



PD Modification Application: MM 22-1638

Zoning Hearing Master Date: August 21, 2023

BOCC Land Use Meeting Date: October 10, 2023

1.0 APPLICATION SUMMARY

Applicant: R. Clark Ricke Revocable Trust

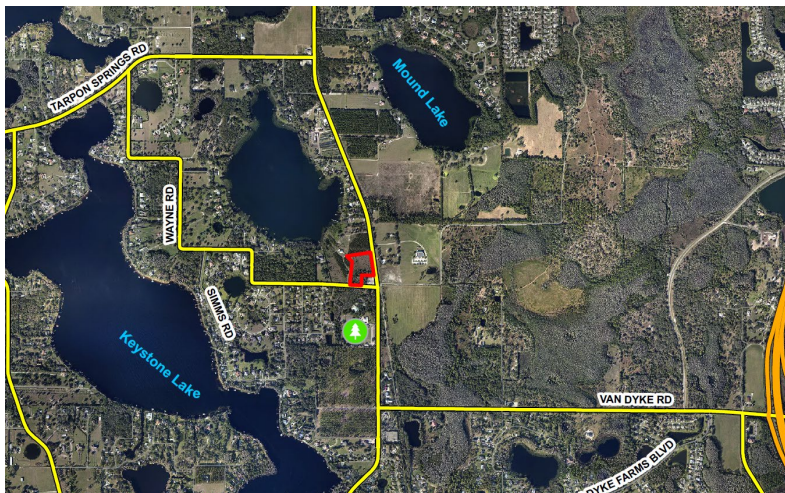
FLU Category: A/R (Agricultural/Rural – 1/5)

Service Area: Rural

Site Acreage: 6.12

Community Plan Area: Keystone-Odessa

Overlay: None



Introduction Summary

PD 00-0731 was approved in 2000 to allow the property located at the northwest corner of Gunn Highway and Wayne Road to be developed for up to 5,000 square feet (SF) of medical office, a residence with up to 3,000 square feet (in a single structure), and ancillary agricultural buildings. The applicant is requesting a modification to allow a membership-based community gathering space for veterans and their families and a single-family dwelling. The property is currently undeveloped.

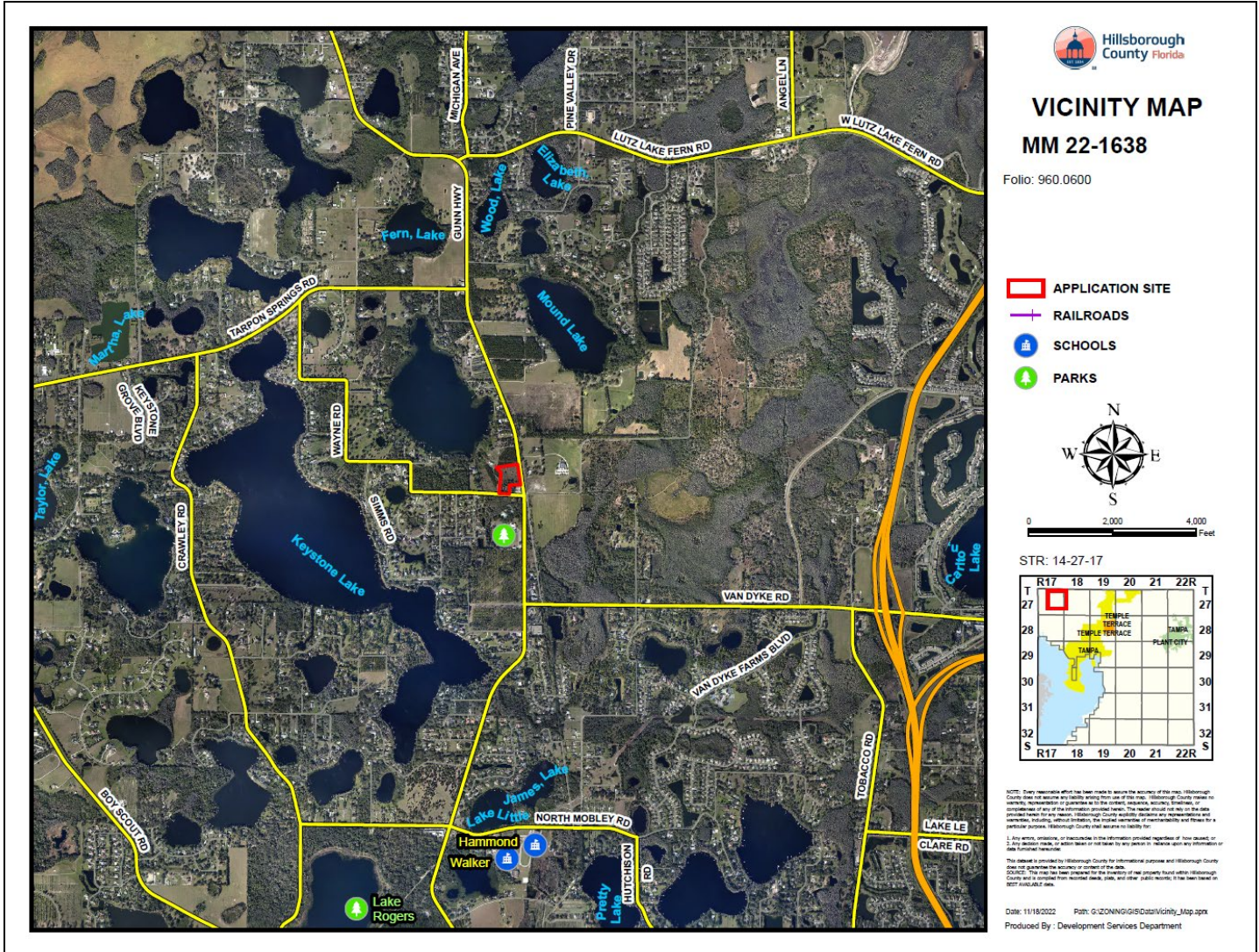
Existing Approval(s)	Proposed Modification(s)
Site development to allow a 5,000 SF medical office and a 3,000 SF single-family residential dwelling.	Site development to allow a 5,000 SF membership organization, a limited use private event center, and a 3,000 SF single-family residential dwelling.

Additional Information	
PD Variation(s)	None
Waiver(s) to the Land Development Code	None

Planning Commission Recommendation Inconsistent	Development Services Recommendation Non-supportable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

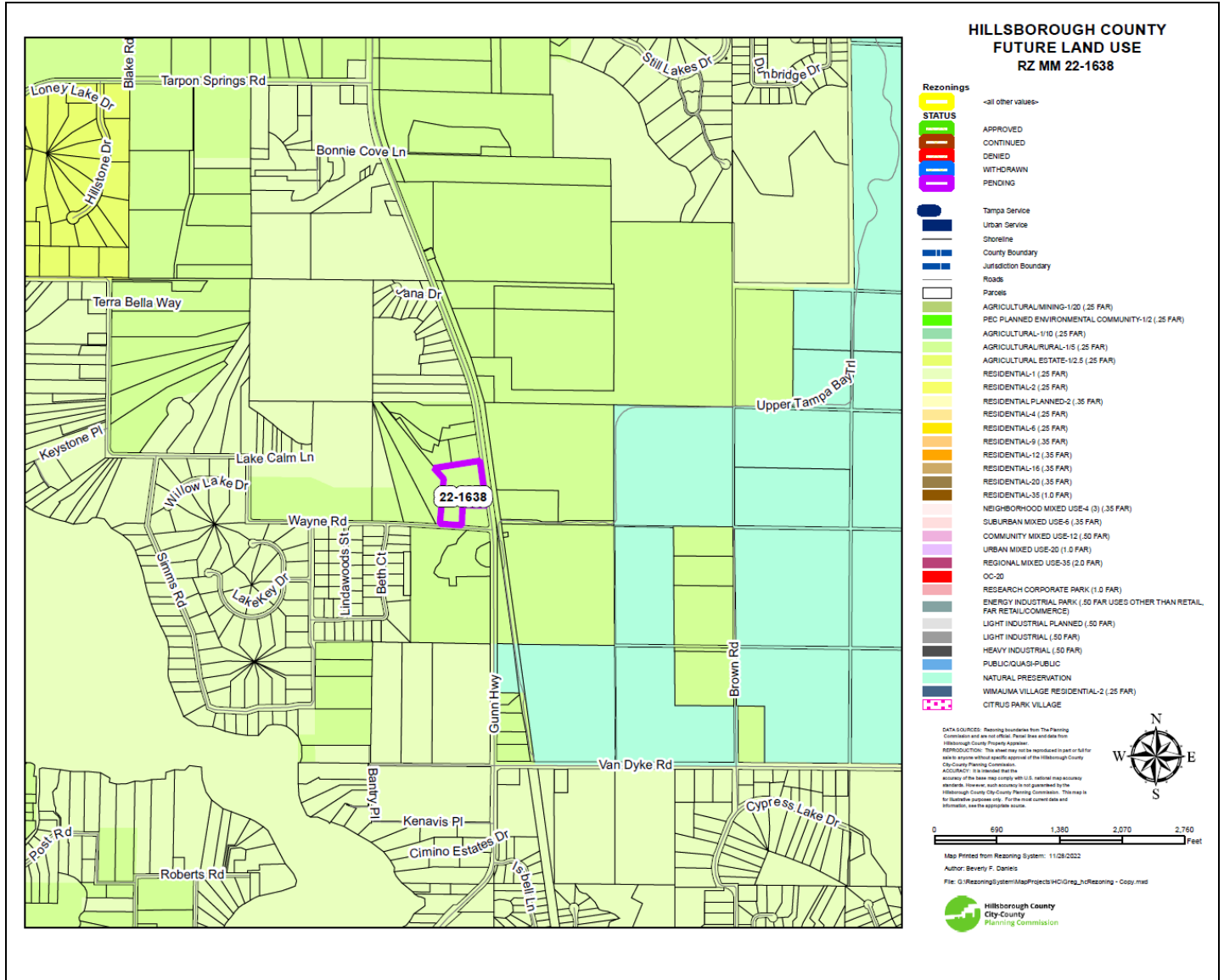


Context of Surrounding Area:

The subject property is located at the northwest corner of the Gunn Highway (63.13 feet wide, 2 lanes) and Wayne Road (55.76 feet wide, 2 lanes) intersection in the Keystone-Odesa Community Plan Area. The area is generally rural in character with a mix of single-family, agricultural, vacant lands and public uses. The adjacent properties to the north, sought, east, and west are zoned A/R (Agricultural Rural) with uses in that include a high school to the east of Gunn Highway, a public library and County owned park to the south of Wayne Road, the adjoining properties to the west and north are used for agricultural use; timber, and the adjoining property located at the northwest corner of Gunn Highway and Wayne Road is developed for electrical utilities use.

2.0 LAND USE MAP SET AND SUMMARY DATA

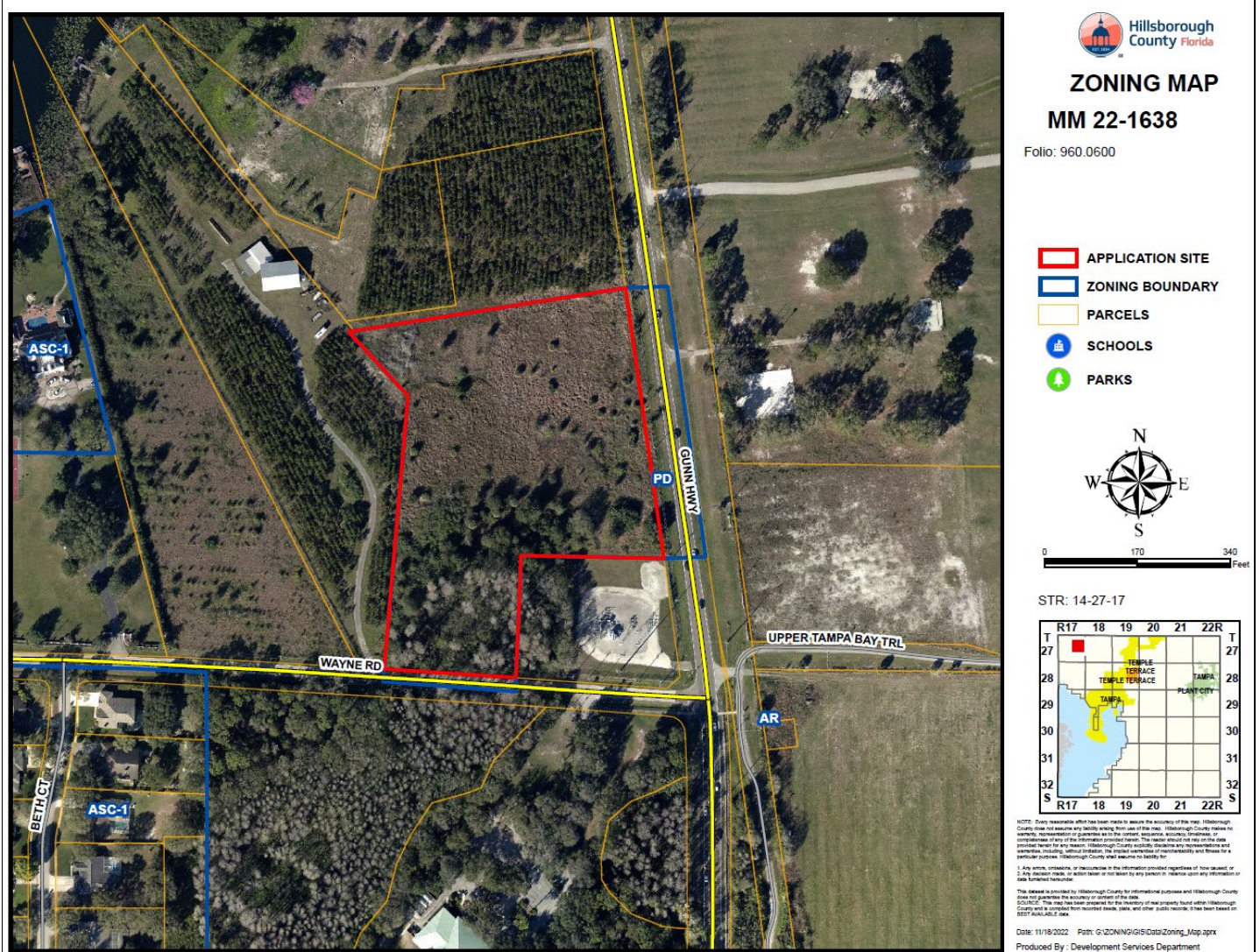
2.2 Future Land Use Map



Subject Site Future Land Use Category	Agricultural/Rural – 1/5 (A/R)
Maximum Density/FAR	12 dwelling units per 5 gross acres (du/ga) / 0.25 FAR
Typical Uses	Farms, ranches, feed lots, residential, rural scale neighborhood commercial, office, and mining related uses.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

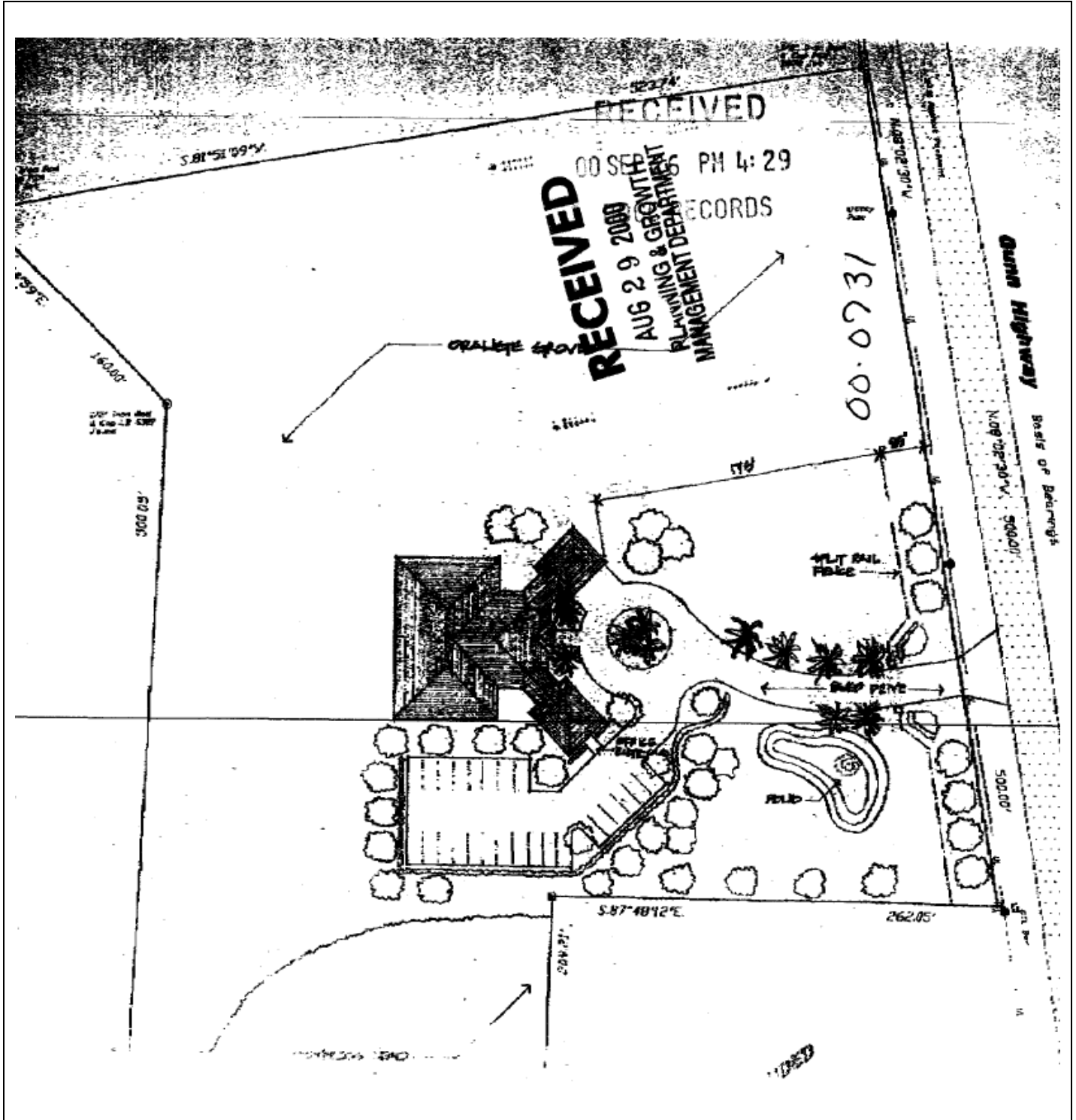


Adjacent Zonings and Uses

Location	Zoning	Maximum Density/FAR Permitted by Zoning District	Allowable Use	Existing Use
North	AR	1 du/5 ga FAR: NA	Agriculture and related	Agriculture
South	AR	1 du/5 ga FAR: NA	Agriculture and related	Library: Austin Davis, Recreation: Keystone Park & Recreation Center
South	AR	1 du/5 ga FAR: NA	Agriculture and related	Electrical Utility
East	AR	1 du/5 ga FAR: NA	Agriculture and related	Education: Keystone Prep High School
West	AR	1 du/5 ga FAR: NA	Agriculture and related	Agriculture

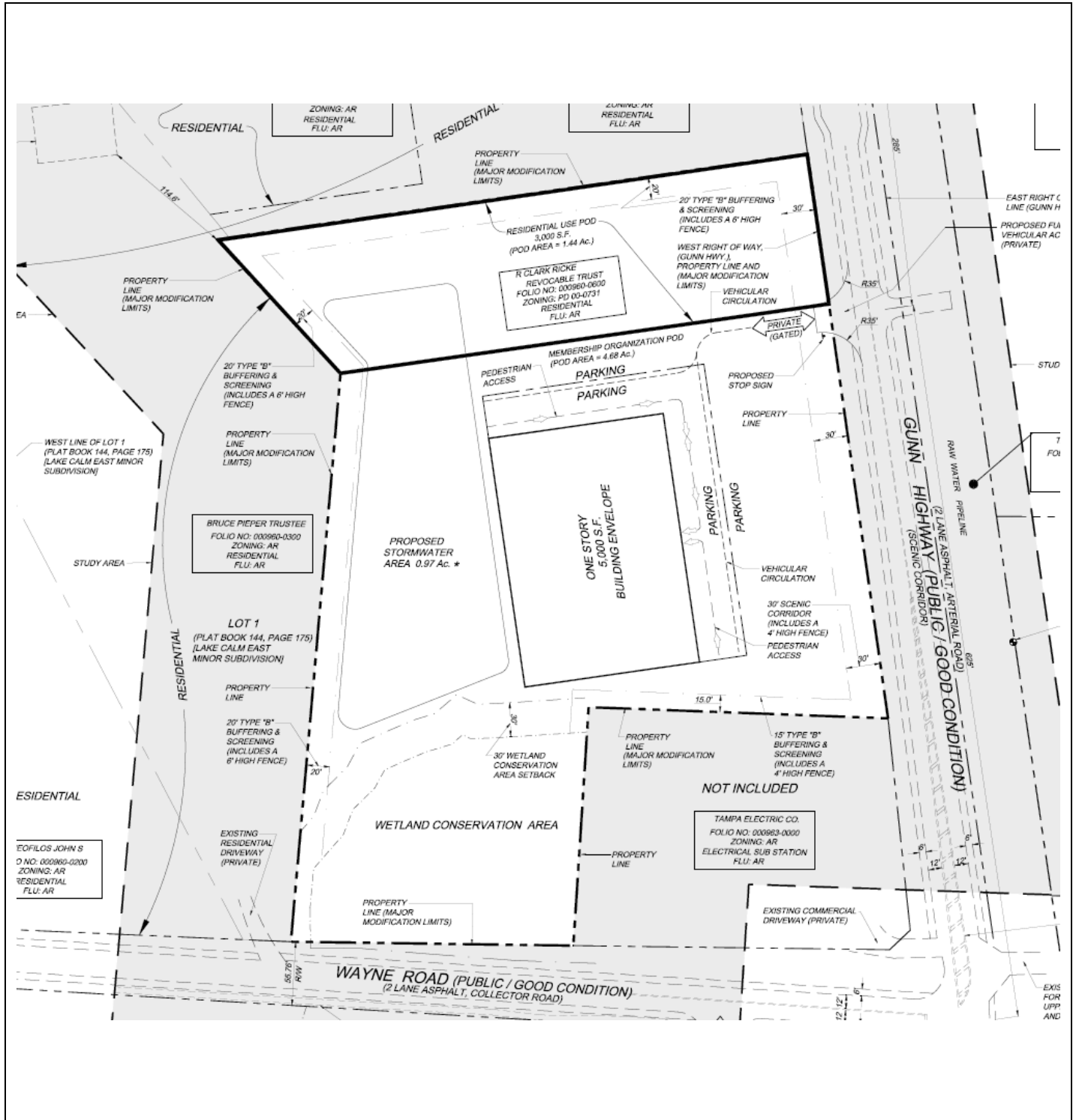
2.0 LAND USE MAP SET AND SUMMARY DATA

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)

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Gunn Highway	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Wayne Road	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	189	17	21
Proposed	153	11	14
Difference (+/-)	-36	-6	-7

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East	X	None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Gunn Highway/Administrative Variance Requested	Administrative Variance Requested	Approvable
Gunn Highway/Turn Lane Warrant	Administrative Variance Requested	Approvable
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input 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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input 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	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Multi-Purpose Recreational Center (Per 1,000 sf): Mobility: \$8,613*5 = \$43,065 Fire: \$ 313*5 = \$1,565				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input 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 type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

This proposed modification to include a membership organization as a new use and to allow a second structure to be used as a single-family residence, notwithstanding the applicant's assertion provided in their narrative that the Keystone-Odessa Community Plan and the Keystone-Odessa Rural Development Standards in the Land Development Code (LDC) do not apply to planned developments that predate the regulations, would be required to be developed in accordance with the Keystone-Odessa Community Plan and the Keystone-Odessa Rural Development Standards in Part 3.08.00 of the Land Development Code. Staff finds that in order to ensure density and design compatibility with the community, the Keystone-Odessa Rural Development Standards of Part 3.08.00 in the LDC would apply to previously approved planned developments once the allowable uses and functionality are changed through a major modification. Additionally, the originally approved planned development provides for one mixed use building that allows the medical and residential uses to exist in one compact location on the property.

The proposed development plan would allow for two separate buildings and uses with a single-family residence on a 1.44-acre lot in an AR future plan use area that restricts residential density to one dwelling per five acres. At the time that the original planned development was approved, the Keystone-Odessa Rural Development Standards were not adopted and entitlement tabulations included the wetland area. However, current regulations provided in LDC, Section 3.08.04 prohibit density credits for wetlands. Consequently, the proposed modification is an intensification of use, perceivable bulk, and would exceed entitlements allowable under the AR comprehensive plan designation.

The applicant is proposing fence requirements and sign restrictions that comply with LDC Sections 3.08.06.B and 3.08.06.C. The applicant's application proposes neither full compliance with lighting (LDC, §3.08.10) and parking restrictions (LDC, §3.08.09), nor compliance with the nonresidential building design requirements (LDC, §3.08.6). If fully incorporated into the development plan, development in compliance with the lighting, parking and building design standards within LDC, Part 3.08.00 would conform with the intent of the Land Development Code and address compatibility and community plan compliance.


Due to the proposed development intensity of the single-family residence, 5,000 SF of GFA for the membership organization structure, and lack of full compliance with Part 3.08.00, staff finds the proposed modification incompatible with the zoning and development pattern of the general vicinity.

5.2 Recommendation

Based on the above considerations, staff finds the request non-supportable.

6.0 PROPOSED CONDITIONS

NA

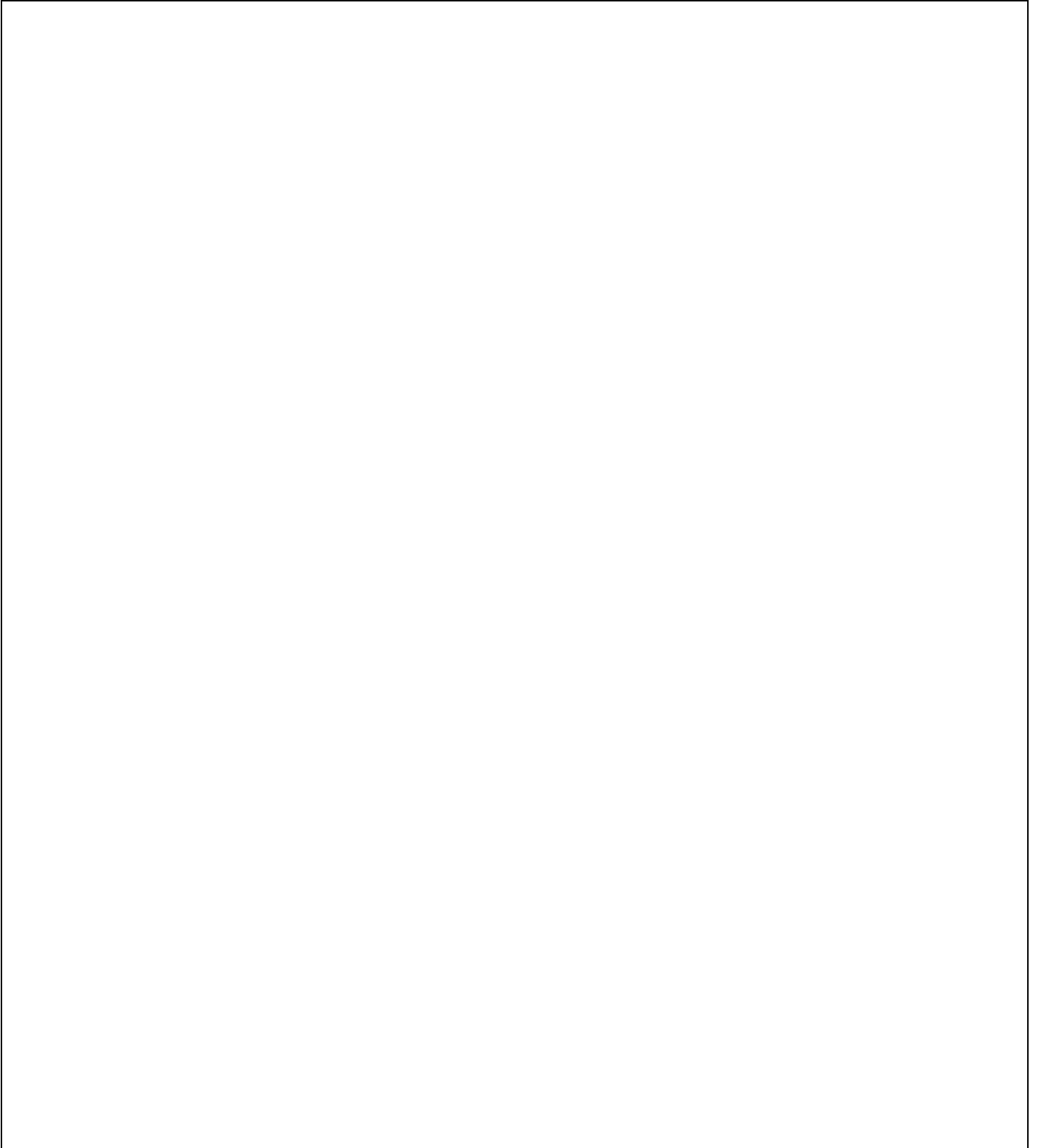
Zoning Administrator Sign Off:	 J. Brian Grady Mon Aug 14 2023 08:36:16
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.
Approval of this re-zoning petition by 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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

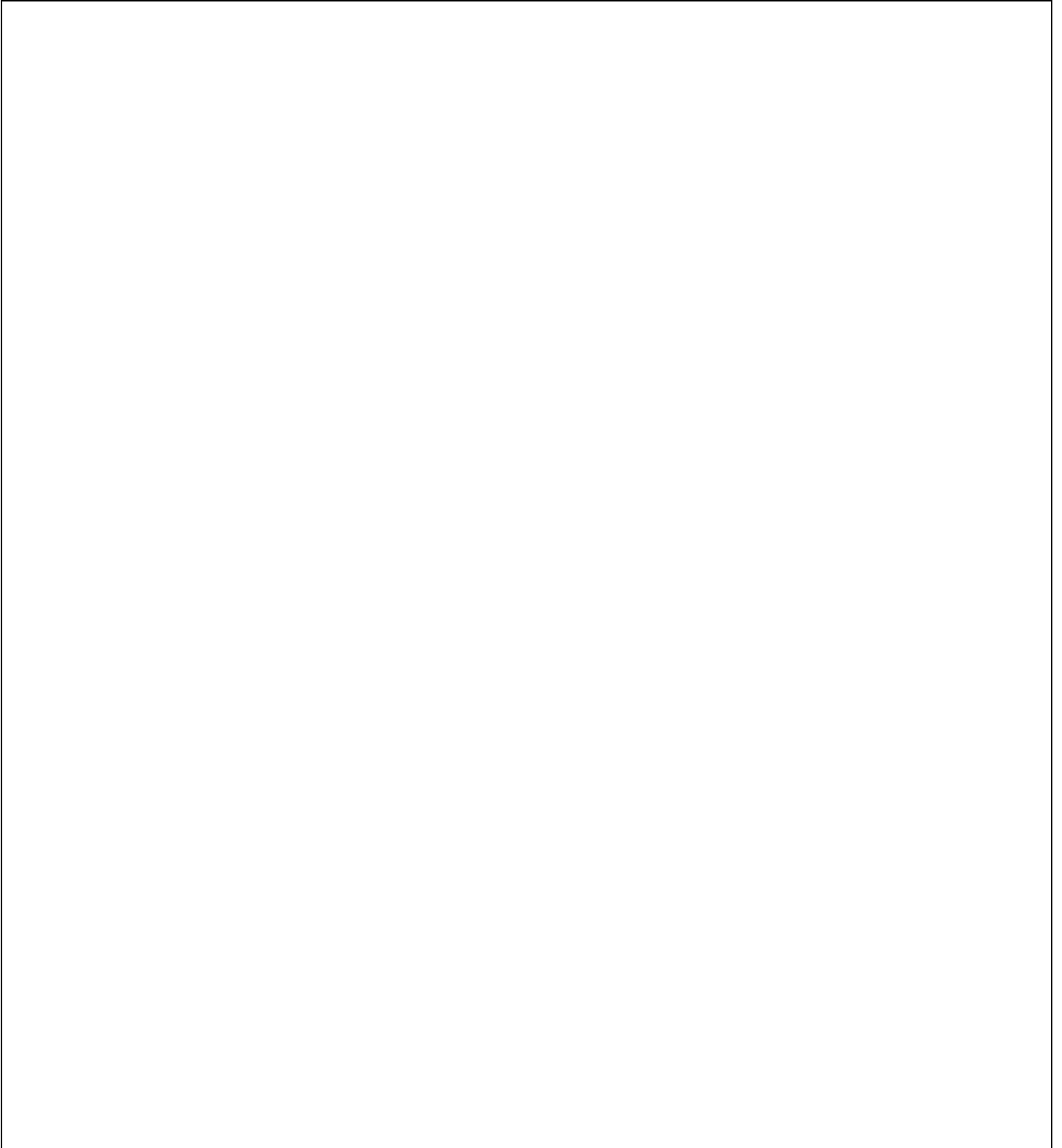
8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Richard Perez, AICP
PLANNING AREA: KO/Northwest

DATE: 8/15/2023
AGENCY/DEPT: Transportation
PETITION NO: MM 22-1638

- 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.

CONDITIONS OF ZONING APPROVAL

New Conditions:

- If MM 22-1638 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (originally dated May 22, 2023 and most recently revised August 13, 2023) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L, which was found approvable on August 15, 2023. Approval of this Administrative Variance will waive the substandard roadway improvements on Gunn Highway in association with the proposed development.
- If MM 22-1638 is approved, the County Engineer will approve the Section 6.04.02.B. Administrative Variance (originally dated July 26, 2023 and revised August 13, 2023) to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.04.D.1, which was found approvable on August 15, 2023. Approval of this Administrative Variance will waive the required northbound left turn lane site access improvement in association with the proposed development.
- “Large Events” (i.e. more than 150 in attendance per event) but less or equal to 300 people per event shall be permitted up to 6 times per calendar year. For the purposes of this condition, one (1) event shall be defined as an event lasting no more than 24 continuous hours. As such, one (1) event may span over two (2) days and would only be considered a single event. Single events longer than 24 continuous hours, or two events of less than 24 hours each, within a calendar month, shall be considered as two (2) events. In no case shall back-to-back “large events” exceed a total of 48 hours.
- Events with more than 300 people shall be prohibited.
- In lieu of the required left-turn lane, the property owner shall hire a minimum of one (1) law enforcement officer to direct traffic into and out of site during “large events” (i.e. those with attendance of more than 150 people but not more than 300 persons). Such law enforcement officer(s) shall be present for the duration of event. Officers shall be placed where necessary to ensure the safe and efficient flow of traffic into, out of, and around the site.

- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
- Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

Revised Conditions:

9. The project shall be permitted one access connection ~~Access shall be restricted to~~ Gunn Highway. No access shall be allowed to Wayne Road.

Other:

- Prior to certification, the applicant shall revise the PD site plan to include a double headed arrow between the residential pod and the membership organization pod to show the internal connectivity and share access to Gunn Highway through the single project access shown.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to modify PD 00-0731 to allow for a Membership Organization use, consisting of a 5,000sf structure, with limited special events. The existing approved PD allows for a 5,000 square foot medical office and a single-family residence. The site is located at the northwest corner of Gunn Highway and Wayne Rd. The Future Land Use designation is Agricultural/Residential (A/R).

Trip Generation Analysis

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed development scenarios, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Approved PD:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 5,000sf, Medical Office (ITE 720)	180	16	20
PD: 1 Single Family Dwelling (ITE 210)	9	1	1
Total Trips	189	17	21

Proposed PD Modification:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 5,000sf Membership Club (ITE 495)	144	10	13
PD: 1 Single Family Dwelling (ITE 210)	9	1	1
Total Trips	153	11	14

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	-36	-6	-7

The proposed rezoning would generally result in a decrease of trips potentially generated by -36 average daily trips, -6 trips in the a.m. peak hour, and -7 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on west of Gunn Highway and north of Wayne Road.

Gunn Highway is a substandard 2-lane, rural, undivided arterial roadway lies within +/-66 foot of right of way with +/-11 ft lanes. There are no sidewalks or paved shoulders within the proximity of the project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector/arterial roadway typical section has 12-foot lanes with 5-foot paved shoulders and sidewalks on both sides within a minimum of 96 feet of right-of-way.

Wayne Rd is a substandard, 2-lane, rural, undivided collector roadway lies within a range of +/-57 and +/-69 ft of right-of-way with +/-10 ft. lanes. with a sidewalk/boardwalk on the south side of the road. There are no paved shoulders or Bicycle lanes.

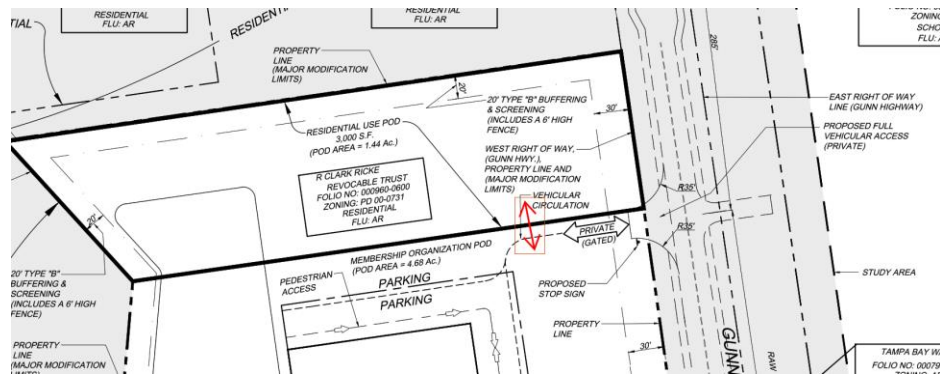
According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector/arterial roadway typical section has 12-foot lanes with 5-foot paved shoulders and sidewalks on both sides within a minimum of 96 feet of right-of-way.

SITE ACCESS

The PD proposes one (1) full access to Gunn Highway. No access is proposed to Wayne Rd.

The proposed modification includes allowing “large events” for up to 300 people not more than 6 times in a calendar year. To mitigate the potential for these events to trigger warrants for turn lanes to access the project site from Gunn Highway, the applicant is proposing a condition of approval requiring the owner/events operator to have a law enforcement present to assist in traffic control. Staff is proposing additional conditions of approval to define the “large events” and address the relationship between the law enforcements presence and the absence of required auxiliary lanes to serve the site during such events.

The approved PD allows for single family residential home, the PD site plan submitted does not indicate how the single-family home will be accessed from Gunn Highway. Pursuant to LDC, Sec. 6.04.03.I., the PD does not generate the minimum number of trips to justify a second access to Gunn Highway. Furthermore, a direct access (driveway) to Gunn Highway would not meet the Sec. 6.04.07 minimum spacing requirement of 245 feet from the proposed project access shown on the PD site plan. As such the single-family residential unit will have to take access through the same project access as the Membership Organization use. Therefore, staff is proposing that prior to certification the applicant shall revise the plan to show a double headed access arrow between the residential use and the Membership Organization use internal to the site as roughly depicted in red in the excerpt of the PD site plan shown below.



Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.

REQUESTED ADMINISTRATIVE VARIANCE – GUNN HIGHWAY SUBSTANDARD ROAD

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance request (originally dated May 22, 2023 and most recently revised August 13, 2023) for Gunn Highway requesting relief from the Section 6.04.03.L requirement to improve Gunn Highway, between the project access and the next closest standard roadway section, to current County standards for a Type TS-7, Typical Section as found within the Hillsborough County Transportation Technical Manual (TTM). On August 15, 2023 the County Engineer found the variance approvable. As such, no improvements to said portion of Gunn Highway would be required.

REQUESTED ADMINISTRATIVE VARIANCE – TURN LANE REQUIREMENT

The applicant’s EOR submitted a Section 6.04.02.B. Administrative Variance request (originally dated July 26, 2023 and revised August 13, 2023) requesting relief from the Section 6.04.04.D.1. requirement to construct a northbound left turn lane into the project site. On August 15, 2023 the County Engineer found the variance approvable. As such, no northbound left turn lane will be required.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. Wayne Road is not a regulated roadway.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
GUNN HWY	VAN DYKE RD	PASCO COUNTYLINE	D	F

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Tuesday, August 15, 2023 11:08 AM
To: Vicki Castro [vcastro@palmtraffic.com]; Micahel Yates (myates@palmtraffic.com) [myates@palmtraffic.com]
CC: Tirado, Sheida [TiradoS@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Ball, Fred (Sam) [BallF@hillsboroughcounty.org]; Jaime Maier [Jaime.Maier@hwhlaw.com]; PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]; De Leon, Eleonor [DeLeonE@hillsboroughcounty.org]
Subject: FW: MM 22-1638, Administrative Variance Review
Attachments: 22-1638 AVAdInf 08-14-23.pdf; 22-1638 AVReq 08-14-23_2.pdf

Vicki/Michael,

I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 22-1638 APPROVABLE.

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

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

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

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

Mike

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

P: (813) 307-1851
M: (813) 614-2190
E: WilliamsM@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>
Sent: Monday, August 14, 2023 7:10 PM
To: Williams, Michael <WilliamsM@HillsboroughCounty.ORG>
Cc: Perez, Richard <PerezRL@hillsboroughcounty.org>
Subject: MM 22-1638, Administrative Variance Review

Hello Mike,

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

myates@palmtraffic.com
vcastro@palmtraffic.com
jaime.maier@hwlaw.com
ballf@hillsboroughcounty.org
perezrl@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
W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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May 22, 2023
Revised June 30, 2023
Revised August 13, 2023

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

RE: Clark Ricke Property: MM 22-1638
Folio: 000960-0600
Administrative Variance Request – Gunn Highway
Palm Traffic Project No. T22103

Dear Mr. Williams:

The purpose of this letter is to provide justification for the administrative variance to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.03.L (existing facility) in association with the proposed modification of the existing PD zoning on the property. The existing PD allows for 5,000 square feet of Medical Office and one (1) single family detached home. The proposed modification would allow a 5,000 square foot membership organization building and one (1) single family detached home. The site is located west of Gunn Highway and north of Wayne Road, as shown in Figure 1. This request is made based on our virtual meeting on May 19, 2023 with Hillsborough County staff. The site plan is included as Figure 2.

The project proposes one (1) full access to Gunn Highway, aligning with the secondary access to Keystone Prep driveway to the east. Gunn Highway is identified in the Hillsborough County Functional Classification Map as an arterial road and was identified during our meeting as a substandard road. Additionally, the subject site is within the Keystone-Odessa Community Plan area and is subject to the Keystone-Odessa Rural Development Standards outlined in section 3.08 of the Land Development Code.

This request is for an administrative variance to the TS-7 typical section of the Hillsborough County Transportation Technical Manual in accordance with LDC Section 6.04.02.B for the section from Van Dyke Road to our project access, for the following reasons: (a) there is an unreasonable burden on the applicant; (b) the variance would not be detrimental to the public health, safety and welfare; and; if applicable, (c) without the variance, reasonable access cannot be provided. These items are further discussed below.

a) There is unreasonable burden on the applicant

The existing ROW along Gunn Highway is approximately 66 feet. The typical TS-7 section for local and collector rural roadway requires a minimum of 96 feet of ROW with 12-foot travel lanes, a 5-foot paved shoulder, open drainage and a 5-foot sidewalk. The adjacent segment of Gunn Highway has approximately 12-foot travel lanes, unpaved shoulders and open drainage on both sides and no sidewalks in the vicinity of the subject site. The deficiency in the existing section compared to the TS-7 are the paved shoulders and

sidewalks on Gunn Highway. The Keystone-Odesa Rural Development Standards states that: "sidewalks shall be provided only when the roadway is identified as having hazardous walking conditions for elementary students." This section of Gunn Highway has not been identified as having hazardous walking conditions for elementary students. Therefore, a requirement to improve Gunn Highway given the limited ROW and that these improvements would not be consistent with the intent of the Keystone-Odesa Rural Development Standards would be an unreasonable burden on the applicant.

b) The variance would not be detrimental to the public health, safety and welfare.

The existing approximate 12-foot travel lanes meet the TS-7 requirement. In addition, the area adjacent to the pavement is relatively flat that provides an unpaved shoulder and helps maintain the rural nature as outlined in the Keystone-Odesa Rural Community Plan. Given the information outlined in this section, the unpaved shoulder and lack of sidewalks will not have any impact on public health, safety, or welfare.

c) Without the variance, reasonable access cannot be provided.

Gunn Highway is the only means of access for this property. The land that is adjacent to Wayne Road is a wetland conservation area. Therefore, without the variance, reasonable access cannot be provided.

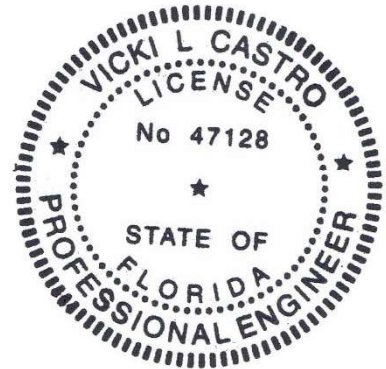
Please do not hesitate to contact us if you have any questions or require any additional information.

Sincerely,

Palm Traffic

Vicki L
Castro

Digitally signed by
Vicki L Castro
Date: 2023.08.13
18:14:01 -04'00'



Vicki L Castro, P.E.
Principal

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 Tirado, P.E.

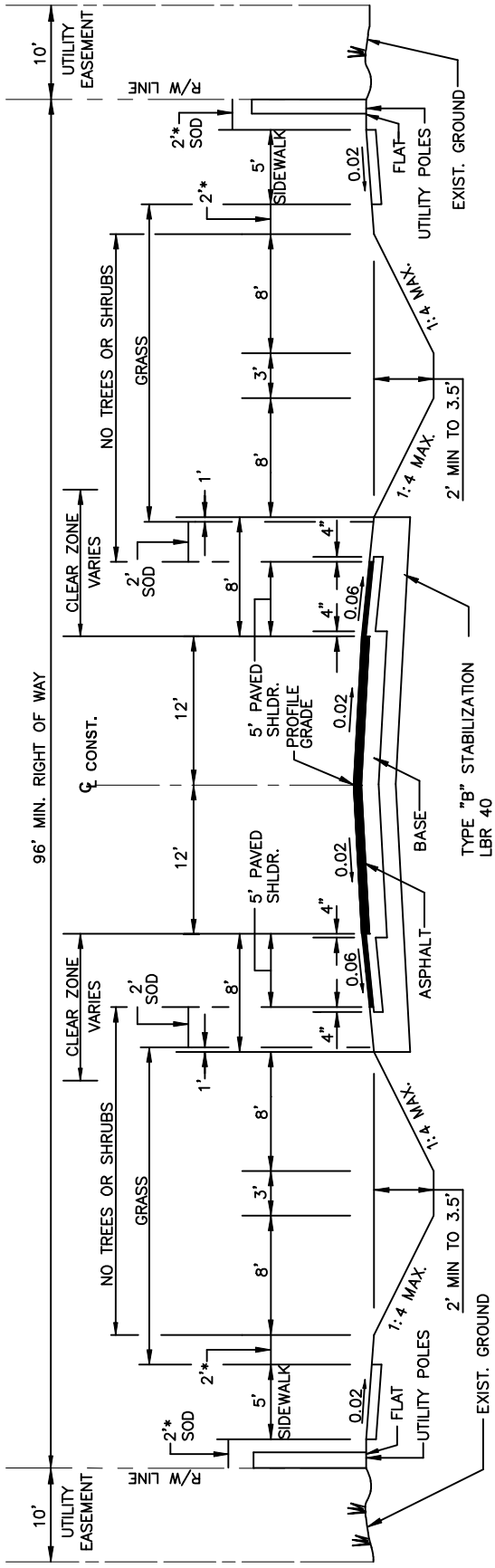
Sincerely,

Michael J. Williams
Hillsborough County Engineer

Figure 1. Location Map



DRAWING NO. TS-7
SHEET NO. 1 OF 1



TYPICAL SECTION

N.T.S.

FOR LESS THAN 10,000 AADT

MAX. ALLOWABLE DESIGN SPEED - 50 MPH

1. ALL DIMENSIONS SHOWN ARE MINIMUM.
2. SEE APPROPRIATE SECTIONS OF TECHNICAL MANUAL FOR DESIGN PARAMETERS.
- * 3. PROVIDE 2' MINIMUM CLEARANCE FROM FENCES, WALLS, HEDGES, ABOVEGROUND UTILITIES OR IMPROVEMENTS, DROP OFFS, OR FROM THE TOPS OF BANKS WITH SLOPES STEEPER THAN 1 TO 4, THAT INTERFERE WITH THE SAFE, FUNCTIONAL USE OF THE SIDEWALK. INTERMITTENT ABOVEGROUND UTILITIES, OR MATURE TREES, 2' OR LESS IN DIAMETER MAY BE PLACED IN THIS 2' STRIP AS FAR FROM THE SIDEWALK AS POSSIBLE, IF NOT IN THE CLEAR ZONE.
4. SOD SHALL BE PLACED IN TWO ROWS STAGGERED. (BOTH TEMPORARY AND PERMANENT)
5. PAVED SHOULDER TO BE STRIPED AS A DESIGNATED BIKE LANE, AS APPROPRIATE.

**LOCAL & COLLECTOR RURAL ROADS
(2 LANE UNDIVIDED)
TYPICAL SECTION**



**TRANSPORTATION
TECHNICAL
MANUAL**

REVISION DATE:
10/17



**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

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- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input type="checkbox"/> New Request <input checked="" type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input type="checkbox"/> 1. Gunn Hwy. AV Turn Lane Request <input type="checkbox"/> 4. <input checked="" type="checkbox"/> 2. Gunn Hwy. AV Substandard Road <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Clark Ricke Property MM 22-1638
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	000960-0600
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	Michael Yates
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0731
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 22-1638
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



July 26, 2023
Revised August 13, 2023

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

RE: Clark Ricke Property: MM 22-1638
Folio: 000960-0600
Administrative Variance Request – Turn Lanes
Palm Traffic Project No. T22103

Dear Mr. Williams:

The purpose of this letter is to provide justification for the administrative variance to meet the requirements of the Hillsborough County Land Development Code (LDC) Section 6.04.04.D (auxiliary lanes) in association with the proposed modification of the existing PD zoning on the property. The existing PD allows for 5,000 square feet of Medical Office and one (1) single family detached home. The proposed modification would allow a 5,000 square foot membership organization building and one (1) single family detached home. The site is located west of Gunn Highway and north of Wayne Road, as shown in Figure 1. This request is made based on our virtual meeting on July 21, 2023, with Hillsborough County staff. The site plan is included as Figure 2.

The project proposes one (1) full access to Gunn Highway, aligning with the secondary access to Keystone Prep driveway to the east. Gunn Highway is identified in the Hillsborough County Functional Classification Map as an arterial road. Additionally, the subject site is within the Keystone-Odesa Community Plan area and is subject to the Keystone-Odesa Rural Development Standards outlined in section 3.08 of the Land Development Code.

As documented in the trip generation provided for the project, during the typical weekday the project is estimated to generate approximately 153 daily trip ends, 11 AM peak hour trip ends and 14 PM peak hour trip ends. Based on these numbers, the project would be below the threshold to warrant Auxiliary Lanes (left or right) per the LDC section 6.04.04.D. However, there is the potential that minor events could be held on the site throughout the year. As a condition of the rezoning, these potential events would be limited to a maximum of 300 people and would be limited to six (6) occurrences within a year.

This request is for an administrative variance to the with LDC Section 6.04.04.D for auxiliary lanes at the project access, for the following reasons: (a) there is an unreasonable burden on the applicant; (b) the variance would not be detrimental to the public health, safety and welfare; and if applicable, (c) without the variance, reasonable access cannot be provided. These items are further discussed below.

a) There is unreasonable burden on the applicant

Based on the estimated trip generation for the site during a typical weekday, the site would not generate enough traffic to warrant an auxiliary lane per the LDC Section 6.04.04.D requirements. However, there is the potential that minor events could be held on the site throughout the year. As a condition of the rezoning, these potential events would be limited to a maximum of 300 people and would be limited to six (6) occurrences within a year. Given the nature of the use and the limited potential occurrence of events, providing auxiliary lanes just due to special events would be an unreasonable burden on the applicant.

b) The variance would not be detrimental to the public health, safety and welfare.

The zoning will provide a condition that requires law enforcement to be utilized to help control traffic during any special event at the site. This will allow for safe ingress and egress to the property during these events. Given the information outlined in this section, the lack of auxiliary lanes on Gunn Highway at the project access during events will not have any impact on public health, safety, or welfare.

c) Without the variance, reasonable access cannot be provided.

Gunn Highway is the only means of access for this property. The land that is adjacent to Wayne Road is a wetland conservation area. Therefore, without the variance, reasonable access cannot be provided.

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

Sincerely,

Palm Traffic

Vicki L
Castro

Digitally signed by
Vicki L Castro
Date: 2023.08.13
18:10:46 -04'00'



Vicki L Castro, P.E.
Principal

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

_____ Disapproved _____ Approved with Conditions _____ Approved

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Sincerely,

Michael J. Williams
Hillsborough County Engineer

Figure 1. Location Map





**Hillsborough
County Florida**
Development Services

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Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. Gunn Hwy. AV Turn Lane Request <input type="checkbox"/> 4. <input type="checkbox"/> 2. Gunn Hwy. AV Substandard Road <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
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Project Name/ Phase	Clark Ricke Property MM 22-1638
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Folio Number(s)	000960-0600
	<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers
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Name of Person Submitting Request	Michael Yates
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
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Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	

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
Gunn Highway	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Wayne Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input 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	189	17	21
Proposed	153	11	14
Difference (+/-)	-36	-6	-7

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

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

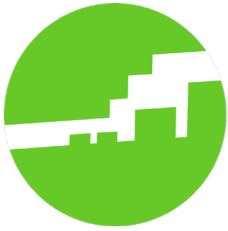
Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Gunn Hwy./Substandard Roadway	Administrative Variance Requested	Approvable
Gunn Hwy./Turn Lane Warrant	Administrative Variance Requested	Approvable
Notes:		

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 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	See report.

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: August 21, 2023	Petition: MM 22-1638
Report Prepared: August 9, 2023	Folio: 960.0600 <i>Northwest of the Gunn Highway and Wayne Road Intersection</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Agricultural/Rural-1/5 (1 du/5 ga; 0.25 FAR)
Service Area	Rural
Community Plan	Keystone Odessa
Request	Modify an existing Planned Development (PD 00-0731) to allow 5,000 square feet non-residential building and a 3,000 square foot residential home
Parcel Size	6.12 ± acres (266,587 square feet)
Street Functional Classification	Gunn Highway – Arterial Wayne Road – Collector
Locational Criteria	Does not meet/waiver request not submitted
Evacuation Area	None



Context

- The 6.12 ± acre subject property is located northwest of the Gunn Highway and Wayne Road intersection.
- The subject property is in the Rural Area and located within the limits of the Keystone Odessa Community Plan.
- The subject property is located within the Agricultural/Rural-1/5 (A/R-1/5) Future Land Use Category, which can be considered for a maximum density of one dwelling unit per five gross acres and a maximum intensity of 0.25 FAR. The intent of the A/R-1/5 Future Land Use category is to designate either those areas of long-term agricultural character or those areas currently involved in agricultural productivity, or other rural uses. This category will also permit residential, rural scale neighborhood commercial, office, and industrial uses meeting established locational criteria. Typical uses of A/R-1/5 include farms, ranches, feed lots, residential uses, rural scale neighborhood commercial uses, offices, industrial uses related to agricultural uses, and mining related activities. Non-residential uses are subject to Commercial Locational Criteria.
- The A/R-1/5 Future Land Use category surrounds the subject site. The A/R-1/5 and Residential-1 (RES-1) Future Land Use categories are interspersed and extend further north, west, and south of the subject site. The Natural Preservation (N) Future Land Use category is located further east and southeast of the subject site.
- According to Hillsborough County Property Appraiser data, the subject site is currently vacant. Natural uses are located north and west of the subject site. A public utility site owned by the Tampa Electric Company is located directly southeast. Educational, vacant, and public institutional uses are located east of the subject site across Gunn Highway. Public institutional and natural uses extend south of the site across Wayne Road. Single family, natural, and vacant uses are interspersed and extend west and north of the subject site.
- Agricultural Rural (AR) zoning surrounds the subject site. Agricultural Single Family Conventional-1 (ASC-1) is located further west and southwest.
- The applicant requests to modify an existing Planned Development (PD 00-0731) to allow a 5,000 square foot non-residential building and a 3,000 square foot residential home.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Rural Area

Objective 4: *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

Land Use Categories

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

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

Policy 8.2: *Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.*

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

Policy 16.1: *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*

Commercial-Locational Criteria

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

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

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

Community Design Component

5.0 Neighborhood Level Design

5.1 Compatibility

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

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

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

ENVIRONMENTAL AND SUSTAINABILITY SECTION

Objective 3.5: Apply adopted criteria, standards, methodologies and procedures to manage and maintain wetlands and/or other surface waters for optimum fisheries and other environmental values in consultation with EPC.

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.

Policy 3.5.4: Regulate and conserve wetlands and/or other surface waters through the application of local rules and regulations including mitigation during the development review process.

LIVABLE COMMUNITIES ELEMENT: Keystone Odessa Community Plan

Rural Residential Community Character

The Keystone-Odessa community desires to retain its rural residential character as an area of lakes, agricultural activities, and homes built on varied lot sizes and in a scattered development pattern. Rural is based on the County's Future Land Use Element, Urban Service Area boundary objectives and policies. Rural design guidelines were developed to implement the Keystone-Odessa Community Plan in order to retain the rural residential character of the Keystone Odessa community planning area. These guidelines have been incorporated into the County's land development code. The adopted provisions do not apply to previously approved planned developments, previously approved subdivision, or any project with unexpired preliminary site development approval prior to the August 1, 2002 adoption date. The community recognizes the development pattern of those projects, but not to continue a similar development pattern other than the adopted Keystone-Odessa Rural Development Standards in the County's Land Development Codes which include standards that:

- achieve "compatibility" between new and existing uses;
- protect the area from suburban and urban sprawl;
- improve design aesthetics to make the physical development of the community more attractive;
- provide for nighttime lighting standards (minimizing light pollution);
- recognize that pre-existing urban scale subdivisions and commercial developments do not set a precedent for additional development of this density and design.

Other Commercial

The desired rural commercial character for the Keystone-Odessa community includes uses which:

- are small in scale; (both in square footage for individual structures and in the FAR);
- are specifically geared to serve the agricultural and equestrian interests in the area;
- are designed using an architectural style which reflects a rural vernacular with metal or wood shake roofs; and,
- have exterior walls constructed of natural materials (vs. a "franchise architecture" appearance).

Staff Analysis of Goals, Objectives, and Policies:

The 6.12 ± acre subject property is located northwest of Gunn Highway and Wayne Road intersection. The subject site is in the Rural Area and within the limits of the Keystone Odessa Community Plan. The applicant is requesting to modify an existing Planned Development (PD 00-0731) to allow 5,000 square feet non-residential building and a 3,000 square foot residential home. The subject site is in the A/R-1/5 Future Land Use category. The A/R-1/5 and Residential-1 (RES-1) Future Land Use categories are interspersed and extend further north, west, and south of the subject site. The Natural Preservation (N) Future Land Use category is located further east and southeast of the subject site. According to Hillsborough County Property Appraiser data, natural uses are located north and west of the subject site. A public utility site owned by the Tampa Electric Company is located directly southeast. Educational, vacant, and public institutional uses are located east of the subject site across Gunn Highway. Public institutional and natural uses extend south of the site across Wayne Road. Single family, natural, and vacant uses are interspersed and extend west and north of the subject site.

Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that the Rural Area shall provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area. The applicant has proposed conditions associated with the development. The proposed conditions are insufficient and conflict with Objective 4 of FLUE. Per the applicant's narrative dated July 5, 2023, the proposed major modification is for a 5,000 square foot membership organization and a 3,000 square foot single-family residential home. The narrative states that the proposed membership organization use is an establishment that provides a location for veterans and their families for group gatherings, group activities, social support, and educational activities, operated by a not-for-profit corporation. The applicant proposes a maximum daily occupancy of 200 people and restricts alcoholic beverage sales or consumption on the premises. Additionally, the applicant has agreed not to allow outdoor, amplified music and will not be providing access to Lake Calm as part of the proposed modification. The request would also allow to host up to 6 large events per calendar year, which may include up to 500 people per event. Overall, the proposed use is not compatible or consistent with the character of the surrounding development. The applicant states that the proposed membership organization use is exempt from Commercial Locational Criteria, as it is not defined a commercial use by the Land Development Code. Planning Commission Staff considers the use described in the narrative as general commercial use and does not consider the use exempt. Planning Commission staff reviewed the narrative, list of conditions and the site plan to consider the impacts of the proposed use on the surrounding area. Overall, these restrictions do not address compatibility concerns with the surrounding uses. The proposed request is too intensive given the rural, residential, and agricultural character of the area and is therefore inconsistent with Objective 4.

According to FLUE Policy 9.1, each Future Land Use category shall have a set of zoning districts that may be permitted within that Future Land Use category. The subject site already has PD zoning which is permitted in all Future Land Use categories. The AR-1/5 Future Land Use is intended for areas of long-term agricultural character, or those areas currently involved in agricultural productivity, or other rural uses. Typical uses include but are not limited to farms, ranches, feed lots, residential uses, rural scale neighborhood commercial uses subject to locational criteria, offices, industrial uses related to

agricultural uses and mining related activities. The request for modification of the PD is not consistent with the uses allowed under the existing Agricultural/Rural-1/5 (AR-1/5) Future Land Use category, as the proposed uses is a characteristic of an urban/suburban use that could potentially become an attractor to an area that envisions being rural in nature. Overall, the proposed commercial uses, with the few restrictions offered, are not consistent with the intent of the AR-1/5 Future Land Use category.

FLUE Objective 8 outlines the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. Policy 8.1 and 8.2 require functional uses to be consistent with their respective Future Land Use category. The AR-1/5 Future Land Use category allows up to a maximum density of one dwelling unit per five gross acres and a maximum intensity of 0.25 floor area ratio (FAR). The applicant is proposing 5,000 sq. ft. of non-residential use, which is less than the maximum permitted under the AR-1/5 Future Land Use category.

FLUE Objective 16 and Policies 16.1, 16.2 and 16.3 establish neighborhoods as functional units of communities that require preservation, protection, and enhancement. The proposed Major Modification would conflict with Policy 16.1, as the development of a commercial use is not compatible with the surrounding uses and too intense its operating characteristics (i.e., vehicular traffic, noise, lighting, etc.). Because of this, the proposed buffers on the west and north ends of the subject property would not provide adequate transition of uses and would directly conflict with Policy 16.2. The overall scale and allowable range of uses at the membership organization is not compatible with the area and would therefore conflict with Policy 16.3 as well.

As previously mentioned, the proposed uses are considered commercial general and are subject to the Commercial Locational Criteria. The subject site does not meet Commercial Locational Criteria as outlined in Objective 22 and Policy 22.1 of the FLUE. Per policy direction, locational Criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas. The closest qualifying intersection is located at Wayne Road and Gunn Highway. According to FLUE Policy 22.2, at least 75% of the subject property must fall within the specified distance from the intersection. The subject property is located approximately 530 feet away from the intersection, which is beyond the 300 feet that is required for an intersection of a major local roadway and a 2-lane roadway per the Commercial Locational Criteria (CLC) table located in FLUE Policy 22.2. Planning Commission staff finds this request inconsistent with CLC.

The Community Design Component (CDC) provides guidance on compatibility at a neighborhood level. Goal 12 and Objective 12-1 encourage neighborhood design to reflect the predominant character of the surroundings and to ensure compatibility. A public school is located to the east, single family residential extends west and north and the Keystone Civic Center is located to the south of the subject site. The overall character of the area is rural residential and agricultural in nature and there are no commercial uses within close proximity to the site. The current range of allowable uses of the proposed Major Modification allows for an intensity that is not compatible with the rural residential and agricultural area surrounding the subject site and is therefore inconsistent with the policy direction of the Community Design Component.

There are wetlands on the subject property. FLUE Objective 13, Policy 13.6 and Objective 3.5, as well as Environmental and Sustainability Section (E&SS) Policies 3.5.1, 3.5.2 and

3.5.4, indicate that new development shall not adversely impact environmentally sensitive areas and other significant natural systems. The applicant's site plan delineates the wetland boundary. The Environmental Protection Agency and the Hillsborough County Natural Resources Department have reviewed the recent submitted site plan and have not indicated that a resubmittal is necessary. Therefore, the request is consistent with the E&SS Policies.

The subject property is located within the limits of the Keystone Odessa Community Plan. The Keystone-Odessa Community Plan establishes characteristics for commercial within the rural areas. The community plan desires small scale commercial uses that are geared to serve the agricultural and equestrian interests of the area. Furthermore, the community plan requires architectural theme which reflects a rural vernacular with metal or wood shake roofs and have exterior walls constructed of natural materials. The applicant has provided a restriction to lighting for shielding and limitation of lighting beyond the property boundaries, which may comply with the Community Plan's lighting standards. However, there are other aspects of the community plan that are not addressed. Although PD 00-0731 may have provided the foundation for this type of proposal, it does not set precedent for the current commercial use. It should also be noted that the original approved Planned Development was not subject to the policies of the Keystone Odessa Community Plan, as this plan was not effective until January 9, 2001. However, any major modifications to an approved PD are subject to the current community plan standards.

Overall, the proposed development would allow for development that is inconsistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan. The request is incompatible with the existing rural residential and agricultural development pattern in the area.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ MM 22-1638

Rezonings

STATUS

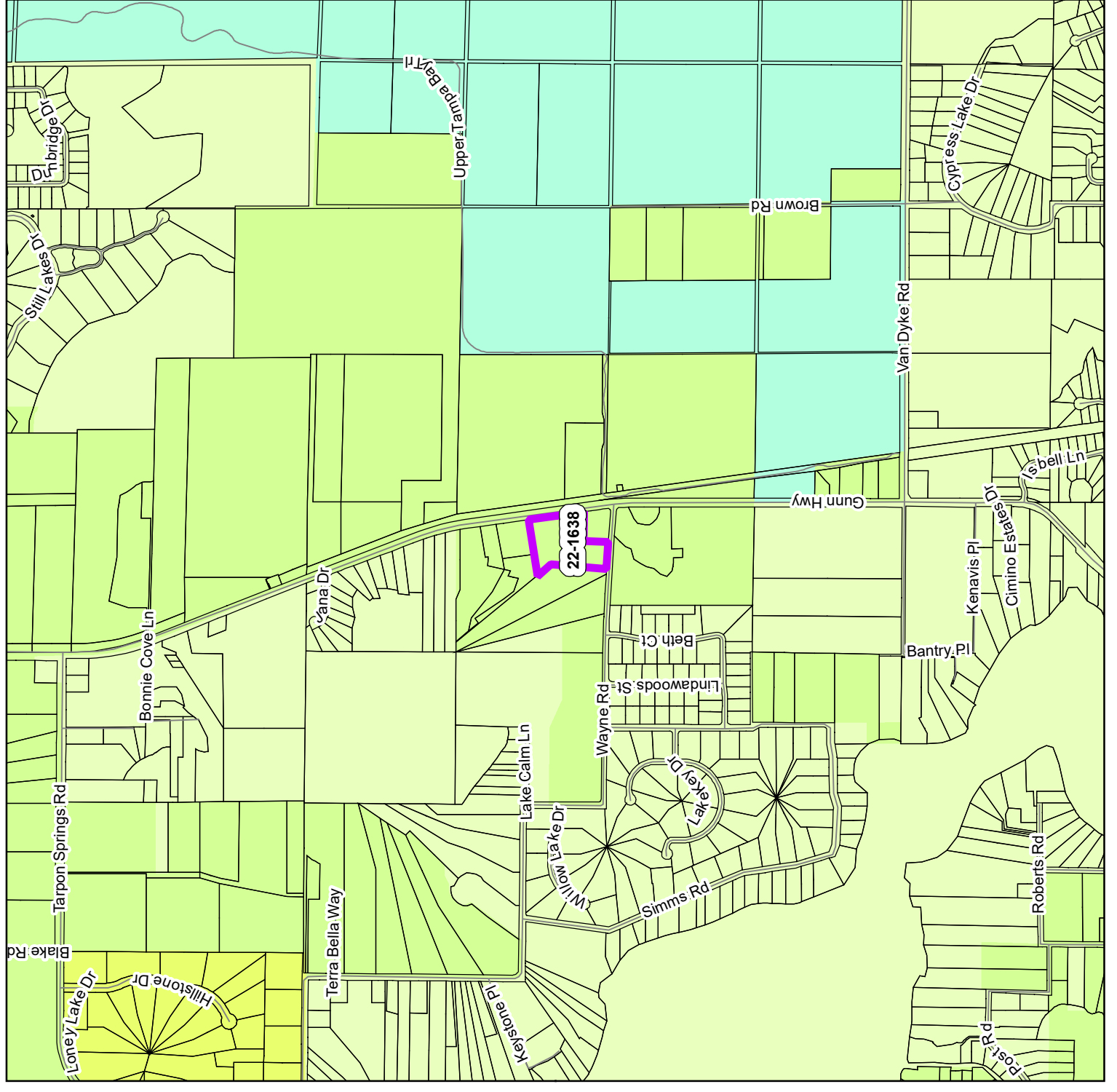
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASH-PUBLIC
- NATURAL PRESERVATION
- WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 11/28/2022
 Author: Beverly F. Daniels
 File: G:\Rezonings\System\MapProjects\HC\Gis\Rezonings - Copy.mxd



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