

Rezoning Application: PD 22-0075 (2nd Remand)
Zoning Hearing Master Date: July 24, 2023
BOCC Land Use Meeting Date: September 12, 2023

1.0 APPLICATION SUMMARY

Applicant: Mattamy Tampa/Sarasota, LLC
FLU Category: RES-4
Service Area: Urban
Site Acreage: 18 +/-
Community Plan Area: Riverview
Overlay: None



Introduction Summary:

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

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

*number represents a pre-development approximation

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

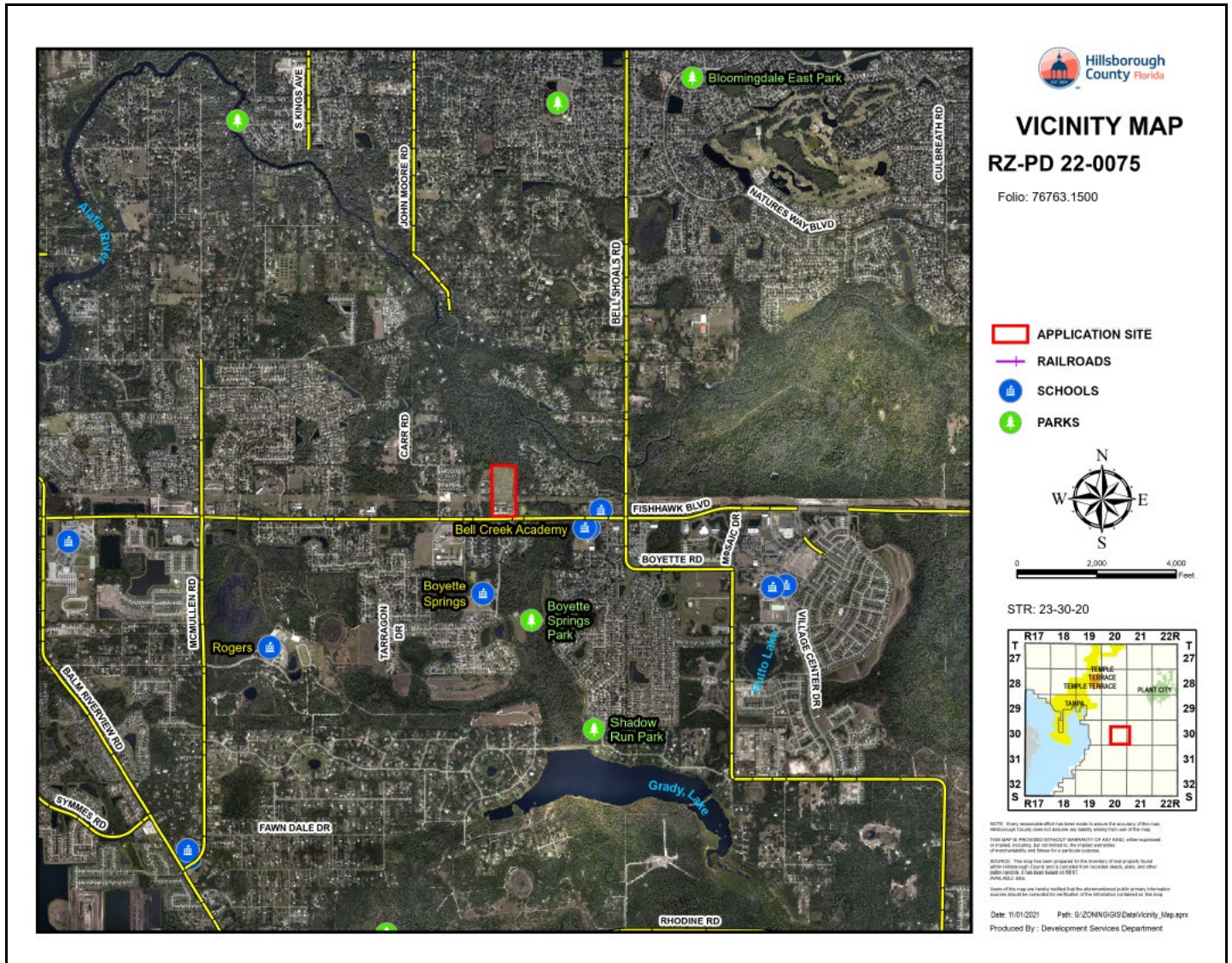
Additional Information:

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

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

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

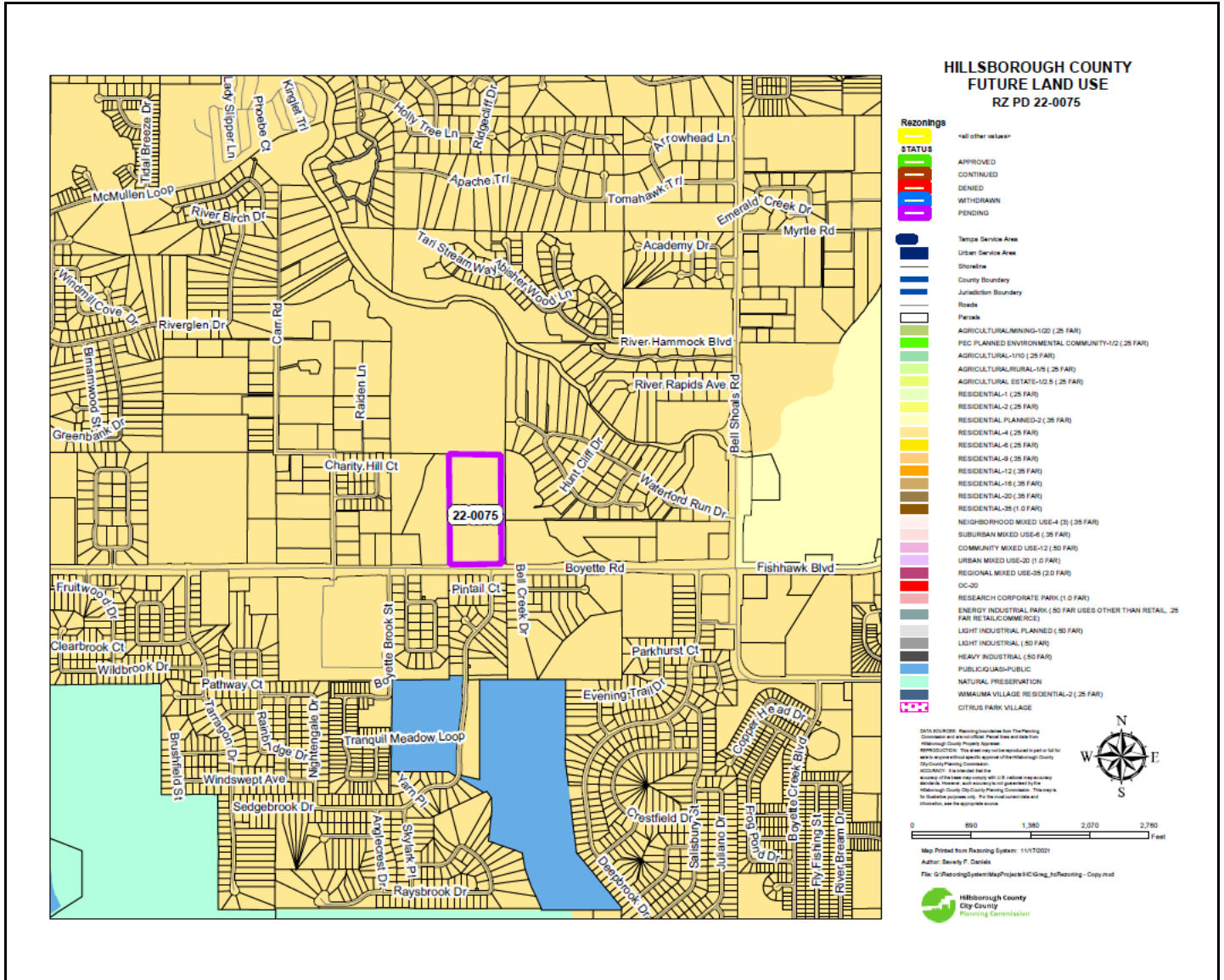


Context of Surrounding Area:

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

2.0 LAND USE MAP SET AND SUMMARY DATA

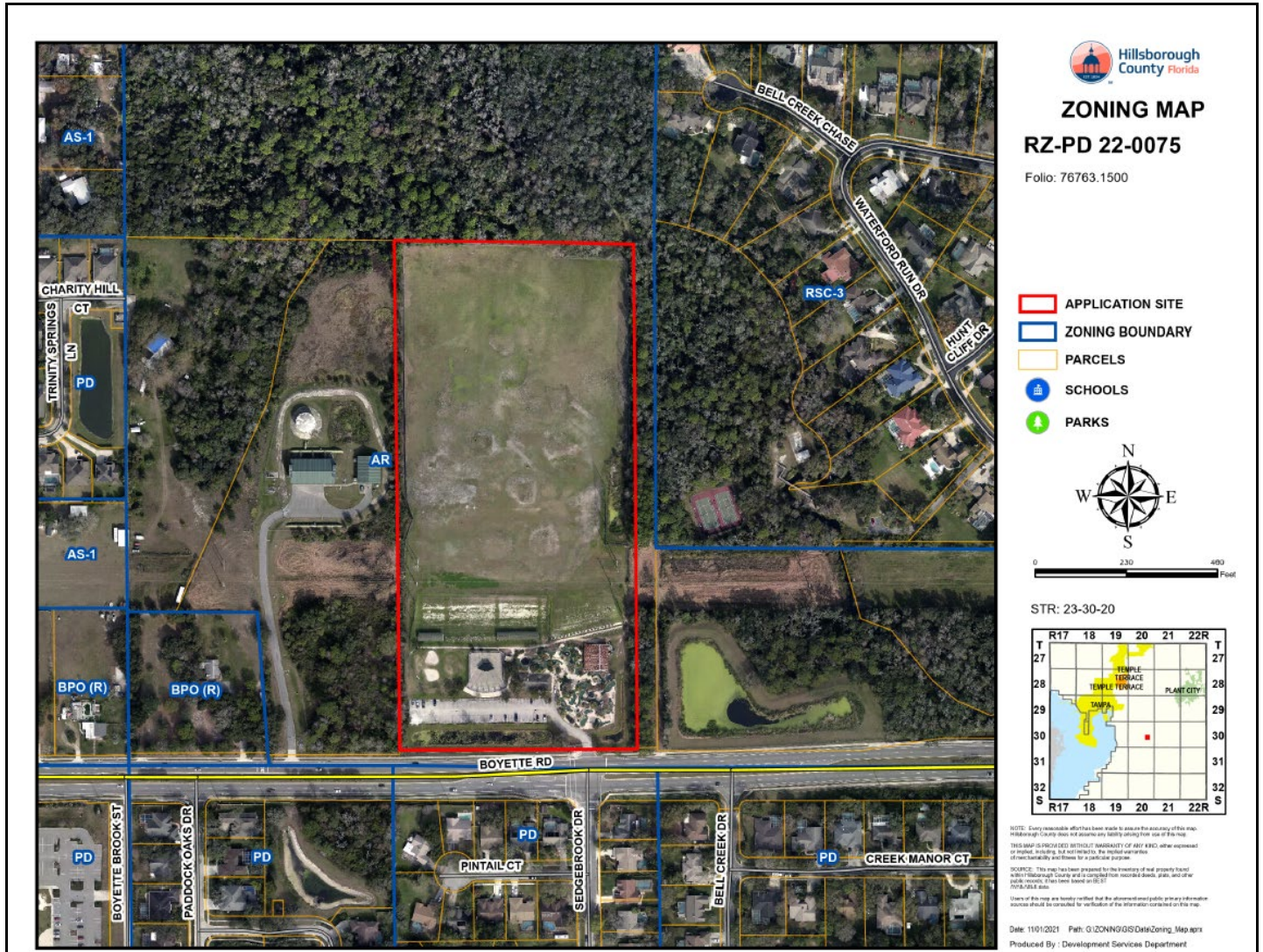
2.2 Future Land Use Map



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

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

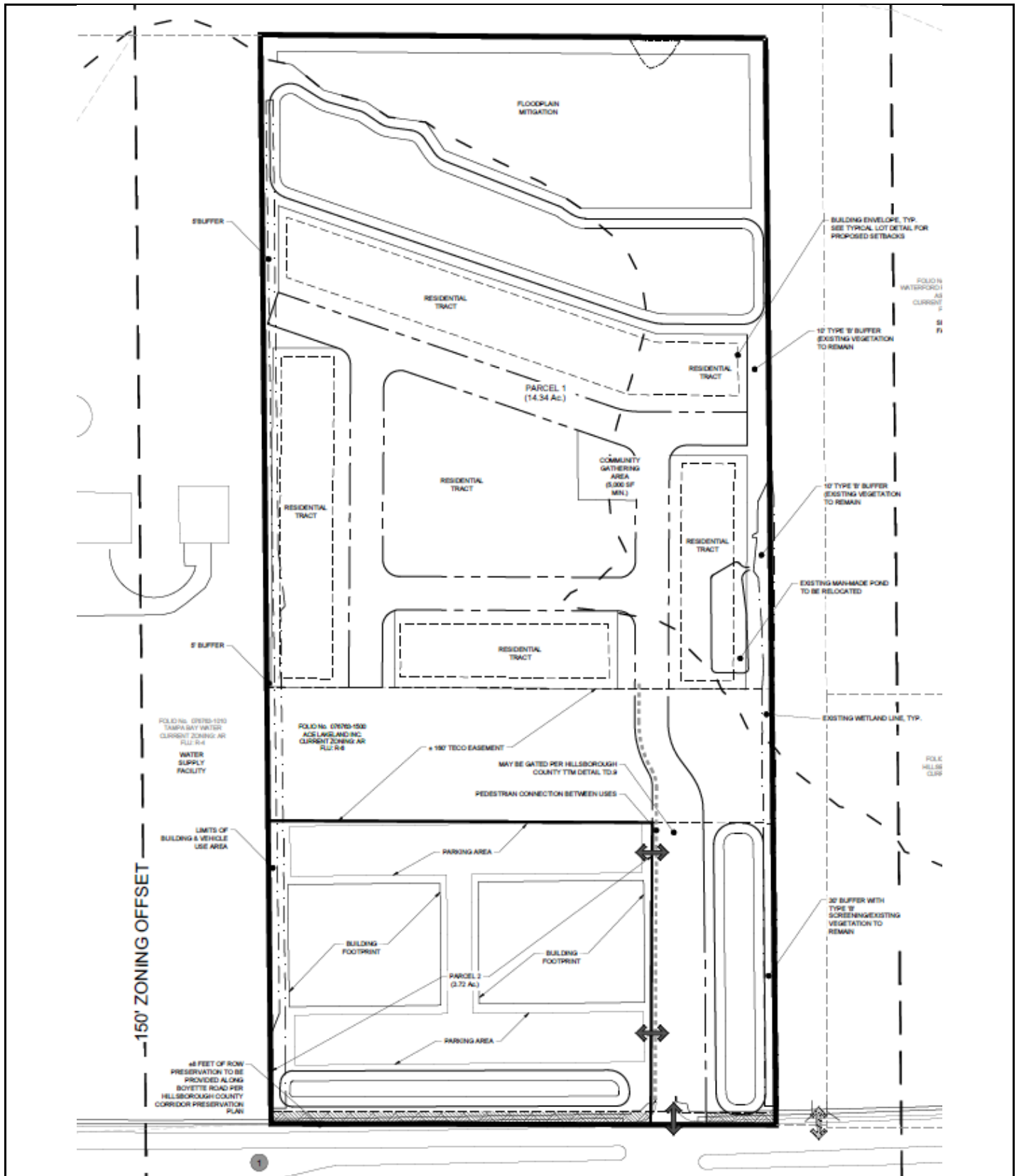


Adjacent Zonings and Uses

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

2.0 LAND USE MAP SET AND SUMMARY DATA

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



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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Boyette Rd.	County Collector - Urban	4 Lanes <input 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 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	630	12	60
Proposed	2,929	224	232
Difference (+/-)	+2,299	+212	+172

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

Connectivity and Cross Access Not applicable for this request

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

Notes:

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.

Notes:

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input 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	See report.

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				
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 type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:				
Transportation				
<input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater				
<input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hillsborough County School Board				
Adequate <input checked="" type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees (Fee estimate is based on a 1,500 square foot, 3 bedroom, 1-2 story townhome) Mobility: \$5,995.00 * 86 units = \$515,570 Parks: \$1,957 * 86 units = \$168,302 School: \$7,027.00 * 86 units = \$604,322 Fire: \$249.00 * 86 units = \$ 21,414 Total townhome = \$1,309,608 Shopping Center ALF (per 1,000 s.f.) (per Bed/Fire per 1k sf) Mobility: \$12,206 Mobility: \$1,128 Fire: \$313 Fire: \$95 Daycare Medical Office (10k or less s.f.) Clinic (per 1,000 s.f.) (per 1,000 s.f.) (per 1,000 s.f.) Mobility: \$11,840 Mobility: \$19,674 Mobility: \$30,011 Fire: \$95 Fire: \$158 Fire: \$95				
Project Summary/Description: Urban Mobility, Central Park, South Fire - 86 townhome units; 31-36k s.f. retail strip; 10k Urgent Care (Clinic), 10k Med Office; 10k Daycare, 125 bed ALF. 10k Charter school. Charter school is exempt from impacts.				
Comprehensive Plan:				
Planning Commission				
<input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

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

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

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

The three use Groups are proposed as follows:

Group A – Retail – No drive-thru

4,500 SF site down restaurant

2,500 SF coffee shop

5,000 SF Bank

4,000 SF Fitness Center

5,000 SF Brewery/Beer Garden

5,000 SF Retail limited to:

Apparel and Shoe Store

Appliance Stores, Small

Art Supply Store

Bicycle Sales/repair

Book/Stationary Store, New and Used

Camera/Photography Store

Florist Shop

Furniture/home furnishings

General Business, Such as Retail Goods and Stores

Jewelry Store (Watch, clock, Jewelry Repair)

New Stand

Novelty and Souvenir Shop

Optician/Optical Supplies

Locksmith

Mail and Package Services

Mail Order Office

Mail Order Pickup Facilities
Pet shop (no outdoor rec area)
Sporting Goods Store

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

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

Group B – Office - No drive-thru

10,000 SF limited to:

Urgent Care (no 24 hour operation)

Outpatient Surgical Center (no 24 hour operation)

Employment Services

Government Office

Health Practitioner's Office

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

Professional Office

Professional Services

Group C – Residence Support - No drive-thru

10,000 SF limited to:

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

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

A waiver to the additional 2-foot setback for every foot above 20-feet in height, per LDC Section 6.01.01. endnote 8 is being requested only on the west side of the site. The 2:1 requirement is to address potential compatibility issues; however, the adjacent use is TBW water facility. There is a 5-foot buffer proposed along the western PD boundary. The eastern boundary will maintain the "2:1" requirement although the closest single-family development is located 500 feet to the east with heavy vegetation functioning as a buffer between both uses. The LDC requires a 5-foot buffer with a Type A screening between the proposed residential use and the adjacent AR zoning along the east/north. With the required 5-foot buffer and building height of 35-feet, an additional 30-foot setback is required ($35' - 20' = 15' \times 2 = 30' + 5'$ buffer). The total required setback is 35 feet. Furthermore, the applicant is committed to include a 6-foot fence with a 10-foot buffer / type B screening.

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

1st Remand

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

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

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

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

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

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

2nd Remand

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

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

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

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

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

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

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

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

5.2 Recommendation

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

6.0 PROPOSED CONDITIONS

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

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

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

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

Development of Parcel 2 shall be limited to the following:

- 1.1 Group A – Retail/commercial – No drive-thru
 - 4,500 SF site down restaurant
 - 2,500 SF coffee shop
 - 5,000 SF Bank
 - 4,000 SF Fitness Center
 - 5,000 SF Brewery/Beer Garden
 - 5,000 SF Retail limited to:
 - Apparel and Shoe Store
 - Appliance Stores, Small
 - Art Supply Store
 - Bicycle Sales/repair
 - Book/Stationary Store, New and Used
 - Camera/Photography Store
 - Florist Shop
 - Furniture/home furnishings
 - General Business, Such as Retail Goods and Stores
 - Jewelry Store (Watch, clock, Jewelry Repair)
 - New Stand
 - Novelty and Souvenir Shop
 - Optician/Optical Supplies
 - Locksmith
 - Mail and Package Services
 - Mail Order Office
 - Mail Order Pickup Facilities
 - Pet shop (no outdoor rec area)
 - Sporting Goods Store
 - 5,000 – 10,000 SF Specialty Food Store to include:
 - Bakery, Candies, & Nuts, Dairy, Delicatessens, Meat Seafood and Produce
- 1.2 Group B – Office - No drive-thru
 - 10,000 SF limited to:
 - Urgent Care (no 24-hour operation)


Outpatient Surgical Center (no 24-hour operation)
 Employment Services
 Government Office
 Health Practitioner's Office
 Medical Offices or Clinics with scheduled or Emergency Services by Physicians (No 24 hr use)
 Professional Office
 Professional Services

- 1.3 Group C – Residence Support - No drive-thru
 10,000 SF limited to:
 Day Care (maximum of 100 children / pet)
 Kennel, subject to LDC Sec. 6.11.52 (breeding, rescue, rehabilitation or adoption is not permitted).
~~Or a Community Residential Home/Memory Care (standards and maximum number of beds in accordance with LDC 6.11.28)~~
- 1.4 ~~Prior to the issuance of any Certificate of Occupancy for 58 or more residential units, two of the non-residential uses listed in the Group lists above shall be constructed with a Certificate of Occupancy issued. —If Parcel 1 (Residential Tract) is developed as the first phase of development in the PD, to ensure the project will provide a mix of uses, the construction plans for Parcel 1 shall include the North South Entry Road with sidewalks and pedestrian connections and utility stub outs necessary to service Parcel 2 (the 3.82 Acre Non-Residential Tract). This infrastructure will serve both Parcel 1 and Parcel 2. Prior to the issuance of any building permits in excess of the 57th dwelling unit, the road and utility infrastructure described above shall be constructed and Certificate of Completion issued.~~ Additionally:
- a. The developer shall pick/develop the required two uses from different Groups.
 - b. If Parcel 2 (non-residential) is developed in more than one phase, a Preliminary Site Development Plan (PSDP) shall be required to be submitted for site development review and approval. The PSDP shall include the use proposed in Phase 1 along with the most intense use from the other Group lists as Phase 2 demonstrating adequate land area for maximum building footprint, minimum required parking spaces, open space, etc. for the second non-residential use. For instance, if a developer proposes a use from Group A as Phase 1, the PSDP shall include a the most intense use from Group B. Or, if a developer proposes a use from Group B or C as Phase 1, the PSDP shall include the most intense use from Group A.
 - c. No single non-residential use shall be less than 2,500 sq. ft. in building space.
- 1.5 Buildings containing Non-residential uses shall be of a residential character in their design. At a minimum, the buildings shall be subject to the below:
- a. Architecturally finished on all sides. Cladded in brick, stucco, or wood siding. Paint shall not constitute an architectural finish.
 - b. Pitched roofs, if provided, shall be a minimum of 4 to 12 in pitch.
 - c. Flat roofs shall provide a cornice at least 12 inches high and projected at least 2 inches.
 - d. Windows facing roads (external/internal) shall include a trim consistent with the architectural style of the building.
 - e. At least 50 percent of the facades area facing the Boyette Rd. shall consist of windows, awnings, entrances, columns, porches, stoops, pilasters, or similar features.

2. Development standards shall be as indicated in the General Site Development Plan and as follows:
- 2.1 Single Family attached units in Parcel 1:
- | | |
|----------------------------|---|
| Maximum building height | 35 feet/2 stories |
| Minimum front yard setback | 20 feet |
| Minimum side yard setback | 20 feet (between buildings) |
| Minimum rear yard setback | 10 feet to PD lines |
| | Along the east PD line, a minimum of 35 feet of building setback shall be maintained. |
| Maximum impervious area | 75% |
- 2.4 Non-Residential Uses in Parcel 2:
- In accordance with the CN zoning district development standards (see condition 11 for right-of-way preservation). Buildings shall be limited to one story.
3. Open space and Community Gathering Areas shall be provided for the residential project and subject to LDC Sec 6.02.18.
4. Buffer and screening between adjacent parcels shall be as depicted in the General Site Plan. Existing vegetation in lieu of the required plantings shall be permitted, subject to Natural Resources approval. A 10-foot buffer and Type B screening with a 6-foot high solid fence (non-white Trex style) shall be maintained along the east PD line in Parcel 1, as shown on the General Site Plan. The fence shall be installed at least 10 feet from the PD line.
5. The additional 2 feet of building setback required for every foot of building height over 20 feet in accordance with LDC 6.01.01 footnote 8 shall not apply to west PD line, in Parcel 1.
6. The site is subject to the requirements of LDC Sec. 6.06.03.I.2.b. Scenic Corridor Easement.
7. The developer shall be permitted one (1) full connection to Boyette Road.
8. The unutilized driveway aprons shall be removed; and curbing and grass strip restored to meet typical standards.
9. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundary.
10. The developer shall extend the existing eastbound left turn lane into the project on Boyette Rd with the initial increment of development.
11. As Boyette Road is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate 8 feet of right of way preservation along the project frontage on Boyette Road. Building setbacks shall be calculated from the future right-of-way line.
12. The floodplain compensation area's 4:1 slope shall be planted with native species on 3-foot centers for herbaceous ground cover, 5-foot centers for shrubs, and 10-foot centers for trees where feasible and subject to review and approval by the County's Stormwater Review staff.
- ~~123.~~ Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as

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

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

Zoning Administrator Sign Off:	 <p>J. Brian Grady Mon Jul 17 2023 08:27:07</p>
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS



Current overall Site Aerial

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA: RV/South

DATE: 03/30/2022
AGENCY/DEPT: Transportation
PETITION NO: PD 22-0075

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

CONDITIONS OF APPROVAL

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

OTHER CONDITIONS:

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

PROJECT SUMMARY AND ANALYSIS

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

Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 10th Edition.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR: Mini-Golf (ITE 431)	60*	0	6
AR: Golf Driving Range (ITE 432)	410	12	38
AR: Batting Cage (ITE 433)	160*	0	16
Total Trips	630	12	60

*Estimated based on PM peak hour trips.

Proposed Zoning:

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

Trip Generation Difference:

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

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

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

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

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

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

SITE ACCESS

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

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

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

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

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Boyette Rd.	County Collector - Urban	4 Lanes <input 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 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	630	12	60
Proposed	2,929	224	232
Difference (+/-)	+2,299	+212	+172

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

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

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

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input 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	See report.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: July 25, 2023 Report Prepared: July 11, 2023	REMAND PD 22-0075 12910 Boyette Road <i>North of Boyette Road, east of Carr Road, west of Bell Shoals Road, and south of the Alafia River</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan:	Riverview
Requested Zoning:	Agricultural Rural (AR) to Planned Development (PD) to allow for 86 Townhomes with a density bonus and 20,000 square feet. of limited Commercial Neighborhood (CN) from two distinct use categories
Parcel Size (Approx.):	17.66 ± acres
Street Functional Classification:	Carr Road - Local Boyette Road - County Arterial Bell Shoals Road - County Collector
Locational Criteria	Does not meet; waiver requested
Evacuation Zone	None



Plan Hillsborough
planhillsborough.org
planner@plancom.org
 813 – 272 – 5940
 601 E Kennedy Blvd
 18th floor
 Tampa, FL, 33602

Context

- The 17.66 acre subject site is located at 12910 Boyette Road, north of Boyette Road and east of Carr Road, west of Bell Shoals Road and south of the Alafia River.
- The subject site is in the Urban Service Area (USA) and is within the limits of the Riverview Community Plan.
- The subject site is in the Residential-4 (RES-4) Future Land Use category. The RES-4 Future Land Use surrounds the property and allows residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses will need to meet locational criteria for specific land uses and agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. The RES-4 Future Land Use category allows up to a maximum of four (4) dwelling units an acre and suburban scale neighborhood commercial, office, multi-purpose or mixed-use projects are limited to 175,000 square feet or 0.25 FAR, whichever is less intense.
- The property currently has Agricultural Rural (AR) zoning. The AR zoning district is also found to the north, west and a portion to the east. Planned Development (PD04-1822) and the Agricultural Single-Family-1 (AS-1) zoning is found further to the west and northwest. To the southwest is Business Professional Office (BPO), Office Residential (OR), Commercial Neighborhood (CN) and PD 05-0107, approved for 15,000 square feet of business professional office use. To the south and southeast is PD 19-0081, approved for 74 residential dwelling units on 5,000 square foot lots. To the northeast is Residential Single-Family Conventional-3 (RSC-3).
- The property's existing use is a recreational golf course. To the south, southeast, and southwest are single-family detached homes. Further southwest is Saint Stephens Catholic Church and School. To the east is public/quasi-public institutions which contains the Hillsborough County South Central Water Pump Station. Further to the east is single-family detached housing. To the north of the property is the vacant land owned by the Tampa Bay Conservancy. Northeast is the western boundary of a large single-family detached home subdivision with frontage directly on Bell Shoals Road. To the east is public/quasi-public institutions which is owned by Hillsborough County and contains a large water retention pond.
- The applicant requests to rezone the subject site from Agricultural Rural (AR) to Planned Development (PD) to allow for 86 Townhomes with a density bonus and 20,000 square feet of limited Commercial Neighborhood (CN) from two distinct use categories.
- The applicant is proposing to utilize bonus density for mixed-use developments that is outlined in FLUE Policy 19.3.
- The applicant requested a remand at the April 11, 2023, regularly scheduled Land Use Meeting to the June 20, 2023 Zoning Hearing Master to remove community residential homes from the list of uses.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

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.

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.

Community Development and Land Uses

Neighborhood/Community Development

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

Policy 16.2: *Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.*

Policy 16.3: *Development and redevelopment shall be integrated with the adjacent land uses through:*

- a) *the creation of like uses; or*
- b) *creation of complementary uses; or*
- c) *mitigation of adverse impacts; and*
- d) *transportation/pedestrian connections*

Policy 16.10: *Any density increase shall be compatible with existing, proposed, or planned surrounding development. 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 17: *Neighborhood and Community Serving Uses: Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.*

Policy 17.7: *New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.*

Mixed Use Land Use Categories

Objective 19: *All development in the mixed use categories shall be integrated and interconnected to each other.*

Policy 19.2: *In the mixed use land use categories, when two or more uses are required on the same project, then the development shall be implemented through a zoning district that demonstrates street connectivity, description of land uses, and site placement, access locations and internal connections at a minimum.*

Policy 19.3: *Incentives for Mixed Use: The following incentives are available to encourage mixed use and vertically integrated mixed use projects within the Urban Service Area:*

- *Parking structures shall not count towards the FAR for projects that include 3 or more land uses or vertically integrate two land uses.*

- *Projects that either include 3 or more land uses or vertically integrate two land uses may utilize a density bonus to the next higher land use category or the following FAR bonus:*
 - *Property with a Future Land Use Category of 35 units per acre and/or 1.00 FAR and higher and within the USA – may increase up to 50 units and/or an additional .50 FAR*
 - *Property within a Future Land Use Category of 9 units per acre and/or .5 FAR and higher and within the USA – Increase in FAR by .25*
 - *Property within a Future Land Use Category of 4 units per acre and/or .25 FAR and higher and within the USA – Increase in FAR by .10*
- *When considering mixed use projects of 3 or more land uses, a different housing type (multi-family, attached single family or detached single family) may be considered as one of the uses.*

Commercial-Locational Criteria

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

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

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

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.*

LIVABLE COMMUNITIES ELEMENT

1.0 Community and Special Area Studies

Riverview Community Plan

IV. Goals

The plan's vision is supported by the following thirteen goals (listed in priority order) with accompanying strategies:

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

- *Develop Riverview district-specific design guidelines and standards.*

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

Mixed Use-Commercial-Residential

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

Transportation

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

Miscellaneous

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

Goal 2 *Reflect the vision of Riverview using the Riverview District Concept Map. The Riverview District Concept Map will illustrate the unique qualities and land uses related to distinct geographic areas identified as "districts".*

The following specific districts are incorporated into the Riverview District Concept Map. Require future development and redevelopment to comply with the adopted Riverview District Concept Map.

1. *Hwy 301 Corridor – Provide a safe, attractive and efficient corridor system that contributes to the character and economic well-being of the community and provides a sense of arrival.*
2. *Downtown – Focus and direct mixed-use development to create an aesthetically pleasing and pedestrian-friendly downtown.*
3. *Riverfront – Recognize the historical, environmental, scenic, and recreational value of the Alafia River.*
4. *Mixed Use – Focus and direct development toward walkable mixed-use town center locations throughout the community while respecting existing land use.*
5. *Residential – Encourage attractive residential development that complements the surrounding character and promotes housing diversity.*

6. *Industrial—Attract employment centers and desirable industry with appropriate infrastructure in areas without conflicting with surrounding land use.*
7. *Open Space – Build upon the county owned Boyette Scrub lands by acquiring lands from willing sellers.*

Goal 4 *Provide safe, attractive, efficient multi-modal transportation, including vehicular, bicycle/pedestrian and transit.*

- *Protect the capacity of low-volume neighborhood and uncongested roads.*
- *Explore opportunities for constructing a bridge across the Alafia as an alternative north-south transportation route.*
- *Prioritize and improve major connector roadways and intersections to improve safety and efficiency concurrently as the community grows.*
- *Provide sidewalks, pedestrian crossings, bike lanes, and connections to the Hillsborough County Greenway and Trail Master Plan, and extend crossing signal times and use traffic calming techniques along major thoroughfares.*
- *Expand mass transit, such as more bus stops and routes and park and ride facilities.*
- *Diligently enforce traffic speed laws.*
- *Provide safe and efficient emergency evacuation routes.*
- *Continue to implement the Livable Roadways strategies and "Guidelines for Landscaping Hillsborough County Roadways" (or updated replacement documents) for enhancing the appearance of major roadways (such as Boyette Road, US 301, Riverview Drive and Balm-Riverview Road).*
- *Encourage increased participation in Keep Hillsborough County Beautiful Program (KHCB).*
- *Implement access management standards such as frontage roads, joint access points, rear lot access points, and managed turning movements.*
- *Discourage speeding and cut-through traffic by designing roadways with traffic calming measures and using appropriate design speeds to prevent implementation of reactive traffic calming techniques (i.e. speed humps) after construction).*
- *Coordinate with the Florida Department of Transportation and the County to ensure adequate notice, education and awareness of hazardous material truck and disposal routes and activities.*
- *Prepare and adopt a US Highway 301 Corridor Plan Overlay that also designates mixed-use town centers.*

- *Enhance the appearance of US Highway 301 with attractively landscaped medians, tree plantings, sidewalks and the provision of pedestrian-scale lighting.*
- *Establish east/west pedestrian crossings along US Highway 301 to facilitate access to retail opportunities and other destinations (i.e., library, school, neighborhoods). To this end, consider a pedestrian overpass and traffic calming techniques as options.*
- *Remove roadside vendors at busy intersections (Hwy. 301/Big Bend Road, Boyette Road and Balm Riverview Road).*

Goal 6 *Prioritize the significance of improved quality, enjoyment, and protection of the Alafia River and other natural resources such as open space.*

- *Promote environmental education and awareness programs to promote water conservation, Florida Friendly landscaping techniques, and to protect water quality and environmental resources.*
- *Reduce to the extent possible Future Land Use Map densities and intensities along the Alafia River to maintain, preserve, and protect the environmental quality and wildlife habitat of the Alafia River and surrounding watershed.*
- *Protect the water quality and wildlife habitat associated with the Alafia watershed.*

Support environmental agencies such as the Southwest Florida Water Management District and the Department of Environmental Protection in protecting and restoring shoreline integrity and river ecosystems.

Staff Analysis of Goals, Objectives and Policies:

The 17.66 ± acre subject site is located at 12910 Boyette Road, north of Boyette Road, east of Carr Road, west of Bell Shoals Road and south of the Alafia River. The subject site is in the Urban Service Area (USA) and is within the limits of the Riverview Community Plan. The applicant requests to rezone the subject site from Agricultural Rural (AR) to Planned Development (PD) to allow 86 Townhomes and 20,000 square feet of limited Commercial Neighborhood (CN) uses from distinct use categories. The applicant requested a remand at the April 11, 2023 Regularly scheduled Land Use Meeting to the June 20, 2023 Zoning Hearing Master to remove community residential home from the list of uses.

The request complies with Future Land Use Element (FLUE) Objective 1, which requires development to be directed into the Urban Service Area. Objective 8 emphasizes consistency with the maximum permitted density and intensity per the Future Land Use category and consistency with the character of each land use category. The subject site is in the Residential-4 (RES-4) Future Land Use category. The RES-4 FLU surrounds the property and allows residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses will need to meet locational criteria for specific land uses and agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. The RES-4 Future Land Use category allows up to a maximum of four (4) dwelling units an acre and suburban scale neighborhood commercial, office, multi-purpose or mixed-use projects are limited to 175,000 square feet or 0.25 FAR, whichever is less intense.

The area is mostly composed of residential single-family. However, there are a few parcels with office and residential support uses northwest, northeast and south of the Carr Road and Boyette Road intersection. The property's existing use is a recreational golf course. To the south, southeast, and southwest are single-family detached homes. Further southwest is Saint Stephens Catholic Church and School. To the east is public/quasi-public institutions which contains the Hillsborough County South Central Water Pump Station. Further to the east is single-family detached housing. To the north of the property is the vacant land owned by the Tampa Bay Conservancy. Northeast is the western boundary of a large single-family detached home subdivision with frontage directly on Bell Shoals Road. To the east is public/quasi-public institutions which is owned by Hillsborough County and contains a large water retention pond.

The proposed development is consistent with Policy 1.4 and Policy 8.1, which requires compatibility with the surrounding uses. The request is surrounded by detached residential to the northeast and southeast, and a large preservation area is located to the north. A school is located directly across the street on the south side of Boyette. Directly abutting the site to the west is a Public Institutional use that borders a large portion of the subject site on the western boundary.

Policy 9.1 indicates that the proposed zoning must be consistent with the Future Land Use category. The PD zoning district is intended for design flexibility in cases where standard district regulations are inadequate to protect surrounding property. The intent of these districts is to encourage creative, innovative, and/or mixed-use development, and to ensure and promote land use compatibility and harmony for land that is to be planned and developed in a single development operation or a programmed series of development phases.

The applicant's proposed site plan dated May 31, 2023 is consistent with FLUE Objective 8, which requires consistency with the Future Land categories maximum densities and intensities. The applicant's site plan indicates a Floor Area Ratio (FAR) of 0.19, which is below the maximum 0.25 FAR per the RES-4 Future Land Use category. The applicant's proposed density of six (6) dwelling units to the acre (du/ac), exceeds that permitted of the RES-4 Future Land Use category. However, the applicant is proposing a mixed-use development that will utilize the bonus density outlined in FLUE Policy 19.3. A condition has been placed on the proposed development to ensure all three uses are developed to comply with the bonus density criteria. FLUE Policy 16.10 refers to the compatibility of density increases, and Goal 6 of the Riverview Community plan seeks to protect the Alafia River. The Alafia River is to the north of the property, adjacent to the preservation area and does not abut the property. The property does contain a small portion of Coastal High Hazard Area (CHHA) in the northeast corner but no development is proposed in this location. Commercial neighborhood (CN) uses have been proposed for the non-residential portion of the development to help meet the density bonus provisions under FLUE Policy 19.3. The applicant proposes to limit the CN uses to help achieve consistency with FLUE Policy 16.3 by protect the surrounding residential and natural preservation use. Furthermore, non-residential use is limited to the southern portion of the property as depicted on the proposed site plan. Residential use is limited to the northern portion of the property and no setback reductions have been proposed adjacent to the natural preservation areas.

The proposed request is consistent with Objective 16 and Policy 16.3 which refers to the protection of existing neighborhoods. As previously mentioned, the area is mostly single-

family detached residential with residential support uses and a preserve area. The proposed mix of uses will complement the area and blend architecturally. The applicant is committed to limiting the height to one-story and to an architectural finish on all four sides with a residential-like appearance. The applicant has stated in the narrative that the minimum lot size for the townhomes will be 1,620 square feet, with a maximum height of 35 feet. A waiver to the setback is requested only on the west side of the property and Planning Commission staff see no compatibility issues as the adjacent use is Public Institutional. No other setback reductions have been requested.

The subject site does not meet the Commercial Locational Criteria (CLC) of Objective 22 and FLUE Policies 22.1 and 22.8. The site is located west and approximately 2,500 linear feet from the intersection of Boyette Road and Bell Shoals Road, the nearest qualifying intersection. The applicant has requested a waiver to CLC with an accompanying justification. The applicant states that the proposed commercial uses are part of a mixed-use development and the proposed CN uses are limited. Furthermore, the applicant proposes to limit the size of each use to no greater than 5,000 square feet for most uses and up to 10,000 square feet for specific uses such as a medical office or a specialty food store. The proposed list of uses has been thoroughly reviewed and selected to help compliment the surrounding area; it is not intended to introduce intensive retail uses. Staff recommends approval of the waiver to CLC.

The Community Design Component (CDC) in the Future Land Use Element of the Comprehensive Plan contains policy direction about designing developments that relate to the predominant character of the surroundings (CDC Goal 12). It further states that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area (CDC Objective 12-1). A recent site visit indicates that this area is low-density in nature, and commercial use is concentrated the intersection of Boyette Road and Carr Road. However, the proposed uses are relatively passive commercial uses that would not intensify the area.

Objective 19 and Policy 19.2 indicates that a mixed-use development must be integrated. Policy 16.2 requires the gradual transition between uses. The applicant's site plan shows the commercial buildings are in the southern portion of the property facing south towards Boyette Road. The proposed site plan shows an integrated design to the residential use located on the northern portion of the property, and a gradual transition from the natural preservation area to the north and east, consistent with the policy direction.

The request also meets Goal 1 of the Riverview Community Plan, which strives to achieve better design and densities compatible with Riverview vision. The intent of this policy is to avoid commercial strip patterns, require and maintain appropriate buffering to preservation and open space, none of which the proposed request accomplishes. Furthermore, Goal 4 refers to the protection and maintain of low volume roads. The proposed mix-use development with the limited CN uses would complement the area and could provide residential support uses.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ PD 22-0075

Rezonings

<all other values>

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service Area

Urban Service Area

Shoreline

County Boundary

Jurisdiction Boundary

Roads

Parcels

AGRICULTURAL/MINING-120 (.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-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/QUASI-PUBLIC

NATURAL PRESERVATION

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)

CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning. The map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning. The map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning.

ACCURACY: It is intended that the map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning. The map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning. The map is intended to be used for informational purposes only and does not constitute an offer for any specific rezoning.

Hillsborough County
City-County
Planning Commission

Map Printed from Rezoning System: 11/17/2021
Author: Beverly F. Daniels
File: G:\Rezoning\System\MapProjects\HC\Rezoning\Rezoning - Copy.mxd

0 890 1,380 2,070 2,760 Feet

