (69638041) preliminary design.
6. No modification to the northern edge of pavement, as all improvements will be made on the southside of Balm Road. Again, an approved design exception for PD 20-1270 has improvements on the northside of Balm Road.

The proposed typical section is shown in Figure 2 and the zoning site plan is shown in Figure 3.

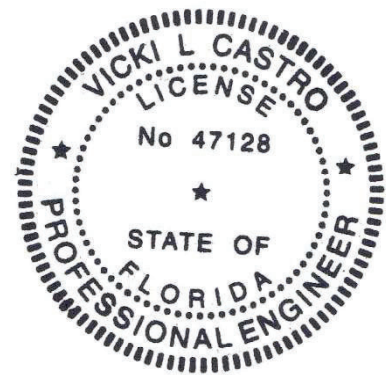
Please do not hesitate to contact us if you have any questions or require any additional information.

Sincerely,

Vicki L  
Castro

Vicki L Castro, P.E.  
Principal

Digitally signed by Vicki  
L Castro  
Date: 2022.10.05  
15:11:07 -04'00'



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

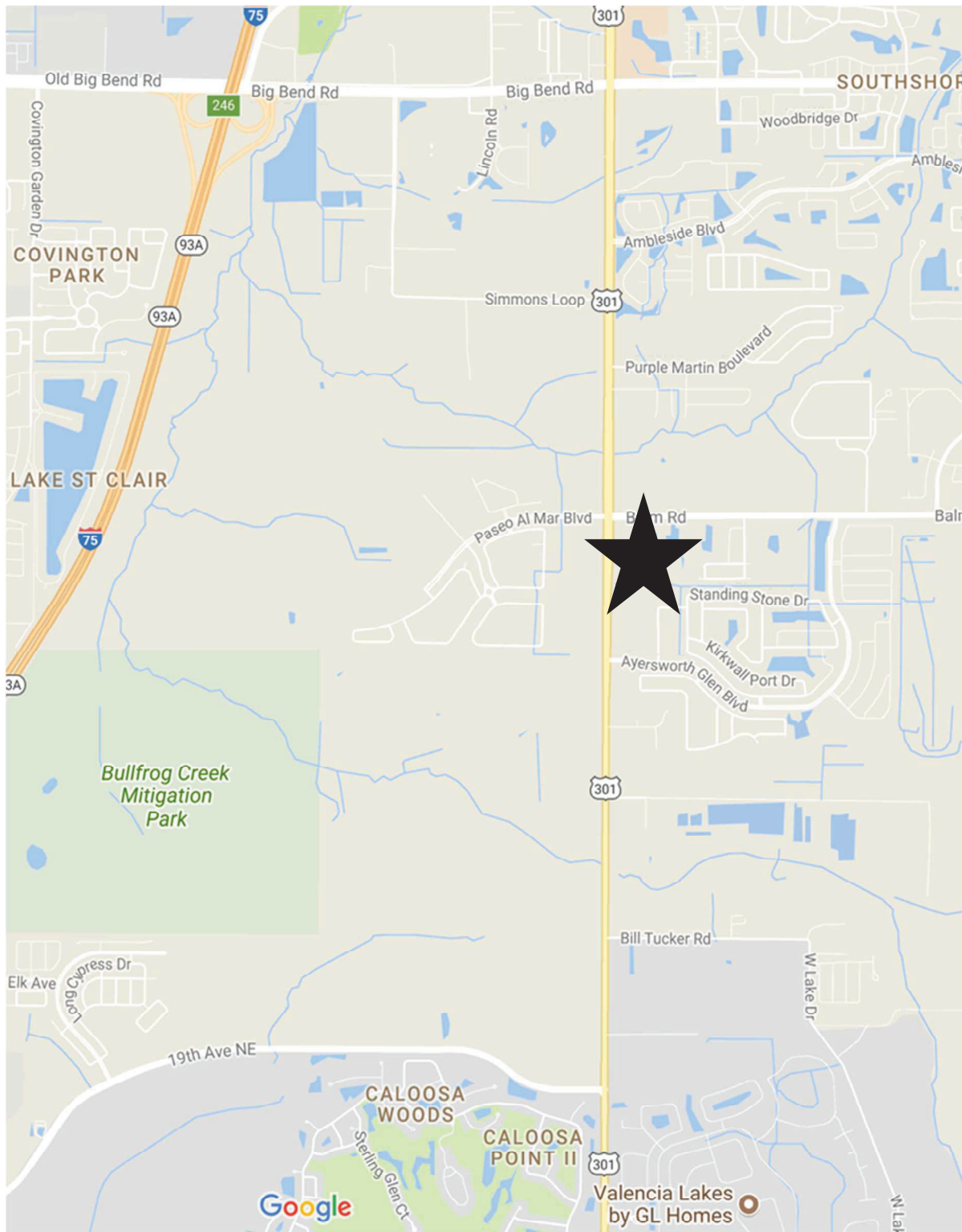
\_\_\_\_\_Disapproved\_\_\_\_\_Approved with Conditions\_\_\_\_\_Approved

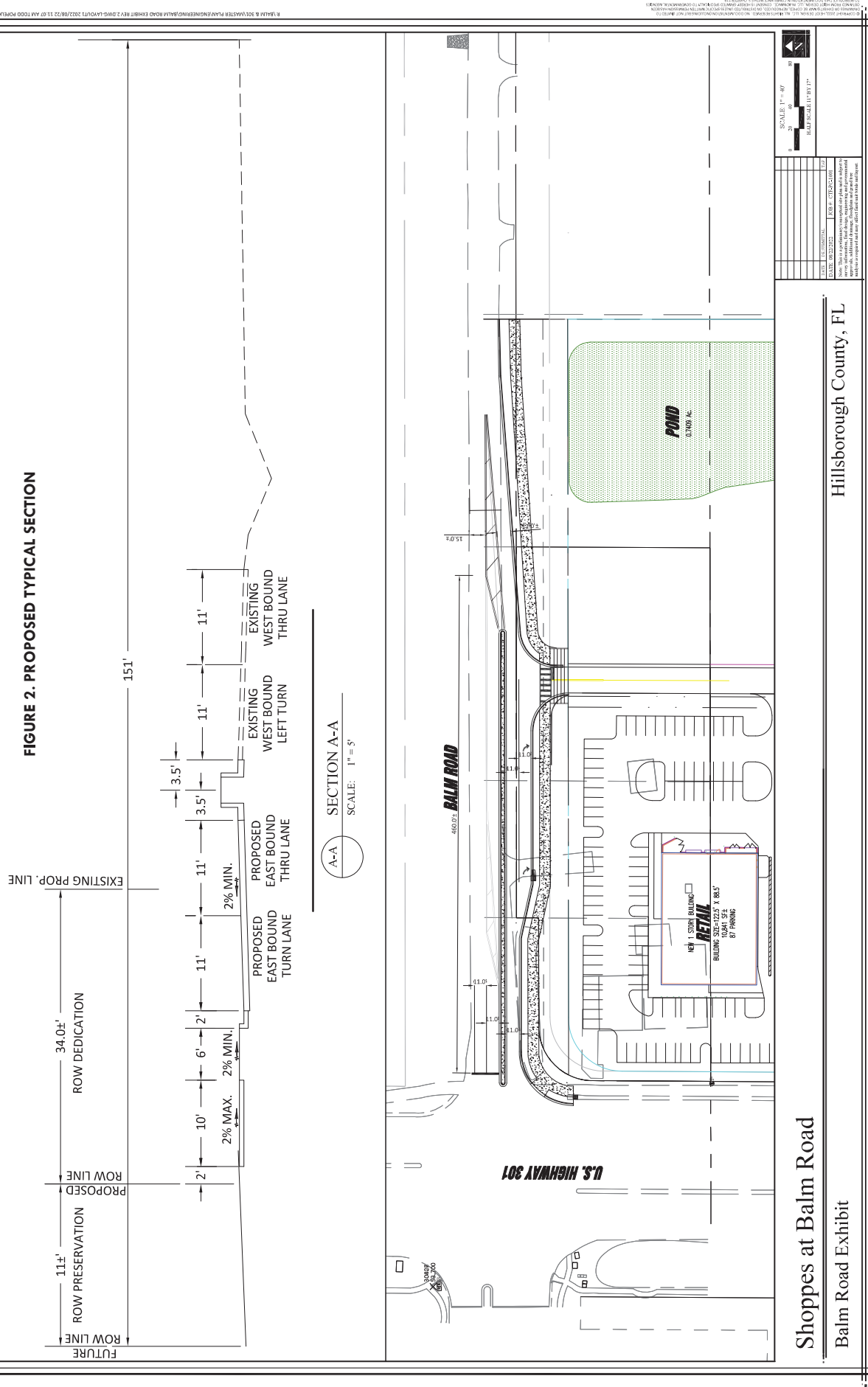
If there are any further questions or you need clarification, please contact Sheida L. Tirado, P.E.

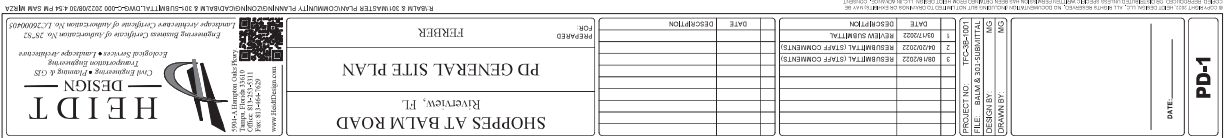
Sincerely,

Michael J. Williams  
Hillsborough County Engineer

**FIGURE 1. LOCATION MAP**









Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input checked="" 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	

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**Hillsborough County  
City-County  
Planning Commission**

Unincorporated Hillsborough County Rezoning	
<b>Hearing Date:</b> December 12, 2022	<b>Petition: MM 22-0686</b>
<b>Report Prepared:</b> November 30, 2022	<i>Southeast corner of Balm Road and US Highway 301</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>INCONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-4 (4 du/ga; 0.25 FAR)</b>
<b>Service Area:</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>Southshore Areawide Systems</b>
<b>Modification Request:</b>	Modify an existing Planned Development (PD 17-1402) for 110, 000 sq ft of Mini warehouse and 40,000 sq ft of Commercial General uses or Office
<b>Parcel Size (Approx.):</b>	15.22 +/- acres
<b>Street Functional Classification:</b>	US Highway 301 – <b>Principal Arterial</b> County Road 672 (Balm Road) – <b>Arterial</b>
<b>Locational Criteria:</b>	Meets Commercial Locational Criteria
<b>Evacuation Zone:</b>	None



## **Context**

- The subject site is located on approximately 15.22 acres north Balm Road and east of US Highway 301. The site is located within the limits of the Southshore Areawide Systems Community Plan. The site is located within the Urban Service Area (USA).
- The site and properties to the south, north, and east are designated Residential-4 (RES-4) on the Future Land Use Map. RES-4 allows suburban-scale neighborhood commercial, office, multi-purpose or mixed-use projects limited to 175,000 sq. ft. or .25 FAR, whichever is less intense. The Suburban Mixed Use-6 (SMU-6) Future Land Use category is located west of the site.
- The subject property is currently zoned as Planned Development (PD 17-1402) and is approved for a K-8 charter school. Single-family lots are located to the east, a drainage area is located directly south of the site and further south is additional single-family residential. The site abuts US Highway 301 on the west. North of the subject site is vacant lands, a daycare center, and single-family residential.
- The applicant requests a Major Modification to an existing Planned Development (PD 17-1402) to allow the development of 110,000 sq ft of mini-warehouses uses and 40,000 sq ft of either Commercial General (CG) uses or office uses.

## **Compliance with Comprehensive Plan:**

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

## **Future Land Use Element**

### ***Urban Service Area (USA)***

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

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

***Objective 6:*** The concept plan is the overall, conceptual basis for the long range, Comprehensive Plan, and all plan amendments must be consistent with, and further the intent of the concept plan, which advocates focused clusters of growth connected by corridors that efficiently move goods and people between each of the activity centers.

## ***Relationship to the Future Land Use Map***



**Objective 7:** *The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.*

**Policy 7.1:** *The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text.*

**Policy 7.2:** *All land use category boundaries on the Future Land Use Map coinciding with and delineated by man-made or natural features, such as but not limited to roads, section lines, property boundaries, surface utility rights-of-way, railroad tracks, rivers, streams or other water bodies or wetlands are precise lines.*

### **Neighborhood/Community Development**

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

**Policy 16.1:** *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*

*should include a process such as but not limited to variances or waivers to consider reductions in the gathering place requirement.*

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

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

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

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

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

## **Environmental and Sustainability Section**

**Policy: 3.5.1** Collaborate with the EPC to conserve and protect wetlands and/or other surface waters from detrimental physical and hydrological alteration. Apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and/or other surface waters authorized for projects in Hillsborough County.

**Policy: 3.5.2** Collaborate with the EPC through the land planning and development review processes to prohibit unmitigated encroachment into wetlands and/or other surface waters and maintain equivalent functions.

## **Livable Communities Element: SouthShore Areawide Systems Plan**

### **Environmental Objective**

The community is working to achieve harmony between development and the natural environment; ensuring that the bay and the supporting water systems are clean and healthy,

*supporting wildlife and recreation. Species habitats represent an extensive, interlocking network of environmental resources.*

2. *Water Resources Strategies – Properly manage water resources, water quality, water supply and water availability to sustain the community's desired lifestyle.*

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

The subject site is located on approximately 15.2± acres at the southeast quadrant of Balm and US Highway 301. The site is located within the limits of the Southshore Areawide Systems Plan. The site is located within the Urban Service Area (USA).

The proposed modification is consistent with the intent of the Residential-4 (RES-4) Future Land Use. The intent of the RES-4 land use category is to designate areas for residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. The request for 110,000 square feet of mini-storage and 40,000 square feet of either Commercial General (CG) uses or Office uses is within the intensity that can be considered under the RES-4 Future Land use  $(15.22 \times 43,560 \times 0.25) = 165,745$  sq ft of non-residential uses that can be considered on the site.

The proposed modification would facilitate non-residential uses comparable to the development pattern in the surrounding area. There is a Publix shopping center west of the site, additionally, approval for mini-storage and Commercial General (CG) uses were approved through (MM 21-1090), located to the north. The proposed Commercial General (CG) and office uses would complement the development pattern within the general vicinity and is consistent with FLUE, Policy 1.4, Objective 16, and Policies 16.2, 16.3.

The subject site meets Commercial Locational Criteria (CLC) per policy direction under FLUE Objective 22. Commercial Locational Criteria is based on the Future Land Use category of the property and the classification of the intersection of roadways as shown on the adopted 2040 Highway Cost Affordable Long-Range Transportation Plan. Roadways listed in the table as two or four-lane roadways must be shown on the 2040 Highway Cost Affordable Long-Range Transportation Plan (FLUE Policy 22.2). The site is located directly at the closest qualifying intersection, which is Balm Road and US Highway 301 therefore, meets Commercial Locational Criteria

There are wetlands present on the property. The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. At the time of drafting this report, the EPC comments on file suggested a resubmittal of the site plan due to the wetland impacts of the proposed development. It is the Planning Commission staff's understanding that the applicant may have submitted revised information to EPC, however without revised comments on file from EPC, Planning Commission staff must follow policy direction within the Unincorporated Hillsborough Comprehensive Plan which prohibits unmitigated encroachment into wetlands, therefore the request is inconsistent with Policy 3.5.2 of the Environmental and Sustainability Section of the unincorporated Hillsborough Comprehensive Plan.

This application request is within the limits of the Southshore Areawide Systems Community Plan, which seeks to properly manage water resources, and water quality and to achieve harmony between development and the natural environment. This request

would be inconsistent with the vision of the Southshore Areawide Systems Community Plan.

Overall, staff finds that the proposed Major Modification would facilitate growth within the Urban Service Area that is compatible however, due to wetlands impacts the request does not support the vision of the Southshore Areawide Systems Community Plan and would allow for a development that is inconsistent with the Goals, Objectives, and Policies of the *Comprehensive Plan for Unincorporated Hillsborough County*.

**Recommendation**

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





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