Rezoning Application:

PD 23-0517

Zoning Hearing Master Date:

November 13, 2023

BOCC Land Use Meeting Date:

January 9, 2024



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: CJDW Rivera, LLC

FLU Category: SMU-6

Service Area: Urban

Site Acreage: Approximately 15.64 acres

Community

Overlay:

Plan Area: None

None



Introduction Summary:

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses including the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

Zoning:	Existing	Proposed
District(s)	AR	Proposed
Typical General Use(s)	Single-Family Residential/Agricultural	Limited Commercial Intensive
Acreage	15.64 acres	15.64 acres
Density/Intensity	Minimum 5 acres per SF home	Maximum 0.25 FAR

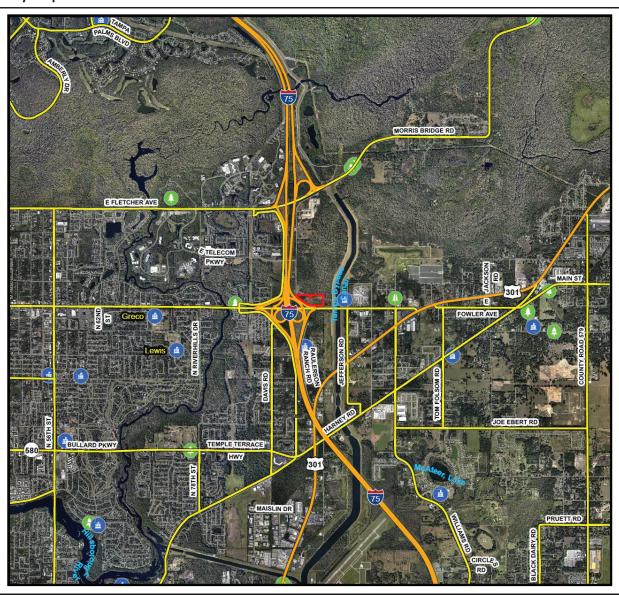
Development Standards:		Existing	Proposed		
District(s)		AR	PD		
Setbacks/Buffering and Screening	Front: 50 ft. Side: 25 ft. Rear: 50 ft.		South/West (along I-75 on-ramp): 85 ft. setback with 6 ft. opaque fence East: 165 ft. setback North (front) along 122 nd Avenue: 125 ft. front building setback 30 ft. buffer with Type "B" landscape		
Height		50 ft. Max. Ht.	50 ft. Max. Ht.		
Additional Information:	Additional Information:				
PD Variation(s)		None requested as part of this application			
Waiver(s) to the Land Develo	ver(s) to the Land Development Code None requested as part of this application.				

Planning Commission Recommendation:	Development Services Recommendation:	
INCONSISTENT	APPROVABLE, Subject to Conditions.	

Case Reviewer: Tim Lampkin, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

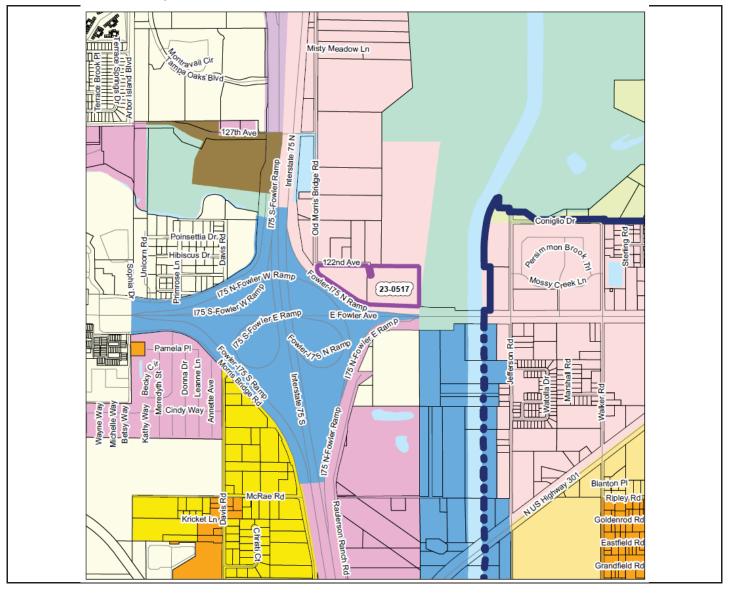
The subject property is located on the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue.

The immediate area surrounding the property is developed with a mix of uses with Commercial Neighborhood to the west and single-family uses to the north. AS-1 is located to the north across 122nd Avenue and developed with single-family homes. AR zoning is located to the northeast and east of the subject site. On the east side of the subject site is an approximately 390-acre property owned by Southwest Florida Water Management District. Further north is mostly single-family development with some commercial development.

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



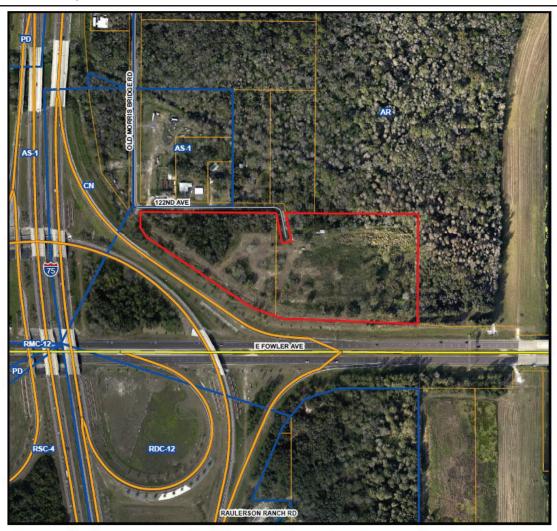
Case Reviewer: Tim Lampkin, AICP

Subject Site Future Land Use Category:	SMU-6
Maximum Density/F.A.R.:	6 du/acre;
Typical Uses:	Typical uses in the SMU-6 include residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, and mixed-use.

Case Reviewer: Tim Lampkin, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

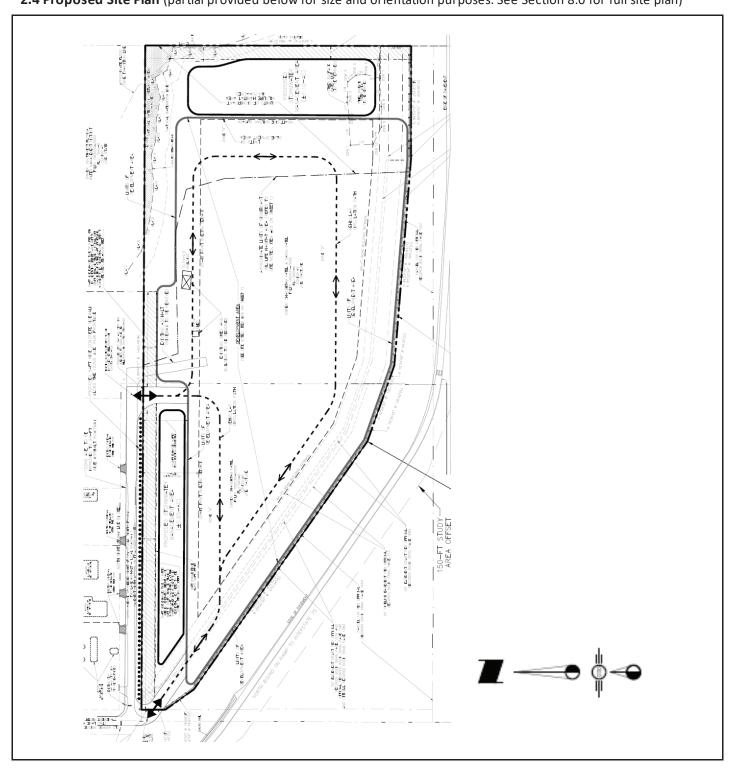


Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	AS-1; AR	1 acre per dwelling	Agricultural / SF	SF and AG uses	
South	I-75 and Fowler Rd. ROW	NA	NA	I-75 on ramp and Fowler Rd. ROW	
East	AR	Min. 5 acres per dwelling	Agricultural / SF	390-acre SWFWMD Land	
West	CN and I-75 ROW	Max. FAR: 0.2	Commercial	Vacant	

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

Case Reviewer: Tim Lampkin, AICP



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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	
		2 Lanes	☐ Corridor Preservation Plan	
Old Morris Bridge Rd.	County Local - Rural	⊠ Substandard Road	☐ Site Access Improvements	
		Sufficient ROW Width		
			☐ Other	
	County Local - Rural	2 Lanes	☐ Corridor Preservation Plan	
122 nd Ave.		⊠ Substandard Road	☐ Site Access Improvements	
		☐ Sufficient ROW Width	☐ Other	

Project Trip Generation ☐ Not applicable for this request					
Average Annual Daily Trips A.M. Peak Hour Trips P.M. Peak Hour Trips					
Existing	28	2	3		
Proposed	927	121	151		
Difference (+/-)	+899	+119	+148		

^{*}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	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	Х	None	None	Meets LDC
Notes:			-	•

Design Exception/Administrative Variance ☐ Not applicable for this request				
Road Name/Nature of Request Type Finding				
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable		
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable		
Notes:				

4.0 Additional Site Information & Agency Comments Summary				
Transportation Objections Conditions Additional Requested Information/Commer				
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	☐ Yes ☐ N/A ☐ No	Yes No No	See report.	

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4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	,
Natural Resources	⊠ Yes □ No	□ Yes ⊠ No	⊠ Yes □ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Check if Applicable: ☑ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☑ Surface Water Resource Protection Area	 □ Potable Water Wellfield Protection Area ☑ Significant Wildlife Habitat (Upland Wildlife Habitat Area) □ Coastal High Hazard Area □ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property ☑ Other: Airport Incompatible Use Area/Height Restriction 130' 			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☑ Design Exc./Adm. Variance Requested ☑ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	See Transportation Report.
Service Area/ Water & Wastewater ⊠ Urban □ City of Tampa □ Rural ⊠ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No	See Water Resources Report, dated 11/06/23.
Hillsborough County School Board Adequate □ K-5 □6-8 □9-12 ⊠N/A Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□ Yes ⊠ No	□ Yes □ No	□ Yes □ No	
Impact/Mobility Fees Warehouse Manufacturin (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$1,337 Mobility: \$3,3 Fire: \$34 Fire: \$34 Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Auto Sales (Per 1,000 s.f.) Mobility: \$725 Mobility: \$1	.) 15 f.)	Light Industria (Per 1,000 s.f. Mobility: \$4,2 Fire: \$57)	

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Fire: \$32	Fire: \$313					
Urban Mobility, Northeast Fire - Warehouse, Distribution, Industrial, storage, vehicle sales. Up to 35,000 sq ft						
		Comments		Conditions	۱ ما ما ۱ ۱ د م م ا	
Comprehensive Plan:		Received	Findings	Requested	Additional Information/Comments	
Comprehensive Plan: Planning Commission			Findings			
•	iteria □N/A		Findings Inconsistent			

APPLICATION NUMBER:

 $\hfill\square$ Minimum Density Met

PD 23-0517

 \square N/A

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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses limited to the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

The immediate area surrounding the property is predominantly developed with residential and agricultural. Vacant commercial is located to the west of the subject site. Immediately north across 122nd Avenue are single-family homes, agricultural uses and vacant parcels. To the immediate east is undeveloped property owned by Southwest Florida Water Management District (SWFWMD).

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The applicant is required to have an 8-foot Vehicular Use Area buffer along 122nd Avenue. The site plan illustrates mitigation measures to create greater compatibility with the adjacent residential development to the north side of 122nd Avenue directly across from the subject site. These mitigation measures include a 30-foot buffer with Type "B" screening. To maintain the visual view for the neighbors to the immediate north across 122nd Avenue, the applicant proposes to allow the use of existing vegetation in lieu of the proposed LDC Sec. 6.06.06 (Type "B) required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening plan at the time of site and development review. This alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. The applicant proposes this alternative landscaping along the northern boundary where there is extensive natural vegetation creating a natural buffer and natural distance separation from the proposed development and adjacent properties across the 122nd Avenue right-of-way. The 6 ft. fence is proposed to be located 30 feet south of the northern boundary along 122nd Avenue behind the natural landscaped area. South of the fence the applicant proposes a stormwater management area. The applicant proposes a 125-foot front building setback along the entire front of the subject property, and a 100-foot area with landscaping fronting 122nd Avenue in the northwestern portion of the subject site.

The applicant proposes a 6-foot-high opaque fence along the southern property line (rear of the subject site) adjacent to the Instersate-75 on-ramp and Fowler Road portion of the site that meets the on-ramp. Along the northeastern and eastern property boundary adjacent to the wetland buffer is a 390-acre Southwest Florida Management District property (Lower Hillsborough Wilderness Preserve), requires a 30-foot buffer with Type "B" screening. The applicant proposes to allow the use of existing vegetation in lieu of LDC Sec. 6.06.06 required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening planting. The applicant is seeking the alternative screening to ensure protection of the existing native vegetation and habitat adjacent to Lower Hillsborough Wilderness Preserve. Along the east side, the applicant proposes a 165-foot building setback and a 1.10-acre stormwater management area.

The Planning Commission report acknowledges additional buffering, screening and setbacks proposed by the applicant. However, the proposed development does not meet "Neighborhood Protection" policies nor Commercial Locational Criteria, and other policies as stated in the Planning Commission report. Overall, the proposed Planned Development has **not** been found consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

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The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning and has determined a resubmittal is not necessary for the site plan's current configuration. The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

Transportation Design Exceptions:

- 1. Old Morris Bridge Road is a substandard roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.
- 2. 122nd Avenue is a substandard roadway, the applicant's Engineer of Record (EOR) submitted Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.

5.2 Recommendation

Based on the above considerations, staff finds the request APPROVABLE.

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Prior to site plan certification, the applicant shall complete the following:

- Remove "East Rural Community Plan" from the site plan.
- o Revise Site Date Table, Note 10:
 - "Not to exceed 170,000 sf Warehouse and Min-storage / 60,000 sf all other uses" TO
 - to "Not to exceed a maximum of total 170,000 square feet for mini warehouse; warehouse with or without storage; trucking and truck terminal. May not exceed a maximum total 60,000 square feet for contractor's office with or without open storage; open storage and outdoor sales; sales, rental and service of new and/or used commercial vehicles, buses and trucks."
- o Revise "100-ft. enhanced buffer from existing residential" TO "100-ft. landscaped and stormwater buffer area".
- Revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way".

6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted October 24, 2023.

- 1. The project shall be developed in general conformance with the October 24, 2024, site plan and be limited to the following uses.
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The uses if combined shall be subject to the maximum square feet for buildings shown on the site plan, however, any combination of uses shall be limited by the maximum FAR permitted for the SMU-6 Comprehensive Plan category (0.25 FAR) and limited by the total trip generation rate of 121 AM peak hour trips and 151 PM peak hour trips, as studied in the Transportation Analysis.

2. The development shall comply with the standards shown on the October 24, 2023, site plan and the following development standards.

a. Minimum Rear (South/West) Building Setback:
b. Minimum Front Yard Building Setback:
c. Minimum Side Yard Building (East) Setback:
d. Maximum Building Height:
50 feet*

*Any height greater than 50 feet shall comply with Section 6.01.01, endnote 8.

- 3. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code with the following exceptions.
 - a. A 30-foot buffer with Type "B" screening along the northern property boundary, including along 122nd Avenue, excluding access points off 122nd Avenue.
 - Existing vegetation, excluding invasive plant species, may be retained in lieu of construction of the 6foot-high screening located adjacent to the Wetland Conservation Area setback area where said
 vegetation is at least 6 feet in height and provides an overall opacity of seventy-five percent on the

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northeast and east portions of the property boundary.

- Existing vegetation, excluding invasive plant species, may be retained in lieu of the replanting landscaping along the north boundary along 122nd Avenue.
- A 6-foot opaque fence shall be located on the rear (south) perimeter of the subject site.
- 4. Screening of trash and recycling receptacles, service areas, and other similar areas shall be in accordance with Section 3.13.03 of the LDC.
- 5. Parking shall be in compliance with Section 6.05.00 of the Land Development Code.
- 6. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8' shoulders on the bridge or as approved by Public Works.
- 7. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- 8. A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- 9. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- 10. Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided consistent with the LDC.
- 11. 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.
- 12. An evaluation of the property identified the potential existence of significant wildlife habitat as delineated on the Hillsborough County Significant Wildlife Habitat Map. The potential for upland significant wildlife habitat within the boundaries of the proposed application shall require the preliminary site plan and site construction plans to identify its existence by type (mesic or xeric) and location and how the Land Development Code preservation provision for upland significant wildlife habitat will be addressed. See Section 4.01.08 in the Land Development Code. The proposed site plan may require modifications during the site construction plan review process to address this Code requirement.
- 13. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.

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14. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

- 15. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
- 16. The subject application is adjacent to the Wilderness Conservation Park. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.
- 17. 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.
- 18. 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.
- 19. 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).
- 20. 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.
- 21. 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, unless otherwise stated herein.
- 22. 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.
- 23. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not

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been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:

trator Sign Off:

J. Brian Grady

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

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

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

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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.

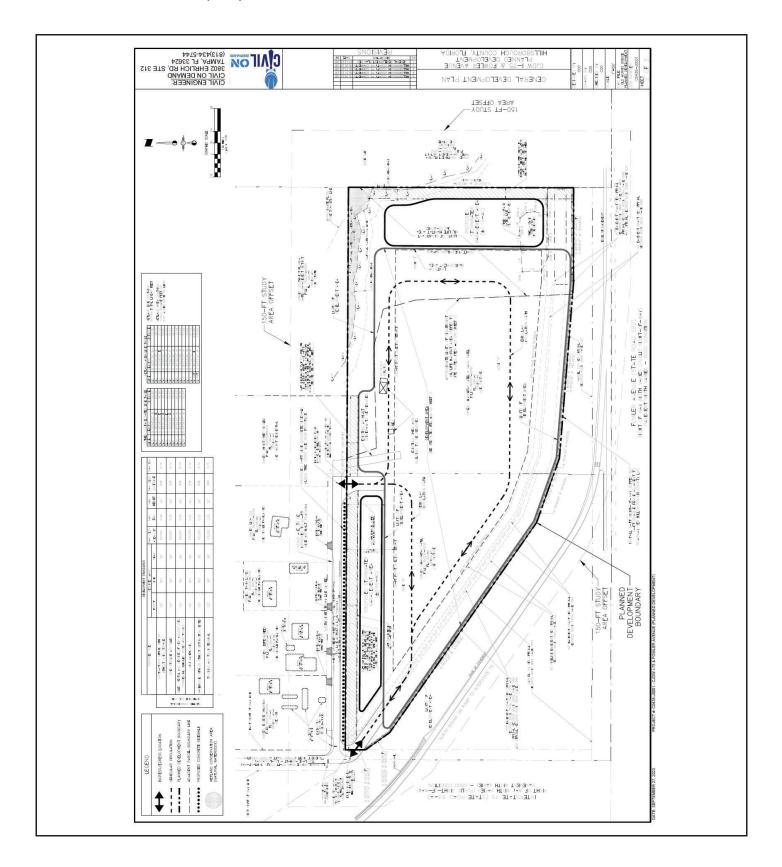
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7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

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8.0 PROPOSED SITE PLAN (FULL)



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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: Richard Perez, AICP
PLANNING AREA: East Rural

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

- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8-foot shoulders on the bridge or as approved by Public Works.
- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided 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.

Other Conditions:

 Prior to certification, the applicant shall revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way"

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels, totaling 15.64 acres, from Agricultural Residential to Planned Development to allow the following uses with certain building square footage limitations:

- a. Maximum 60,000-sf building:
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
- b. Maximum 170,000-sf building:
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The site is located on the east side of Old Morris Bridge Rd. and south of 122nd Ave. The Future Land Use designation is Suburban Mixed Use 6 (SMU-6).

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, 11th Edition.

Approved PD:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
C,	Volume	AM	PM
AR: 3 Single Family Detached Units (ITE 210)	28	2	3

Proposed PD Modification:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
C	Volume	AM	PM
PD: 60,000 sf, Specialty Contractor (ITE 180)	586	100	116
PD: 235,224 sf, Outdoor Storage (ITE 151)	341	21	35
TOTAL	927	121	151

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
	Two-Way Volume	AM	PM
Difference (+/-)	+899	+119	+148

The proposed rezoning would generally result in an increase of trips potentially generated by +899 average daily trips, +121 trips in the a.m. peak hour, and +151 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Old Morris Bridge Rd, and 122nd Ave.

Old Morris Bridge Rd. is a 2-lane, substandard, rural local roadway characterized by +/- 10-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 54-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to 127th Ave., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

<u>122 Ave.</u> is a 2-lane, substandard, rural local roadway characterized by +/- 8-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 50-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to Old Morris Bridge Rd., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

SITE ACCESS

The PD site plan proposes one full access connection on Old Morris Bridge Rd. and one full access connection on 122nd Ave.

As demonstrated by the site access analysis submitted by the applicant's traffic engineer, the project does not meet warrants for site access improvements (i.e. turn lanes) at the projects access connection.

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

REQUESTED DESIGN EXCEPTION-OLD MORRIS BRIDGE RD SUBSTANDARD ROADWAY

As Old Morris Bridge Rd is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve Old Morris Bridge Rd. to 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave.

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

REQUESTED DESIGN EXCEPTION- 122nd AVENUE SUBSTANDARD ROADWAY

As 122nd Ave. is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve 122nd Ave. to 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.

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

LEVEL OF SERVICE (LOS)

Old Morris Bridge Rd. and 122nd Ave. are not regulated roadways.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]

Sent: Monday, November 6, 2023 6:43 PM **To:** Steven Henry [shenry@lincks.com]

CC: ggrimes@bradley.com; Lampkin, Timothy [LampkinT@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org];

PW-CEIntake@hillsboroughcounty.org]; De Leon, Eleonor

[DeLeonE@hillsboroughcounty.org]

Subject: FW: RZ PD 23-0517 - Design Exception Review

Attachments: 23-0517 DEAdIn 11-06-23_1.pdf; 23-0517 DEAdIn 11-06-23_2.pdf

Importance: High

Steve,

I have found the attached Design Exceptions (DE) for PD 23-0517 APPROVABLE with CONDITIONS. The Condition being that the 8' shoulders will continue across the bridge.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hillsboroughcounty.org</u> 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 <u>PW-CEIntake@hillsboroughcounty.org</u>

Mike

Michael J. Williams, P.E.

Director, Development Review County EngineerDevelopment 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

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Monday, November 6, 2023 5:46 PM

To: Williams, Michael < Williams M@Hillsborough County. ORG>; De Leon, Eleonor

<DeLeonE@hillsboroughcounty.org>

Cc: Perez, Richard < Perez RL@ hills borough county.org > **Subject:** RZ PD 23-0517 - Design Exception Review

Importance: High

Hello Mike,

The attached DEs are Approvable to me, please include the following people in your response.

shenry@lincks.com
ggrimes@bradley.com
lampkint@hillsboroughcounty.org
perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE (she/her/hers)

Transportation Review ManagerDevelopment Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

<u>Facebook</u> | <u>Twitter</u> | <u>YouTube</u> | <u>LinkedIn</u> | <u>HCFL Stay Safe</u>

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	 Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.) 			
Submittal Type (check one)				
Submittal Number and	▼ 1. Submittal 05/11/2023			
Description/Running History (check one and complete text box	$ \underline{\mathbf{x}} _2$. First Re-Submittal 08/30/2023 $ \underline{\mathbf{x}} _5$. Fourth Re-Submittal 11/06/2023			
using instructions provided below)	\mathbf{x}_{3} . Second Re-Submittal 09/27/2023 \mathbf{a}_{6} .			
submittal number/name to each separate request number previously identified. It is critical that the ap	uests (whether of the same or different type), please use the above fields to assign a unique. Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. If information related to a previously submitted request, then the applicant would check the			
Project Name/ Phase CJDW I-75& Fov	vler Ave PD			
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	uture communications and submittals of additional/revised information relating to this variance. list that phase.			
Folio Number(s) 060036-0000; 0	60037-000			
Tono Hamber(3)	Check This Box If There Are More Than Five Folio Numbers			
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").				
Name of Person Submitting Request	Steve Henry/Gina Grimes			
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The			
Current Property Zoning Designation	AR			
Designation. Typing "N/A" or "Unknown" will result to County Zoning Atlas, which is available at https://me	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.			
Pending Zoning Application Number	PD 23-0517			
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not MM for major modifications, PRS for minor modifications/personal appearances.			
Related Project Identification Number	N/A			

1 of 1

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office 60,000 Square Feet
- Outdoor Storage 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, Old Morris Bridge Road is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Old Morris Bridge Road. The segment of Old Morris Bridge Road currently has the following characteristics:

- Two (2) lane rural roadway
- Ten (10) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7:

1) Lane Width – TS-7 has 12 foot lanes. The existing roadway has 10 foot lanes.

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has 8 foot shoulder with 5 feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has 5 foot sidewalk on both sides of the road. There are no sidewalks along the utilized segment of the roadway.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches on the roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet including widening the existing bridge to provide twelve (12) foot lanes.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

Based on the above, it is our opinion, the proposed improvements to Old Morris Bridge Road will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

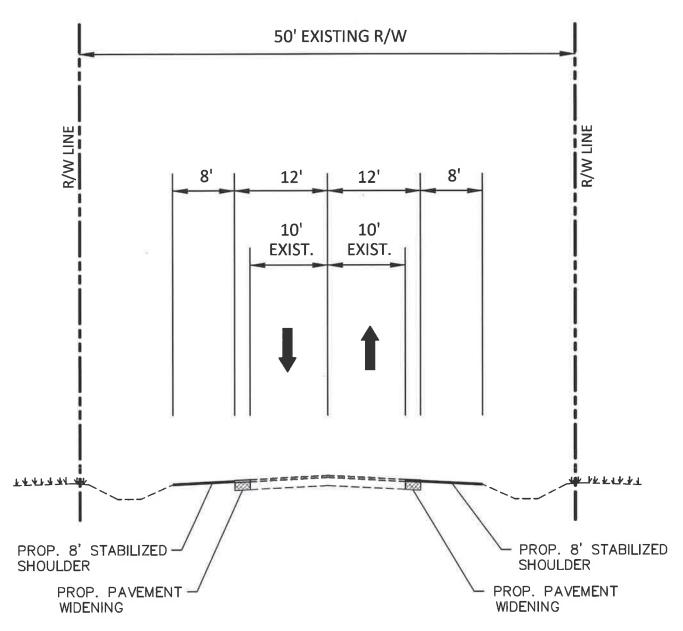
information.	any questions of require any additional
Best Regards.	
Steven J Henry	
resident	All Xas
Lincks & Associates, Inc. P.E. #5/855	
1,2. #9,000	
960	
Based on the information provided by the app	olicant this request is:
	oncant, this request is.
Disapproved	oncant, this request is.
Disapproved	»
	*
Approved	s clarification, please contact Sheida
Approved Approved with Condition If there are any further questions or you need	s clarification, please contact Sheida
Approved Approved with Condition If there are any further questions or you need	clarification, please contact Sheida poroughcounty.org.
Approved Approved with Condition If there are any further questions or you need	s clarification, please contact Sheida poroughcounty.org.
Approved Approved with Condition If there are any further questions or you need	clarification, please contact Sheida coroughcounty.org.

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

'n	Total	116	35	151		
M Peak Ho	PM Peak Hour Trip Ends	Ont	79	16 19 35	86	
<u>a</u>		드	37	16	53	
'n		Total		21		
/I Peak Ho	AM Peak Hour Trip Ends	Ont	26	തി	35	
A		듸	74	12	98	
	Daily	Trip Ends	589	341	930	
		Size	60,000 SF	235,224 SF	Total	
	믵		180	151		
Si di		Land Use	Contractor's Office	Outdoor Storage		

(1) Source: ITE Trip Generation Manual, 11th Edition, 2021,

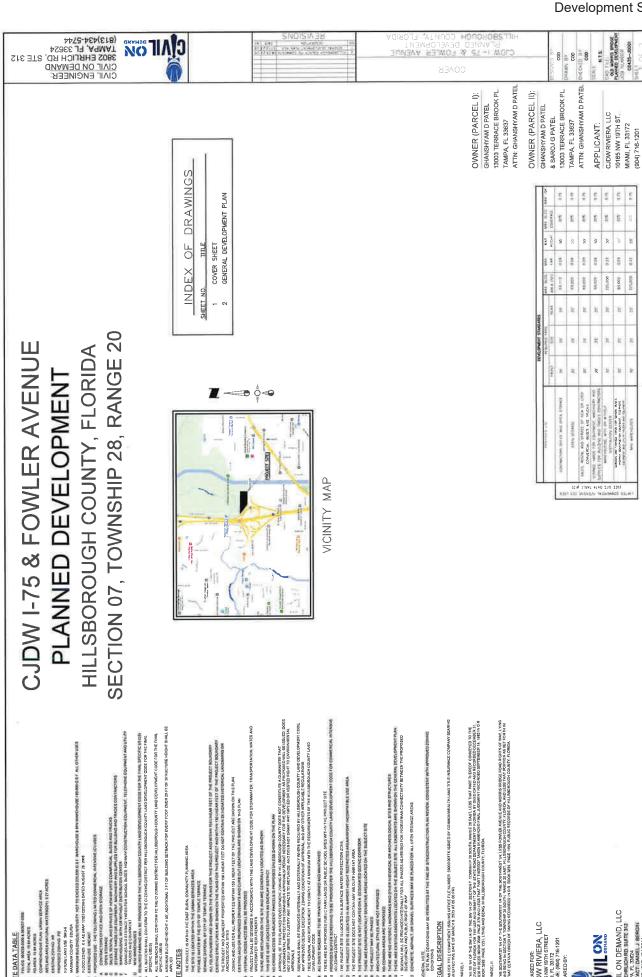


TYPICAL SECTION
OLD MORRIS BRIDGE ROAD



PD PLAN





(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

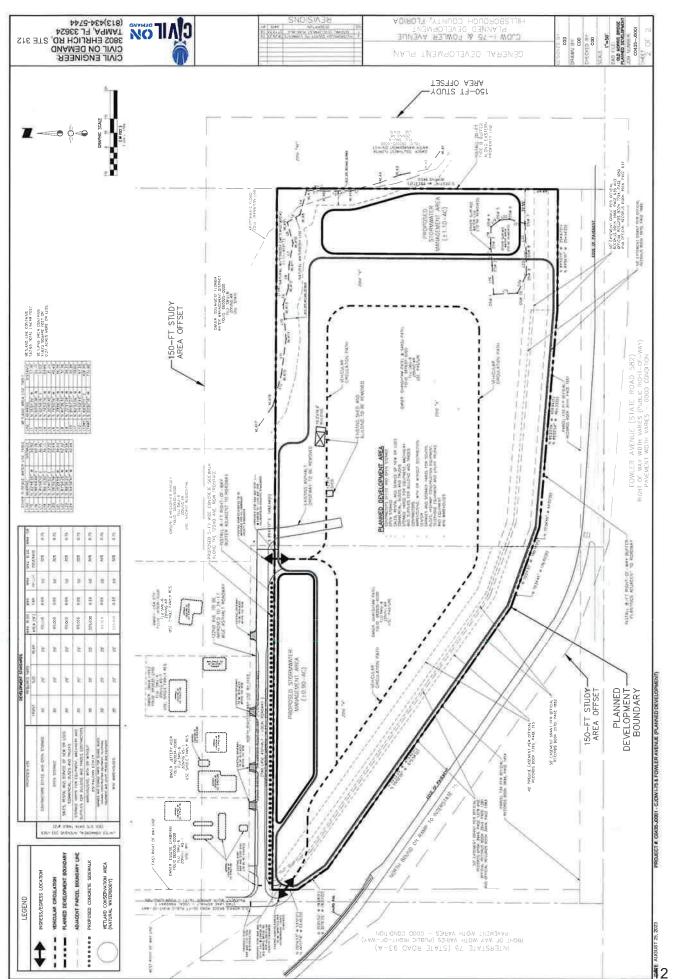
EGAL DESCRIPTION

HERE ARE USE HERE LANGUAGES AND DRIVE AND DRIVEN AND DR

CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 317 TAMPA FL 23524 CONTACT DATEL J BERGH PHONE: (813) 4345744

CWIL ORHAND

PREPARED FOR:
CJDW RIVIERA, LLC
10165 NW 19TH STREET
MIAM, FL 33172
PROPARED BY:

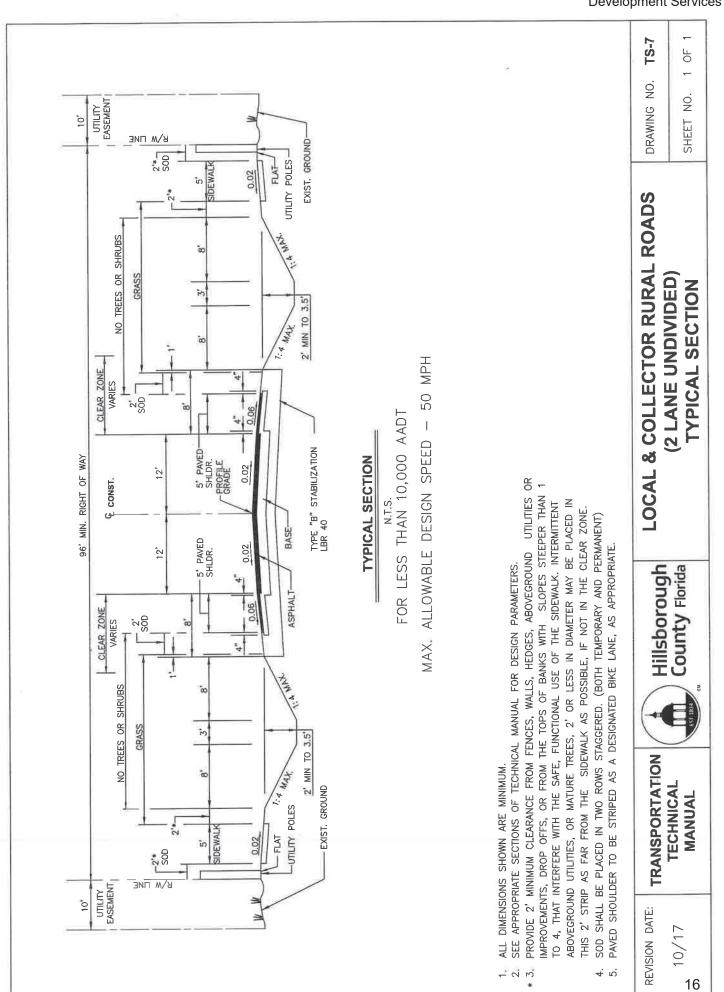


HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7







Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

complete this form.	
Request Type (check one)	 Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	☐ New Request ☐ Revised Request ☐ Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	\times 1. Submittal 05/11/2023
submittal number/name to each separate request. number previously identified. It is critical that the ap	nests (whether of the same or different type), please use the above fields to assign a unique. Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. If information related to a previously submitted request, then the applicant would check the
Project Name/ Phase CJDW I-75& Fov	vler Ave PD
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	iture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 060036-0000; 0	60037-000
Tollo (4diliber(3)	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Folio by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Steve Henry/Gina Grimes
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
Current Property Zoning Designation	AR
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at https://mc	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.
Pending Zoning Application Number	PD 23-0517
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 11M for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number (Site/Subdivision Application Number)	N/A

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".

1 of 1

17 05/2020



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for 122nd Avenue from Old Morris Bridge Road to the project access.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office 60,000 Square Feet
- Outdoor Storage 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, 122nd Avenue is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for 122nd Avenue. The segment of 122nd Avenue currently has the following characteristics:

- Two (2) lane rural roadway
- Seven (7) / eight (8) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7.

 Lane Width – TS-7 has twelve (12) lanes. The existing roadway has seven(7) / eight(8) foot lanes. Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has eight (8) foot shoulder with five (5) feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has five (5) foot sidewalk on both sides of the road. There are no sidewalks on the road.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches along the existing roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for 122nd Avenue from Old Morris Bridge Road to the project access.

Based on the above, it is our opinion, the proposed improvements to 122nd Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

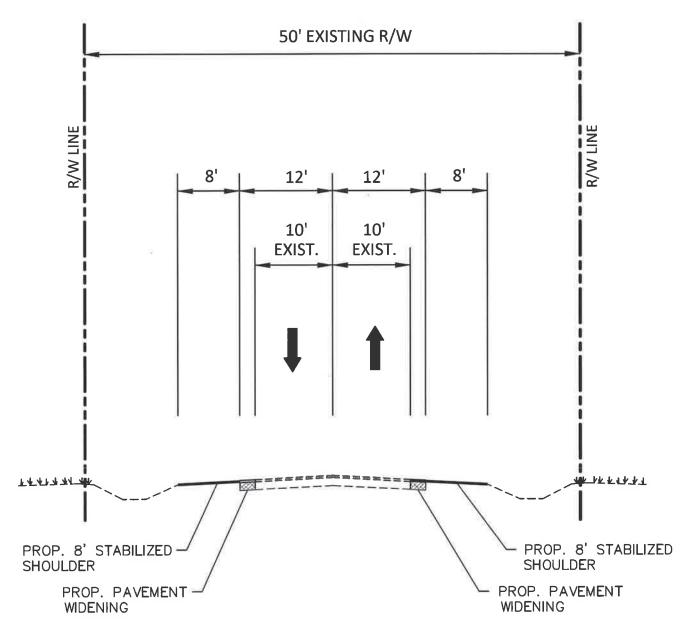
Please do not hesitate to contact us if you have any information.	questions or require any additional
Best Regards, Steyen J Henry	
President Lincks & Associates, Inc. P.E. #51555	
Based on the information provided by the applica	ant, this request is:
Disapproved	
Approved	
Approved with Conditions	
If there are any further questions or you need cla L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboro	• •
	Sincerely,
	Michael J. Williams
	Hillsborough County Engineer

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

	10			
our	Total	116	35	151
PM Peak Hour Trip Ends	Ont	62	19	86
A.	듸	37	16	23
AM Peak Hour Trip Ends	Total	100	121	121
// Peak Ho Trip Ends	Ont	26	OI	35
AN	드	74	12	86
	Trip Ends	589	341	930
	Size	60,000 SF	235,224 SF	Total
E		180	151	
	Land Use	Contractor's Office	Outdoor Storage	

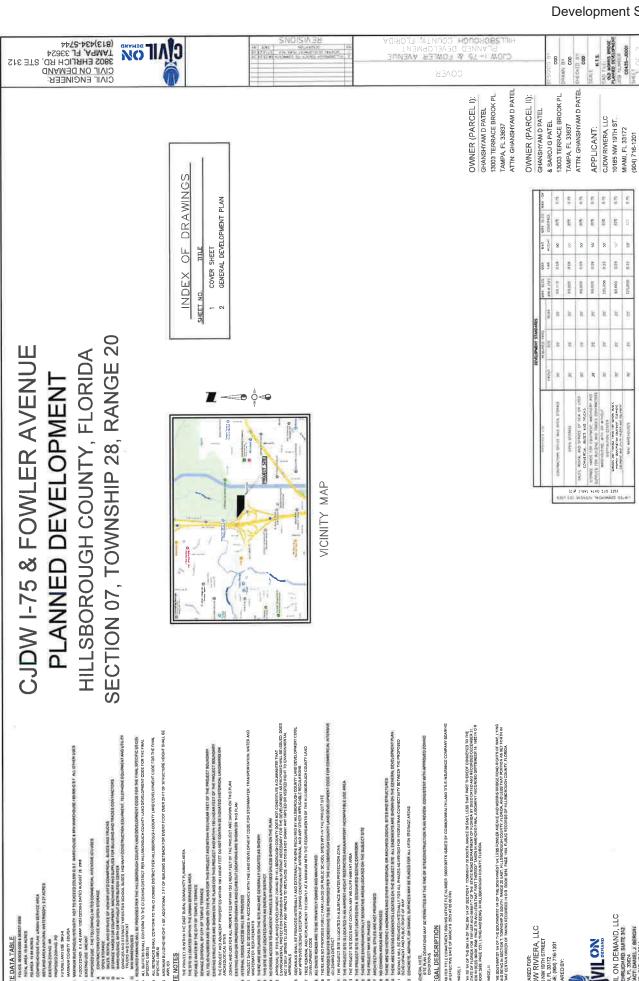
(1) Source: ITE Trip Generation Manual, 11th Edition, 2021.



TYPICAL SECTION
OLD MORRIS BRIDGE ROAD

PD PLAN





(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

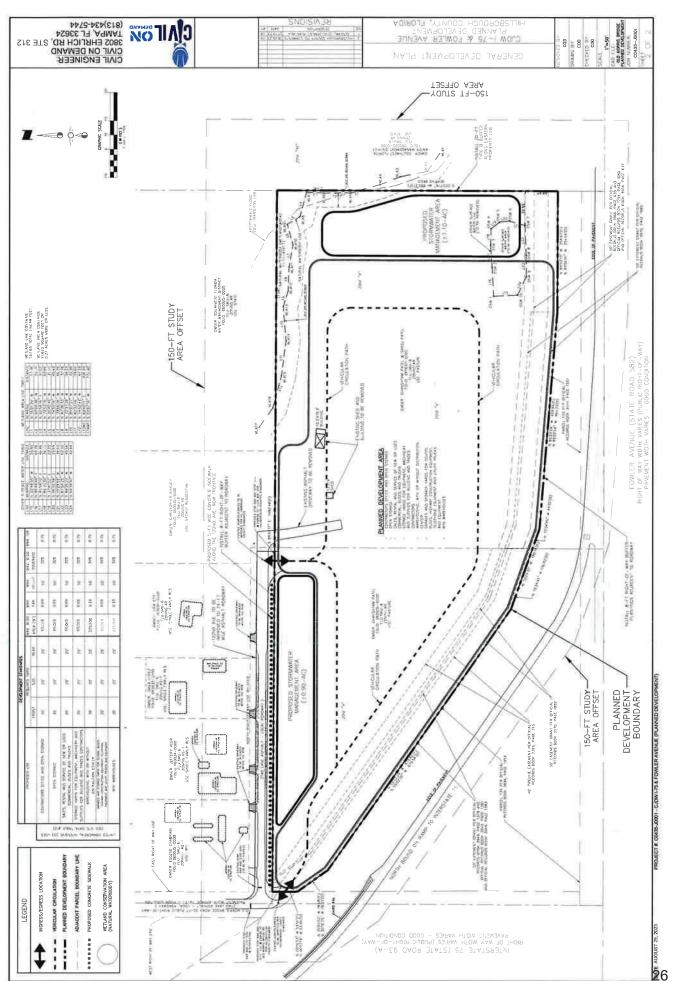
EGAL DESCRIPTION

HERE ARE USE HERE LANGUAGES AND DRIVE AND DRIVEN AND DR

CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 317 TAMPA FL 23524 CONTACT DAVEL J. BERGH PHONE: (813) 4345744

CWIL ORHAND

PREPARED FOR:
CJDW RIVIERA, LLC
10165 NW 19TH STREET
MIAM, FL 33172
PROPARED BY:

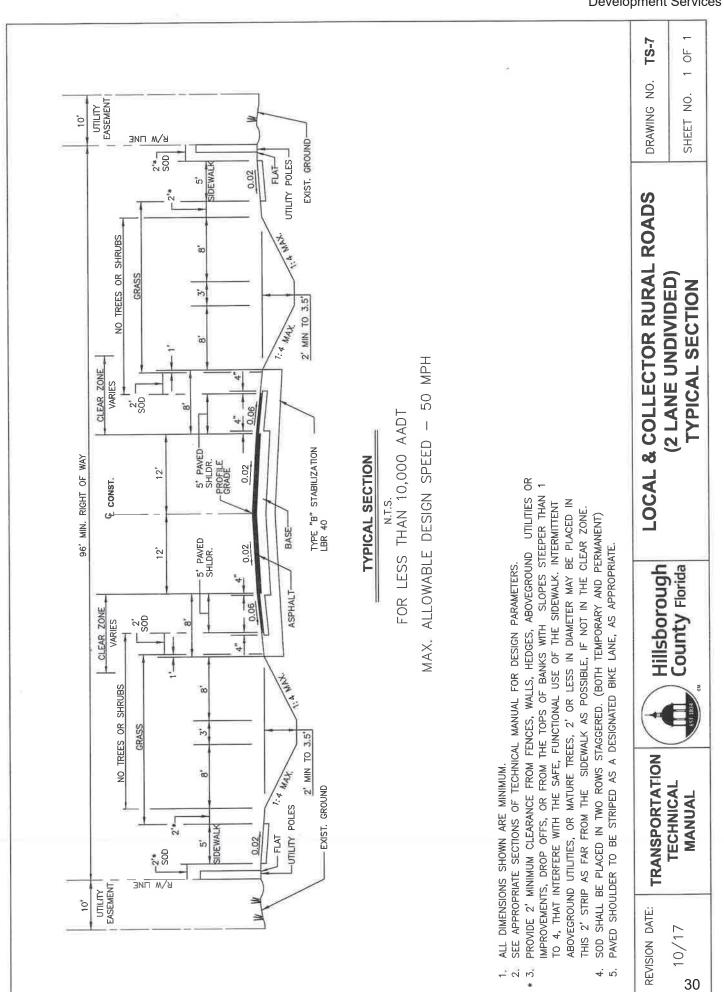


HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7





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		
Old Morris Bridge Rd.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other 		
122 nd Ave.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other 		

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	28	2	3	
Proposed	927	121	151	
Difference (+/-)	+899	+119	+148	

^{*}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	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance □ Not applicable for this request				
Road Name/Nature of Request	Туре	Finding		
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable		
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable		
Notes:				

4.0 Additional Site Information & Agency Comments Summary				
Transportation Objections Conditions Additional Requested Information/Commer			Additional Information/Comments	
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	□ Yes □N/A ⊠ No	⊠ Yes □ No	See report.	

COUNTY OF HILLSBOROUGH LAND USE HEARING OFFICER'S RECOMMENDATION

Application number:	RZ-PD 23-0517
Hearing date:	November 13, 2023
Applicant:	CJDW Riviera, LLC
Request:	Rezone to Planned Development
Location:	9031 122 nd Avenue, Tampa Northeast of the East Fowler Avenue and Interstate 75 intersection
Parcel size:	15.64 acres +/-
Existing zoning:	AR
Future land use designation:	SMU-6 (6 du/ga; 0.25 FAR)
Service area:	Urban
Community planning area:	N/A

A. APPLICATION REVIEW

DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION

Rezoning Application:

PD 23-0517

Zoning Hearing Master Date:

November 13, 2023

BOCC Land Use Meeting Date:

January 9, 2024



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: CJDW Rivera, LLC

FLU Category: SMU-6

Service Area: Urban

Site Acreage: Approximately 15.64 acres

Community

Plan Area: None

Overlay: None



Introduction Summary:

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses including the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

Zoning:	Existing	Proposed
District(s)	AR	Proposed
Typical General Use(s)	Single-Family Residential/Agricultural	Limited Commercial Intensive
Acreage	15.64 acres	15.64 acres
Density/Intensity	Minimum 5 acres per SF home	Maximum 0.25 FAR

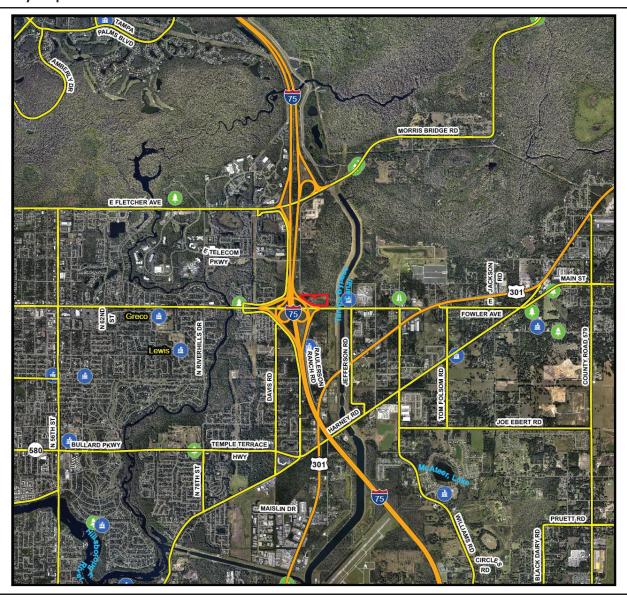
Development Standards:		Existing	Proposed	
District(s)		AR	PD	
Setbacks/Buffering and Screening	Front: 50 ft. Side: 25 ft. Rear: 50 ft.		South/West (along I-75 on-ramp): 85 ft. setback with 6 ft. opaque fence East: 165 ft. setback North (front) along 122 nd Avenue: 125 ft. front building setback 30 ft. buffer with Type "B" landscape	
Height	50 ft. Max. Ht.		50 ft. Max. Ht.	
Additional Information:				
PD Variation(s)		None requested as part of this application		
Waiver(s) to the Land Devel	opment Code	e None requested as part of this application.		

Planning Commission Recommendation:	Development Services Recommendation:
INCONSISTENT	APPROVABLE, Subject to Conditions.

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Case Reviewer: Tim Lampkin, AICP

Context of Surrounding Area:

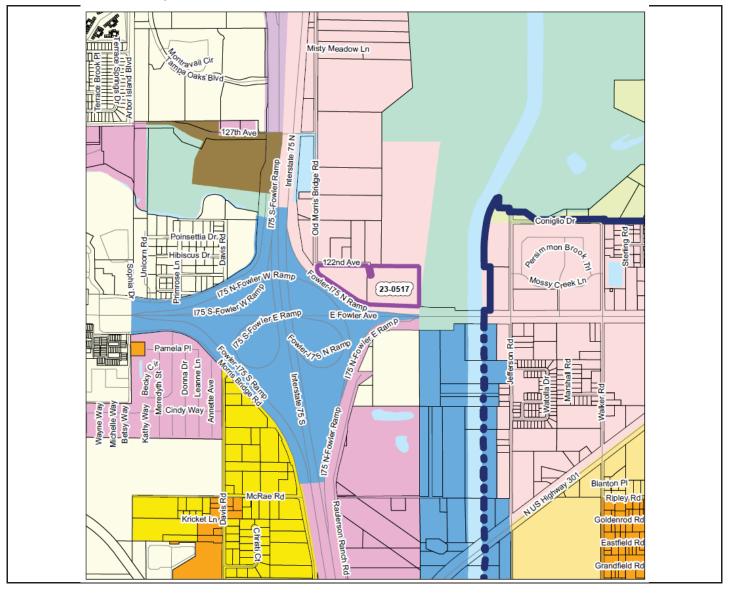
The subject property is located on the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue.

The immediate area surrounding the property is developed with a mix of uses with Commercial Neighborhood to the west and single-family uses to the north. AS-1 is located to the north across 122nd Avenue and developed with single-family homes. AR zoning is located to the northeast and east of the subject site. On the east side of the subject site is an approximately 390-acre property owned by Southwest Florida Water Management District. Further north is mostly single-family development with some commercial development.

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2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Case Reviewer: Tim Lampkin, AICP

Subject Site Future Land Use Category:	SMU-6
Maximum Density/F.A.R.:	6 du/acre;
Typical Uses:	Typical uses in the SMU-6 include residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, and mixed-use.

Case Reviewer: Tim Lampkin, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

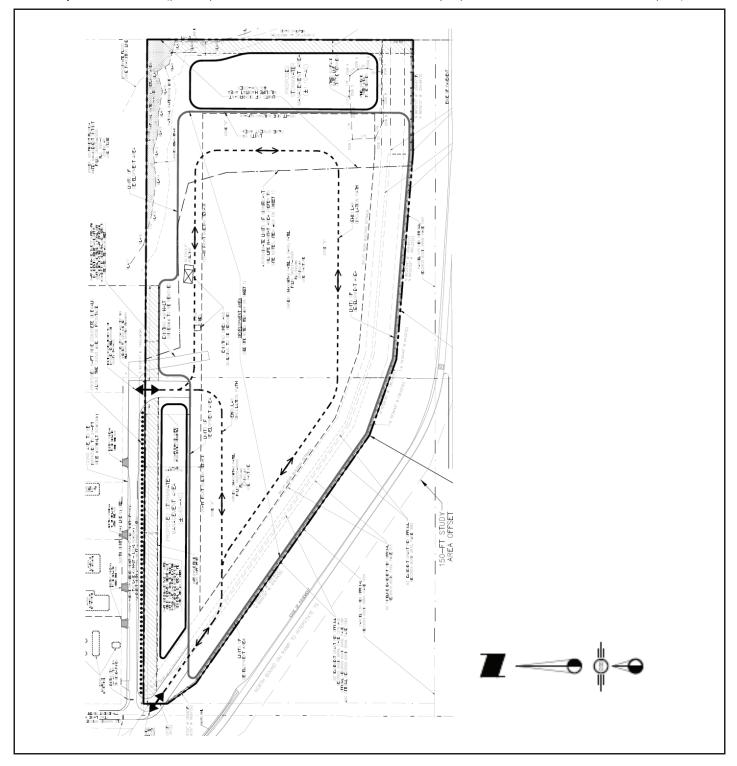


Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AS-1; AR	1 acre per dwelling	Agricultural / SF	SF and AG uses
South	I-75 and Fowler Rd. ROW	NA	NA	I-75 on ramp and Fowler Rd. ROW
East	AR	Min. 5 acres per dwelling	Agricultural / SF	390-acre SWFWMD Land
West	CN and I-75 ROW	Max. FAR: 0.2	Commercial	Vacant

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



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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	
Old Morris Bridge Rd. County Local - Rural 2 Lanes Substandard Road □ Sufficient ROW Width	☐ Corridor Preservation Plan			
	County Local -		☐ Site Access Improvements	
	Rural			
			☐ Other	
177" Ave.	County Local - Rural	2 Lanes	☐ Corridor Preservation Plan	
		Substandard Road	☐ Site Access Improvements	
		Sufficient NOW Width	☐ Other	

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	28	2	3	
Proposed	927	121	151	
Difference (+/-)	+899	+119	+148	

^{*}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	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	Х	None	None	Meets LDC
Notes:			-	•

Design Exception/Administrative Variance ☐ Not applicable for this request			
Road Name/Nature of Request Type Finding			
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable	
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable	
Notes:			

4.0 Additional Site Information & Agency Comments Summary			
Transportation Objections Conditions Additional Requested Information/Commer			Additional Information/Comments
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	☐ Yes ☐ N/A ☑ No	Yes □ No	See report.

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4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Natural Resources	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Check if Applicable: ☑ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☑ Surface Water Resource Protection Area	 □ Potable Water Wellfield Protection Area ☑ Significant Wildlife Habitat (Upland Wildlife Habitat Area) □ Coastal High Hazard Area □ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property ☑ Other: Airport Incompatible Use Area/Height Restriction 130' 			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ⊠ Design Exc./Adm. Variance Requested ⊠ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	See Transportation Report.
Service Area/ Water & Wastewater ⊠Urban □ City of Tampa □Rural ⊠ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No	See Water Resources Report, dated 11/06/23.
Hillsborough County School Board Adequate □ K-5 □6-8 □9-12 ⊠N/A Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□ Yes ⊠ No	□ Yes □ No	□ Yes □ No	
Impact/Mobility Fees Warehouse Manufacturir (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$1,337 Mobility: \$3,3 Fire: \$34 Fire: \$34 Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Auto Sales (Per 1,000 s.f.) Mobility: \$725 Mobility: \$1	.) 15	Light Industria (Per 1,000 s.f. Mobility: \$4,2 Fire: \$57	.)	

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☐ Minimum Density Met

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□ No

□ N/A

Fire: \$32 Fire: \$313 Urban Mobility, Northeast Fire - Warehouse, Distribution, Industrial, storage, vehicle sales. Up to 35,000 sq ft Comments **Conditions** Additional **Comprehensive Plan: Findings** Received Requested **Information/Comments Planning Commission** ☐ Meets Locational Criteria \square N/A ⊠ Yes ☐ Yes See Planning

☐ Consistent

 \boxtimes No

Commission Report

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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses limited to the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

The immediate area surrounding the property is predominantly developed with residential and agricultural. Vacant commercial is located to the west of the subject site. Immediately north across 122nd Avenue are single-family homes, agricultural uses and vacant parcels. To the immediate east is undeveloped property owned by Southwest Florida Water Management District (SWFWMD).

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The applicant is required to have an 8-foot Vehicular Use Area buffer along 122nd Avenue. The site plan illustrates mitigation measures to create greater compatibility with the adjacent residential development to the north side of 122nd Avenue directly across from the subject site. These mitigation measures include a 30-foot buffer with Type "B" screening. To maintain the visual view for the neighbors to the immediate north across 122nd Avenue, the applicant proposes to allow the use of existing vegetation in lieu of the proposed LDC Sec. 6.06.06 (Type "B) required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening plan at the time of site and development review. This alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. The applicant proposes this alternative landscaping along the northern boundary where there is extensive natural vegetation creating a natural buffer and natural distance separation from the proposed development and adjacent properties across the 122nd Avenue right-of-way. The 6 ft. fence is proposed to be located 30 feet south of the northern boundary along 122nd Avenue behind the natural landscaped area. South of the fence the applicant proposes a stormwater management area. The applicant proposes a 125-foot front building setback along the entire front of the subject property, and a 100-foot area with landscaping fronting 122nd Avenue in the northwestern portion of the subject site.

The applicant proposes a 6-foot-high opaque fence along the southern property line (rear of the subject site) adjacent to the Instersate-75 on-ramp and Fowler Road portion of the site that meets the on-ramp. Along the northeastern and eastern property boundary adjacent to the wetland buffer is a 390-acre Southwest Florida Management District property (Lower Hillsborough Wilderness Preserve), requires a 30-foot buffer with Type "B" screening. The applicant proposes to allow the use of existing vegetation in lieu of LDC Sec. 6.06.06 required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening planting. The applicant is seeking the alternative screening to ensure protection of the existing native vegetation and habitat adjacent to Lower Hillsborough Wilderness Preserve. Along the east side, the applicant proposes a 165-foot building setback and a 1.10-acre stormwater management area.

The Planning Commission report acknowledges additional buffering, screening and setbacks proposed by the applicant. However, the proposed development does not meet "Neighborhood Protection" policies nor Commercial Locational Criteria, and other policies as stated in the Planning Commission report. Overall, the proposed Planned Development has **not** been found consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

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The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning and has determined a resubmittal is not necessary for the site plan's current configuration. The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

Transportation Design Exceptions:

- 1. Old Morris Bridge Road is a substandard roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.
- 2. 122nd Avenue is a substandard roadway, the applicant's Engineer of Record (EOR) submitted Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.

5.2 Recommendation

Based on the above considerations, staff finds the request APPROVABLE.

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Prior to site plan certification, the applicant shall complete the following:

- Remove "East Rural Community Plan" from the site plan.
- o Revise Site Date Table, Note 10:
 - "Not to exceed 170,000 sf Warehouse and Min-storage / 60,000 sf all other uses" TO
 - to "Not to exceed a maximum of total 170,000 square feet for mini warehouse; warehouse with or without storage; trucking and truck terminal. May not exceed a maximum total 60,000 square feet for contractor's office with or without open storage; open storage and outdoor sales; sales, rental and service of new and/or used commercial vehicles, buses and trucks."
- o Revise "100-ft. enhanced buffer from existing residential" TO "100-ft. landscaped and stormwater buffer area".
- Revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way".

6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted October 24, 2023.

- 1. The project shall be developed in general conformance with the October 24, 2024, site plan and be limited to the following uses.
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The uses if combined shall be subject to the maximum square feet for buildings shown on the site plan, however, any combination of uses shall be limited by the maximum FAR permitted for the SMU-6 Comprehensive Plan category (0.25 FAR) and limited by the total trip generation rate of 121 AM peak hour trips and 151 PM peak hour trips, as studied in the Transportation Analysis.

2. The development shall comply with the standards shown on the October 24, 2023, site plan and the following development standards.

a. Minimum Rear (South/West) Building Setback:
b. Minimum Front Yard Building Setback:
c. Minimum Side Yard Building (East) Setback:
d. Maximum Building Height:
50 feet*

*Any height greater than 50 feet shall comply with Section 6.01.01, endnote 8.

- 3. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code with the following exceptions.
 - a. A 30-foot buffer with Type "B" screening along the northern property boundary, including along 122nd Avenue, excluding access points off 122nd Avenue.
 - Existing vegetation, excluding invasive plant species, may be retained in lieu of construction of the 6foot-high screening located adjacent to the Wetland Conservation Area setback area where said
 vegetation is at least 6 feet in height and provides an overall opacity of seventy-five percent on the

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northeast and east portions of the property boundary.

- Existing vegetation, excluding invasive plant species, may be retained in lieu of the replanting landscaping along the north boundary along 122nd Avenue.
- A 6-foot opaque fence shall be located on the rear (south) perimeter of the subject site.
- 4. Screening of trash and recycling receptacles, service areas, and other similar areas shall be in accordance with Section 3.13.03 of the LDC.
- 5. Parking shall be in compliance with Section 6.05.00 of the Land Development Code.
- 6. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8' shoulders on the bridge or as approved by Public Works.
- 7. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- 8. A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- 9. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- 10. Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided consistent with the LDC.
- 11. 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.
- 12. An evaluation of the property identified the potential existence of significant wildlife habitat as delineated on the Hillsborough County Significant Wildlife Habitat Map. The potential for upland significant wildlife habitat within the boundaries of the proposed application shall require the preliminary site plan and site construction plans to identify its existence by type (mesic or xeric) and location and how the Land Development Code preservation provision for upland significant wildlife habitat will be addressed. See Section 4.01.08 in the Land Development Code. The proposed site plan may require modifications during the site construction plan review process to address this Code requirement.
- 13. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.

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14. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

- 15. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
- 16. The subject application is adjacent to the Wilderness Conservation Park. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.
- 17. 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.
- 18. 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.
- 19. 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).
- 20. 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.
- 21. 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, unless otherwise stated herein.
- 22. 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.
- 23. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not

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been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:

J. Brian Grady

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

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

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

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

B. HEARING SUMMARY

This case was heard by the Hillsborough County Zoning Hearing Master on November 13, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Applicant

Ms. Gina Grimes spoke on behalf of the applicant. Ms. Grimes presented the rezoning request, responded to the hearing officer's questions, and provided testimony as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation.

Development Services Department

Mr. Tim Lampkin, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the revised staff report previously submitted to the record, and responded to the hearing officer's questions as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation.

Planning Commission

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

Proponents

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

Opponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application.

Ms. Jerri Heer spoke in opposition to the rezoning. Ms. Heer stated her appearance was on her own behalf and on behalf of the neighborhood. She stated she and her neighbors are not wholly opposed to the proposed development, but they have some concerns they wish to be addressed. Ms. Heer raised concerns about water quality and potential impacts to her and her neighbors' water wells. Ms. Heer stated there were homes in the surrounding area before the landfill existed, but they do not show up on the 1957 aerial the applicant displayed because of tree cover. Ms. Heer also raised concerns about increased traffic. She stated the only way in and out of the neighborhood is via 127th and Morris Bridge Road, and traffic is congested during rush hours. She stated a new residential development to the north added 90 homes. She stated the roadway needs to be improved and maintained, and a traffic light installed. Ms. Heer also raised concerns about property values. She stated she and her neighbors like the neighborhood because it is quiet and there are trees and wildlife. She stated the proposed commercial development would impact the neighborhood's quality of life. She raised concerns about the county potentially rezoning her and her neighbors' properties and removing their

agricultural use, which would cause real property values and taxes to increase. She stated these concerns need to be addressed before the county considers approving the rezoning request. Ms. Heer stated she has two neighbors on 122^{nd} Avenue, one on both sides of her property. She stated there is a fourth residential property further east, but the owner passed away and the house is currently vacant. Ms. Heer stated she and her neighbors are not opposed entirely to rezoning but that some of the proposed uses, such as commercial trucking, would have greater adverse impacts with traffic, noise, and odors. Ms. Heer responded to the hearing officer's questions and provided further testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Development Services Department

Ms. Heinrich the Development Services Department had nothing further.

Applicant Rebuttal

The hearing officer asked Ms. Grimes to address the concerns raised by the opposition testimony and provide more detail on the proposed uses and improvements to the roadway.

Ms. Grimes provided rebuttal testimony and responded to the hearing officer's questions as reflected in the hearing transcript attached to and made a part of this recommendation. Ms. Grimes stated substantial roadway improvements would be made, including 12-foot travel lanes and 8-foot stabilized shoulders. She stated there would also be an implementation of a capital improvement plan for the bridge. She stated a sidewalk would be installed on the Subject Property's north boundary. She stated the county maintains the roadway. Ms. Grimes stated the site design would include measures to protect the neighborhood from the impacts of noise or fumes from activities on the Subject Property, and the lighting would be designed to not overflow onto adjacent properties.

Mr. Daniel Bergin stated he is the applicant's civil engineer. Mr. Bergin stated the landfill on the Subject Property is not dormant and was receiving materials as recently as 2018. He stated the site has no stormwater management system. He stated the proposed development would construct a stormwater management system and would connect to public water and sewer so there would be no offsite stormwater runoff and no septic tank or well. He stated the site currently is split and drains one-half to the east and one-half to the west. He stated the Florida Department of Transportation has accepted runoff from the Subject Property, so that stormwater would be routed through the onsite stormwater system and then to the FDOT property on the west. He stated the remainder of the site would drain to the water management district property to the east. He stated there would be no runoff onto 122nd Avenue. He stated the Subject Property would be capped with pavement and rock and then drained into appropriate management facilities, preventing any sort of contaminated runoff from going toward the neighborhood. Mr. Bergin stated he is an environmental engineer and is qualified to testify as to potential impacts on adjacent wells from construction on the Subject Property. He stated the site has been designed so there will be minimal disturbance to existing waste and if any waste removal is necessary, it would be supervised by environmental regulatory agencies. He stated there would be an improvement of water quality over the current conditions. Mr. Bergin

provided further testimony and responded to the hearing officer's questions as reflected in the hearing transcript attached to and made a part of this recommendation.

Ms. Grimes provided responded to the hearing officer's questions and provided further testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

The hearing officer closed the hearing on RZ-PD 23-0517.

C. EVIDENCE SUMBITTED

Ms. Grimes submitted to the record at the hearing a copy of the applicant's presentation slides and a copy of a letter from Brian Moore, P.E.

Ms. Heinrich submitted to the record at the hearing a revised Development Services Department staff report.

D. FINDINGS OF FACT

- 1. The Subject Property consists of two folio parcels, 060036-0000 and 060037-0000, with a combined total of approximately 15.64 acres at 9031 122nd Avenue, Tampa, located on the south side of East 122nd Avenue at the Old Morris Bridge Road intersection, northeast of the Fowler Avenue on-ramp to northbound Interstate 75.
- 2. The Subject Property is zoned AR and is designated SMU-6 on the comprehensive plan Future Land Use Map. The Subject Property is in the Urban Services Area and is not within the boundaries of a community plan.
- 3. The county operated a landfill on the Subject Property from 1962 to 1969. The applicant's professional engineer testified at the hearing that the Subject Property received waste materials as recently as 2018.
- 4. The general area surrounding the Subject Property consists of residential, vacant land, and conservation lands. Adjacent properties include single-family conventional homes and a manufactured home to the north across 122nd Avenue, conservation lands to the east, Fowler Avenue and the interstate on-ramp to the south, and Interstate 75 to the west. There are five unplatted residential lots on the north side of 122nd Avenue east of Old Morris Bridge Road. Two of the five lots are zoned AR and three are zoned AS-1. One of the five lots is undeveloped, three of the lots are improved with single-family conventional homes, and one of the lots is improved with a manufactured home. Old Morris Bridge Road terminates at the Subject Property's northwest corner, and the 122nd Avenue roadway terminates at approximately the center of the Subject Property's north boundary. To the northwest across Old Morris Bridge Road there is a parcel zoned CN that is being developed, a parcel owned by the Florida Department of Transportation, and a parcel zoned AS-1 that is improved with a single-family conventional home. Further to the north on the east side of Old Morris Bridge Road there are three privately owned parcels zoned AR.

- 5. The applicant is requesting to rezone the Subject Property to Planned Development to allow development of up to 0.25 FAR or 170,319 square feet limited Commercial Intensive (CI) uses, including the following: a contractors office with or without open storage; open storage and sales; sales, rental, and service of new or used commercial vehicles, buses, and trucks; mini-warehouse; warehouse with or without distribution center; trucking and truck terminal.
- 6. The applicant is proposing a 30-foot-wide buffer and Type B screening and a 125-foot front building setback along the Subject Property's north boundary abutting 122nd Avenue. The applicant is proposing an 85-foot building setback on the Subject Property's south and west boundaries abutting Fowler Avenue and the Interstate 75 on-ramp, and a 165-foot setback on the Subject Property's east boundary abutting the Southwest Florida Water Management District conservation lands. The applicant is proposing a 6-foot-tall opaque fence on the Subject Property's north boundary at the 30-foot buffer line, and along the east, west, and south boundaries.
- 7. The applicant requested a Design Exception for substandard roadway improvements on Old Morris Bridge Road and a Design Exception for substandard roadway improvements on 122nd Avenue. The County Engineer found both Design Exceptions approvable.
- 8. The applicant is proposing to retain existing vegetation along the Subject Property's north boundary in lieu of the Type B required screening. Aerial photographs on the Property Appraiser's website and street views on Google Maps concur with photographs submitted by the applicant showing substantial heavy vegetation and a berm along the Subject Property's north boundary abutting 122nd Avenue.
- 9. The applicant's agent testified at the hearing that a mini-storage project is under construction northwest of the Subject Property on Morris Bridge Road. The Hillsborough County zoning map shows this property, folio 037391.0000 at 11930 Old Morris Bridge Road, is zoned CN. County Accela records show a building permit HC-BLD-23-0043887 was approved on April 6, 2023. The approved permit plans show a two-story structure with an office plan on the first floor and a residence plan on the second floor.
- 10. The applicant submitted a letter from Professional Engineer Brian Moore stating the former landfill operated on the Subject Property from 1962 until 1969 and the landfill operation accepted residential, commercial, and industrial solid waste, as well as construction and demolition debris. Mr. Moore stated in his letter that testing at the Subject Property identified soil contamination including lead, chromium, antimony, vanadium, zinc, polycyclic aromatic hydrocarbons, and several semi-volatile organic compounds. He stated testing identified groundwater contamination including lead, iron, and vinyl chloride. Mr. Moore stated in his opinion the Subject Property is better suited for heavy commercial and light

industrial redevelopment than for residential use for several reasons set out in his letter. Mr. Moore stated the Hillsborough County Environmental Protection Commission prefers commercial and industrial uses for redevelopment of solid waste disposal sites because these uses generally involve less risk to future users of the site.

- 11. Transportation Review staff found the proposed rezoning would generally result in an increase of trips potentially generated by 899 average daily trips, including 121 trips in the a.m. peak hour and 151 trips in the p.m. peak hour.
- 12. Development Services Department staff found the rezoning request approvable with conditions based on the applicant's general site plan submitted October 24, 2023.
- 13. Planning Commission staff found the Subject Property does not meet Commercial Locational Criteria under Future Land Use Objective 22 and its accompanying policies.
- 14. Comprehensive Plan Future Land Use Objective 22 states the Commercial Locational Criteria objective as follows: "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." The comprehensive plan policies related to Future Land Use Objective 22 refer to neighborhood serving commercial uses.
- 15. Future Land Use Policy 22.2 provides a table and diagram identifying intersection nodes that may be considered for non-residential uses, and states, "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."
- 16. The comprehensive plan defines "Neighborhood Serving Commercial /Neighborhood Commercial" as follows:

Retail commercial and office development, usually located on a collector or arterial street at the edge of a neighborhood, serving the daily needs of contiguous neighborhoods, including convenience goods and personal services. Neighborhood serving commercial development shall be limited as to the intensity of the described use as provided in the locational criteria for neighborhood serving commercial uses. Intensive commercial uses (uses allowed within the Commercial Intensive zoning district) shall not be considered neighborhood serving.

17. The comprehensive plan defines the SMU-6 land use designation as suitable for typical uses that include the following:

Residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria.

- 18. The applicant is proposing a variety of Commercial Intensive uses that are allowed in the SMU-6 land use designation. The applicant has asserted that the Commercial Locational Criteria provisions do not apply in this case because the applicant is not proposing neighborhood serving commercial uses. The plain language of the comprehensive plan's definition of "Neighborhood Serving Commercial," states intensive commercial uses shall not be considered neighborhood serving. However, based on Planning Commission staff's finding that the Subject Property does not meet the comprehensive plan's Commercial Locational Criteria provisions, the applicant requested a waiver stating that the proposed use is compatible with adjacent residential uses, the residential area does not meet the comprehensive plan's definition of an established neighborhood, the site design will include buffer, screening, and setback features to protect adjacent residential uses, and the Subject Property has a unique location at the terminus of two dead-end streets.
- 19. Future Land Use Policy 22.8 provides the Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2 and states, "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." In this case, Planning Commission staff does not recommend a waiver. Planning Commission staff found the proposed intensive commercial uses do not meet the intent of Future Land Use Objective 16 and underlying policies related to neighborhood protection.
- 20. Future Land Use Policy 22.8 further states, "The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions."
- 21. The Planning Commission staff report near the top of page 9 discusses certain comprehensive plan objectives, policies, and goals and states the development pattern around the Subject Property includes "mobile homes to the east, vacant residential land to the west, and light commercial uses along College Avenue." The next paragraph states, "The subject site was previously approved as Planned Development (PD 98-0623) ..." These two paragraphs appear to be discussing a property other than the Subject Property. There is no "College Avenue" near the Subject Property, there are no mobile homes to the east or vacant residential land to the west, and the Subject Property was not approved as a Planned Development.

22. Planning Commission staff concluded the proposed rezoning would allow development that is inconsistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan, and is incompatible with the existing and planned development pattern found in the surrounding area.

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

The applicant is proposing a Planned Development that would allow a variety of limited Commercial Intensive land uses. The record demonstrates the limited Commercial Intensive land uses and the intensities of the proposed Planned Development zoning are consistent with the Subject Property's SMU-6 future land use designation. The applicant is not proposing neighborhood serving commercial uses; therefore, under the plain language of the comprehensive plan it is not clear the Commercial Locational Criteria are applicable. Based on Planning Commission staff's finding that the Subject Property does not meet the comprehensive plan's Commercial Locational Criteria provisions, the applicant submitted a waiver request, which Planning Commission staff does not support. Future Land Use Policy 22.8 provides the Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The record shows the applicant's site plan submitted October 24, 2023 includes components such as buffer, screening, building setback, and location of stormwater ponds designed to protect adjacent residential uses and ensure compatibility. Considering the record as a whole, the evidence demonstrates the proposed Planned Development is in compliance with and does further the intent of the Goals, Objectives, and Policies of Unincorporated Hillsborough County Comprehensive Plan.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." § 163.3194(3)(a), Fla. Stat. (2022). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, expert witness testimony and evidence, and citizen testimony, there is substantial competent evidence demonstrating the requested Planned Development is consistent with the Unincorporated Hillsborough County Comprehensive Plan and does comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The applicant is requesting to rezone the Subject Property to Planned Development to allow development of limited Commercial Intensive (CI) uses, including the following: a contractor's office with or without open storage; open storage and sales; sales, rental, and service of new or used commercial vehicles, buses, and trucks; mini-warehouse; warehouse with or without distribution center; trucking and truck terminal.

The applicant is proposing a 30-foot-wide buffer and Type B screening and a 125-foot front building setback along the Subject Property's north boundary abutting 122nd Avenue.

The applicant is proposing an 85-foot building setback on the Subject Property's south and west boundaries abutting Fowler Avenue and the Interstate 75 on-ramp, and a 165foot setback on the Subject Property's east boundary abutting the Southwest Florida Water Management District conservation lands. The applicant is proposing a 6-foot-tall opaque fence on the Subject Property's north boundary at the 30-foot buffer line, and along the east, west, and south boundaries.

The applicant is proposing to retain existing vegetation along the Subject Property's north boundary in lieu of the Type B required screening. Aerial photographs on the Property Appraiser's website and street views on Google Maps concur with photographs submitted by the applicant showing substantial heavy vegetation and a berm along the Subject Property's north boundary abutting 122nd Avenue.

The applicant requested a Design Exception for substandard roadway improvements on Old Morris Bridge Road and a Design Exception for substandard roadway improvements on 122nd Avenue. The County Engineer found both Design Exceptions approvable.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for APPROVAL of the Planned Development rezoning subject to the conditions set out in the Development Services Department staff report based on the applicant's general site plan submitted October 24, 2023.

> December 6, 2023 Date:

Pamela Oo Hatley Pamela Jo Hatley PhD, DD Land Use Hearing Officer

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HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS	
IN RE: ZONE HEARING MASTER HEARINGS)))))))
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS	
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master
DATE:	Monday, November 13, 2023
TIME:	Commencing at 6:00 p.m. Concluding at 9:07 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601
Reported by: Diane DeMarsh, AAERT No.	1654

1 Our next application is Item D.2, PD MS. HEINRICH: Rezoning 23-0517. The applicant is requesting to rezone 2 property that is zoned AR to PD. Tim Lampkin with Development services will provide Staff findings after the applicant's presentation. MS. GRIMES: Good evening. I'm Gina Grimes with the 6 law firm of Bradley, Arant, Boult and Cummings, 100 North Tampa 8 Street. And I'm here tonight representing the applicant, CJDW Riviera on this rezoning from AR to PD. Here are some site information. You can see that this 10 site is located at the northeast corner of Interstate 75 and 11 12 Fowler Avenue. It's a big site, 15.64 acres. The Future Land 13 Use is SMU-6. And the current zoning is AR. The current use of 14 the property is vacant. The previous use was a landfill, 15 another landfill, that was operated in this instance by 16 Hillsborough County. Our proposed use is commercial intensive uses. It is in the County's urban service area. Service will 17 18 be provided by Temple Terrace. And there is no registered neighborhood association. 19 These are some pictures of photographs of the site. 20 21 You can see on the bottom two panels that those are the -- the 22 aerial views of the site. And I want you -- I ask you to take 23 note that on the periphery of each one of these -- each -- on this side and on this side, you can see the dense existing 24 vegetation that we're going to proposed to retain. And the --25

the images to the -- in the top are just images of the site, 1 again vacant with accessory structures and vehicles and equipment on it. 3 So going down on the street, it's bordered by 122nd Avenue and then it also -- it connects to Old Morris Bridge Road. So looking where the star is located and looking down 122nd Avenue, you see that there is a -- a large berm along the property boundary. Here's a property right here. Here's the 8 central driveway. You can see that the first residence on the 9 north side of 122nd is -- is a substantial way down from the 10 center of the site. 11 And also, again, the purpose of these photos are just 12 13 to show you how high this existing berm is, how much higher 14 these trees are up in this area than the roadway. It's actually an elevation difference of about ten feet. Again, the property 15 and then berm along the -- along the road. 16 17 HEARING MASTER: Ms. Grimes, would you go back one 18 more slide, please? MS. GRIMES: Can you -- can you pause my time? 19 20 HEARING MASTER: Yes. Certainly. 21 MS. GRIMES: Okay. Go ahead. 22 HEARING MASTER: One -- one more slide. Thank you. 23 MS. GRIMES: Yeah. HEARING MASTER: And could you show me again where 24 25 that berm is?

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             MS. GRIMES: Yes. Here's -- this is the subject
    property right here. And the berm runs along the northern
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    boundary of the property, which is this right -- this area right
    here. So when you're looking west this way down 122nd, here is
    that berm. So on a -- on -- on this photo up here, you can see
    that the existing vegetation and trees, several oak trees,
    several camphor trees, some of which are fairly substantial.
    And then there's also, you know, a brush on the ground. And
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    then all that existing vegetation exists along the -- that
    northern boundary of the site. We're going to proposed to -- to
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    retain that.
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             HEARING MASTER: Does it go all the way across that
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    northern boundary?
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             MS. GRIMES: Actually, it does it.
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             HEARING MASTER: Okay.
             MS. GRIMES: Hang on. If you can -- if I can go back
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    to this photo. Okay. So this is looking west, looking east,
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    I'm sorry. This is looking east. Here's the central driveway.
    So you can see all of that dense vegetation along that whole
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    northern boundary. And then in a minute, I'll show you where it
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    connects to the Swift Mud (phonetically) property. It's also to
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    the east. And again, on that -- on that portion of the property
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    too we're going to be maintaining a lot of that existing
    vegetation. It connects up to a wetland on that side and -- and
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    then some significant wildlife habitat.
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HEARING MASTER: Thank you.

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MS. GRIMES: Okay. So surrounding properties, here we 2 You have a subject property right here and then to the --3 to the -- it's -- you have the I-75, which is to the west and Fowler Avenue, which is to the south. On the east is the Swift Mud property. Several hundred acres owned by Swift Mud, dense wetlands and significant wildlife habitat on -- across from the subject property. And this is the key area with respect to this 8 whole application. So across -- directly across from the property, you have a -- a property that is almost entirely 10 designated as a -- delineated as wetlands and it -- it is vacant 11 property. Then you have three single-family homes. And then 12 13 you have a mobile home with open storage. And it's historically 14 this property is historically been used as open storage. 15 show you some aerials in a little bit, but it's a mobile home with a -- a -- the larger area of the property is open storage. 16 17 This property to the west, sort of -- what we call caddy corner 18 is actually being developed right now for what we're told by the 19 person on site as self-storage.

So going down on the street, we have Old Morris Bridge Road. This is looking north. There's a -- a small produce stand called Misty's Market that's along that area. And for some reason there's all these abandoned vehicles. I don't think they have anything to do with Misty's Market, that they just happened to be abandoned cars and trucks and trailers and so

forth that are just left there on the side of the street. This 1 blue star shows that mobile home parcel along with the open And you can see from these photos, you have various different -- there's the mobile home. You have various different open storage throughout the property. It has a history of open stores. You have telephone poles stored here, boats and various different vehicles. And then you have the caddy corner property, which is this property right here. 8 Looking right at the site, you can see it's under construction. 9 There's either a construction trailer or a residential trailer 10 11 right there. 12 So let's go now to the history of the property, which 13 is that it was operated by Hillsborough County as a landfill 14 from 1962 to 1969. But what it appears to us to look like is 15 that portions of the property previous to that were operated as a borrow pit. The -- the use of the property as a landfill, I 16 17 have here as by code definition as industrial. It's listed as 18 one of the -- as a use that's permitted in industrial. It's not specifically defined in the code as industrial. So I just 19 20 wanted to clarify that. But this east western portion of the 21 site was the borrow pit area. And this eastern portion was the 22 trenches that were dug for the landfill. They reportedly 23 accepted -- sorry, they reportedly accepted residential commercial industrial waste, construction and demolition debris, 24 25 drums containing pesticides and other questionable materials.

1 And that's all from our -- our environmental information that we obtained.

I want -- I want to show you these aerials because I 3 think they're important for a couple different reasons. a 1957 aerial here. These were either taken by FDOT or by the Here, you see the site of 1957. And what's interesting about it is that it was before I-75 was constructed and that on So you can see this activity right here was borrow pit 8 activity. Also interesting, this area to the north where the residents are also appears to have been part of that borrow pit. 10 11 So then you fast-forward to 1960 -- oh and I'll -- I'll note, 12 there are no houses at that point in time. So it was being 13 operated -- the area was being operated as a -- a landfill, 14 industrial borrow pit type facility. Why? Because it was 15 located at the intersection of Old Morris -- Morris Bridge Road and Fowler Avenue. You can see in 1965, you can still see that 16 17 intersection present, but in 1965 you have the houses there. So 18 the houses were constructed at a point in time when a borrow pit and a landfill were already in operation. They -- this was the 19 20 industrial light area and the residences moved to that 21 industrial light area. Then in 1969 whenever the landfill 22 closed, you can see the site was practically barren compared to 23 what it looks like now. And these homes across the street. Again, the mobile home with the storage. 24

So this site, again, as its previous use as a -- as a

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landfill obviously affects the viable uses of the property. 1 we asked our environmental consultant, GHD, who had issued a letter that's part of this presentation, as to what uses are appropriate. And they said this is an excellent candidate for heavy commercial light industrial development and -- and that's because those types of developments reduce the risk to future site uses. For various different reasons, they say that the -the commercial and industrial type uses have more resilient 8 structural designs, heavier designs for more pavement and are better suited for the variable self-service conditions. 10 11 also say the concentration of acceptable concentration levels in the soil potential contaminants is higher or acceptable for 12 13 commercial, industrial versus residential, which is -- that's 14 common sense because people -- residential property is -- you're 15 going to have individuals on the site longer for longer durations than you would if it was commercial or industrial. 16 17 Also the heavy commercial and light industrial uses also limit 18 the occupancy by customers who don't necessarily invite members 19 of the public to the site. 20 And lastly, the reason it's an excellent candidate for 21 the for -- the commercial and -- and industrial is that risks 22 associated with the landfill gases that are generated as a 23 result of the landfill and obviously it has less of an impact in commercial and industrial uses because they are -- those 24 buildings are constructed differently with more ventilation and 25

1 | higher ceilings.

We have another report that we included from FDEP that
also says essentially the same thing, basically that they
discourage the -- the construction of residential on this
property. So we know that we can't have residential on the
property. We also know agriculture is inappropriate because of
the soil conditions. And commercial uses, which is by members
of the public or have members of the public there like an office
all day long are also not appropriate. So the previous use is a
landfill pretty much limits us to what we're proposing, which is
a limited commercial intensive use.

And we are requesting some certain uses, about six uses that are permitted uses in commercial intensive zoning districts. They are either permitted or conditional uses in that district. They were contractors office with or without open storage, open storage and sales, sales rental and service of commercial vehicles, mini warehouse, warehouse with or without distribution center and trucking and truck terminal. The wrong direction, I apologize.

Important to note that the proposed design either meets or exceeds all of the CI standards and -- provides for an appropriate buffering that would enhance the compatibility with the residential area to the north. So we will comply with the SMU FAR standards. I'm going to show you the setbacks in -- in just one second because they are extensive and should be

considered heavily.

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The height of the structures is going to be consistent with the 50-foot height limitation and CI. Parking will comply 3 with whatever parking required under the various different uses. And the infrastructure for the project is we're going to be constructing improvements to Morris Bridge Road, 122nd by building travel lanes and stabilizing the shoulders, both of those roads right now are substandard roads. So this is the 8 plan that I wanted to show you. And it's very important because you have the three residences and the mobile home open storage 10 lot to the north. Along 122nd, you have the -- the eight-foot 11 Behind that, you have 30-foot landscape buffer. 12 13 again, we're proposing alternative buffer to retain all of 14 that -- that landscaping right there. We're also going to build 15 a -- a six-foot fence right behind the 30-foot buffer. And beyond that, another 70 feet for a stormwater pond. And beyond 16 17 that, another 25 feet to the building setback. So you have 18 125-foot building setback along with the northern property adjacent to the residential. Most of it's going to stay intact. 19 20 We don't believe that getting this distance, that they'll even 21 be able to see the activity and they won't see many changes out front either. 22 23 On the -- on the eastern side, we have 165-foot

On the -- on the eastern side, we have 165-foot building set back, which includes a stormwater pond, that's adjacent to Swift Mud property. And on the south and on the

west, we have an 85-foot building setback.

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Development Services and the other county departments 2 have no objections to finding it approvable with conditions. 3 The same is -- the same is true for transportation, just Planning Commission is the outlier in this case. They find it inconsistent with two objectives and policies of the Comp Plan. One is a commercial locational criteria and the second is the criteria dealing with the location of higher intents uses. 8 We don't believe the CLC criteria is applicable in this case. The reason we don't is we -- we don't believe that it is intended to 10 address a -- a situation like this. This isn't commercial 11 strict development that the CLC is intended to address, nor is 12 13 this intersection the kind of node that you -- you would 14 ordinarily apply the CLC criteria. It's the intersection of two 15 dead-end streets. There's no through streets here. There's two dead-end streets that -- that -- that end in dead-end to one 16 another. 17

So the other issue on dealing with Policy 16.5 that states that these intensive usage should be not located near these -- or should be located on arterials or collectors if they're adjacent to an established neighborhood, we don't think that provision is applicable either. And the reason, it has to do with the definition of a neighborhood and the comprehensive plan. I concluded those defin -- definitions for you. The reason that we don't think that it -- it applies is because

these three mobile homes and -- or these three homes and a 1 mobile home do not in and of themselves constitute a neighborhood. They're not integrated into a larger community or a part of another area. They're -- they're located on a piece of land kind of tucked behind a conservation park, definitely not what you would consider in a typical neighborhood. weren't constructed or developed in relation to one another and it's -- there's not 80% development of the area. There's also a 8 neighborhood association, which is typical. 9 So we -- we really think that what happened in this 10 situation is Planning Commission mischaracterized the area as a 11 12 neighborhood when it really is not. We -- we think that these 13 compatibility measures that we've included are really what's the

key. We have a situation like this where you have commercial intensive uses next to residential, the most important thing, especially in SMU-6 is compatibility. The mixture of uses is appropriate. The uses are appropriate, but it's what's important is how you buffer those uses from one another. I'll repeat again, we have the -- along the northern boundary line, we have that eight-foot berm, a 30-foot buffer area, a fence beyond that, a 70-foot stormwater pond and then another 25-foot setback. And then on the northeast on the side that abuts the -- the swift mud property, again, we have 165-foot building setback. And on the south along the interstate, we have an 85-foot building setback.

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And lastly, I just want to present to you this -- this
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    provision in the Comp Plan with I-75 corridor development
    because it is important. These areas are within a mile any of
    I-75 are -- are intended to be preserved, if you will, for
    employment centers. And -- and it goes on to say Objection 36,
    residential opportunities will be limited plan for categories
    within one mile from the interstate. So while we have no
    objection to the residential being adjacent to -- to this
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    property, it's not necessarily the training in the area. What's
    key here is the compatibility we think we've achieve that.
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              HEARING MASTER: All right. Ms. Grimes, just a couple
    of questions for you. You did mention the storage facility to
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    the west.
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              MS. GRIMES:
                          Yes.
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              HEARING MASTER: That's approved and being developed?
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              MS. GRIMES: I -- I -- I don't know that it is, but it
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    is definitely very -- it's very open and obvious, noticeable
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    construction site.
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             HEARING MASTER:
                              Okay.
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              MS. GRIMES: There are significant improvements.
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    doesn't look like someone's just putting up a storage facility
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    on their own. It looks like it's being instructed by licensed
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    contractors.
              HEARING MASTER: Would that use not also be subject to
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    the commercial locational criteria if it is?
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If it went through a processes, yes 1 MS. FRIMES: 2 ma'am. 3 HEARING MASTER: All right. You covered everything. I think that's all my questions for you right now. MS. GRIMES: Okay. Thank you. HEARING MASTER: Thank you. 6 MS. GRIMES: And also, I want to make sure too that this PowerPoing is part of the record. 8 HEARING MASTER: You're submitting it to the record 9 with the clerk? 10 11 MS. GRIMES: Yes. 12 HEARING MASTER: Okay. Thank you. All right. Development services, please. 13 14 MR. LAMPKIN: Good evening. Development Services, 15 Tim Lampkin, Hillsborough County for PD 23-517. 16 The applicant seeks to develop a 15.64 acre unified development consisting of two folios located at the northeast 17 18 corner of the intersection of Interstate 75 on ramp and Fowler Avenue. Other request is for rezoning from agricultural to 19 20 rural to planned development to allow for the development limited commercial intensive as follows. 21 The contractor's 22 office with or without open storage or open storage, sales or 23 sales rental and service of new or used commercial vehicles, buses and trucks or mini warehouse or warehouse with or without 24 25 distribution center or trucking and truck terminal.

1 The immediate area surrounding the property is predominately developed with residential and agricultural. 2 The vacant commercial's located to the west of the subject site immediately north across 122nd Avenue for single-family homes. Agricultural uses and vacant parcels to the immediate east. as the applicant presented, is undeveloped property owned by Southwest Florida Water Management District. The applicant does not request any variations to the 8 Land Development Code part 6.06.00. The applicant is, Staff will note, along 122nd Avenue (indiscernible) an eight-foot 10 vehicle vehicular use area, a buffer would be required. 11 12 illustrates mitigation measures to create compatibility with the 13 adjacent residential development to the north. Specifically, 14 the applicant is proposing the location along 122nd Avenue, a 15 30-foot with Type B screening. And the applicant proposes to 16 utilize Land Development Code Section 6.06.06.C.12, which permits the applicant to submit an alternative screening plan at 17 18 the time of site and development review. And this plan (indiscernible) screening in terms of height (indiscernible) 19 20 against separation equivalent to or exceeding that provided by 21 the above requirements in Section 6.06.06. 22 The applicant additionally proposed this alternative 23 screening along with the entire northern boundary, as is showed in their presentation. And this is natural vegetation creates a 24

natural buffer and natural distance separation from the adjacent

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properties north of -- on the north side of 122nd Avenue right 1 of way. The Planning Commission finds the application is not supportable based upon neighborhood protection policies and it doesn't meet commercial locational criteria and other policies that are stated in the planning commission report. environmental protection commission wetlands division has reviewed the proposed rezoning and has determined a submittal is not necessarily the site plans current configuration. 8 There are two transportation design exceptions of Old Morris Bridge Road, it's a substandard road and that was found approvable. And 10 122nd Avenue is also a substandard road and that was also found 11 approvable by the county engineer. 12 13 Based on the above, Staff finds the request approvable 14 unless you have any questions. 15 HEARING MASTER: I'm just looking at the zoning map and it appears that the property that Ms. Grimes pointed out was 16 17 being developed for something. It looks like storage. It looks 18 like that one is zoned CN. Are you aware of any development on 19 that parcel? 20 MR. LAMPKIN: So they're -- I'm not aware of a 21 building permit when the application came in. I looked for one. 22 There could be one in the process now, but I'm not aware, no. 23 HEARING MASTER: All right. And then Development Services Staff and your analysis of the case, do you look at 24 whether the -- the parcel is subject to commercial locational 25

criteria? 1 MR. LAMPKIN: We do not. HEARING MASTER: Okay. All right. That's all the 3 questions I have for you then. Thank you. MR. LAMPKIN: Thank you. 6 HEARING MASTER: All right. Planning Commission. MR. FEHRINGER: Good evening. Bryce Fehringer, Planning Commission Staff. 8 The subject property is located within the suburban 9 mixed use six, Future Land Use Category in the urban service 10 It is not located within the limits of the community 11 The suburban mixed use six, Future Land Use Category 12 13 extends north. To the south are the public quasi-public and the 14 community mixed use 12 categories. To the east and west is the 15 natural preservation Future Land Use Category. To the west are the community mixed use 12 and Residential-20 Future Land Use 16 17 Categories. 18 Objective one and Policy 1.4 of the Future Land Use Element encourage compatible development within the urban 19 service area. The proposed restriction, commercial intensive 20 21 uses are for the purpose of open storage of vehicles and mini warehouse or contractor's offices. These uses are not 22 23 consistent with the existing character of the development in the While the applicant is providing enhanced buffering 24 25 screening methods and setbacks, the proposal does not meet the

intent of neighborhoods protection policies outlined by the 1 Future Land Use Element Objective 16 and its associated policies. 4 The residential dwellings north of the site are existing developed homes and meet the definition of an established neighborhood. The request would facilitate the encroachment into the residential area adjacent to the subject property immediately to the north, which -- which requires 8 gradual transition of intensities between different land uses to be provided. Though the applicant has submitted proposed 10 mitigation measures, the intensity of the proposed use is out of 11 character with the existing residential development in the area. 12 13 Similarly, the nature of the request directly conflicts with the 14 community design components, policy direction for new 15 developments to ensure compatibility. 16 The site does not meet esta -- the established 17 commercial locational criteria per Objective 22 of the Future 18 Land Use Element and has submitted a waiver request pursuant to Policy 22.8 of the Future Land Use Element. While the site is 19 adjacent to Interstate 75 and is a formal landfill, other 20 non-intensive commercial or office uses could still be built on 21 22 the site and it would be more compatible with the surrounding 23 residential uses due to the intensity of the proposed uses

Planning Commission Staff does not support the waiver and

encroaching into the residential uses adjacent to the north.

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respect -- respectfully recommends that the Board of County Commissioners not grant the waiver.

A portion of the southeast quadrant of the site is located within a significant wildlife habitat. Any impact to the essential wildlife habitat found during the site plan review process will not be supported for several policies of the environmental and sustainability section. Based upon these considerations, Planning Commission Staff finds the proposed rezoning inconsistent with the Unincorporated Hillsborough County Comprehensive Plan.

HEARING MASTER: All right. Thank you.

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

Is there anyone here or online who wishes to speak in opposition to this application? Please make sure you speak into the microphone and state your name and address for the record.

MS. HEAR: My name is Jerri Hear. I am a resident of 9016 122nd Avenue and I'm representing the neighborhood, which we consider ourselves. While we are not wholly opposed to having this development, we do have some concerns and want to make sure are addressed and considered before the -- the Commission makes a decision in this matter. One of the concerns is the development of property may -- may affect water quality. As we've discussed or it has been discussed, this is a former landfill with some pretty significant contaminates. And because

of those contaminates, the development of I-75 was actually had to be rerouted or changed because changing and moving that landfill property would have affected the contaminates.

Also, the State forced the county to put in deep wells into our properties because we need to go below the upper level aquifer in order to hit safe water. And we're concerned that bending or moving or building on that property would affect that from an environmental standpoint.

Another thing that I want to point out is the slide that was put up indicating the previous, the 1957 and 1962 and 1969 building, the one on 1957, there were in fact, two homes in that area, but they're concealed because that area does not show houses underneath trees. So there were homes in that facility before the landfill existed. So that was one of our major concerns potential of water damage or water contamination that we would have to deal with.

I also concerned about the increased traffic. That particular area has one egress. The only way in and out of that neighborhood both north of us and our neighborhood itself is a single stop sign coming from 127 onto Morris Bridge Road. And right now there is huge amounts of traffic issues during rush hours. And the -- the development north of us that has added 90 homes, which had maybe two vehicles per home, is another 160 vehicles that have to get out of that one stop sign every time there's a rush hour, which is twice a day for most of us anyway.

1 And adding more commercial vehicles coming through there on a roadway that is not designed for that, I'm thinking 2 the road is going to have to be improved. We need to look at maybe a stop light or something so that we can improve the egress and entrance to and from that property or that whole neighborhood area. And that -- I'm not sure how that's going to be handled. The road condition itself, that road hasn't really been improved or repaired in probably 30 years. And again, 8 increased traffic of trucks or whatever kind of commercial vehicles coming on there, is that going to create an issue where 10 11 that road is going to break down more, have to be repaired more? There's also some, you know, some concern about who's 12 13 responsibility would be -- is it going to be to repair that road 14 when damage happens. We aren't really in a position to do it. 15 I'm assuming that the applicant has looked at that -- that possibility. We've had some problems over the years of the 16 17 county both denying and then finally agreeing that they're 18 responsible for it. And occasionally, they'll come out and mow 19 the lawn, but mostly we have to do the treatment of grass growth and all that sort of stuff on our own road because nobody else 20 will do it. 21 22 And lastly, our concern is for the potential value 23 change for our properties and our way of life. We like this piece of property because it is out of the way. It's like our 24 little piece of heaven that is very close to the City of Tampa, 25

but it's quiet and lots of nature around. As you can see from 1 the different aerials that we saw, the trees and wildlife habitats, here there and all these kind of protected area. now we're talking about bringing commercial properties in here, that would affect that quality of life for us. And so we have concerns about that. Whether or not the change -- this one change would then consider or put to it to where our properties would then need review about our zone. They're going to take 8 our agricultural use away because now it's commercial right 9 across the street from us. Is that going to cause some kind of 10 evaluation or re-evaluation where our taxes would increase 11 because our property values had changed? 12 13 So those are the kinds of things and concerns that we 14 have and that we need to see address before we would even close 15 to approve something like this or -- or change our opposition to it. Thank you. 16 17 HEARING MASTER: Ms. Hear. MS. HEAR: Yes. 18 19 HEARING MASTER: You stated that you represent other 20 neighbors --21 MS. HEAR: Yes. 22 HEARING MASTER: -- in the neighborhood. About how 23 many neighbors are there, about how many? MS. HEAR: Two are left. One on either side of us. 2.4 25 So we're kind right in the middle. And then there's a neighbor

to the east of us, neighbor to the west of us. There's a fourth 1 property further to the east, but that property is vacant right The gentleman who lived there passed way, so his daughter owns it, but nobody's currently living there. HEARING MASTER: So basically it's two neighbors plus 6 yourself. So three homes. MS. HEAR: That's correct. HEARING MASTER: And they're all -- they're on 122nd 8 Avenue? 9 MS. HEAR: 10 Yes. 11 HEARING MASTER: Okay. And so you're concerns, and I understand your concerns, and you stated them very clearly, but 12 13 you're not necessarily in opposition to the development request, 14 but you are -- you do have these concerns about the impacts on 15 the properties. 16 MS. HEAR: Because the -- the proposed development has 17 so many different varieties of types of things. So, like, I'm not sure that I would mind having, like, a contractor that comes 18 in and he's got a small business, but if you're going to have a 19 20 trucking firm coming in there that's going to bring a bunch of trucks in and out, that's going to affect the roadway and the 21 22 traffic. The sound issues, fumes, I mean you know, all those kinds of things. So the restrictions would have to be in such a 23 way that it's a minimal impact kind of development where we 24 would be opposed to it because it would change our way of life. 25

1 I see. All right. Thank -- thank HEARING MASTER: you very much. 2 All right. Is there anyone else here or online who 3 wishes to speak in opposition to this application? I do not hear anyone. Development Services anything further? MS. HEINRICH: No. HEARING MASTER: All right. Applicant. Ms. Grimes, 8 in your rebuttal, could you address in a little bit more detail, 9 particularly for the -- the neighbors, what are the proposed 10 uses and improvements to the roadway that would have to be made? 11 12 MS. GRIMES: Yes, ma'am. 13 First, I was going to address just one other point too 14 about the Planning Commission's objection. If you look, you can 15 see that Policy 22.8 does allow a waiver under the commercial 16 locational criteria and the -- the criteria are if the proposed 17 use is compatible with the adjacent area or there are unique circumstances. We think we have both. We think we established 18 19 compatibility, I'll get into that more. But it is a unique circumstances in that the -- the uses on the site are absolutely 20 21 limited to what we're proposing, which is commercial intensive 22 uses. 23 I -- I also feel Planning Commission didn't fully consider the fact that the uses are limited as a result of the 24 previous landfill use. If we can't do residential, we can't do 25

agricultural, we don't want to do industrial because of the --1 the residences to the north, we're limited to just commercial intensive, that they're saying you can't have commercial because it doesn't mean the CLC. So basically, they're saying there's no option for you, you can't use this property. That's -that's not rational. And lastly, the -- our -- our neighbors to the north. We have spoken to them several times. I -- I know they did say 8 that they were not fully opposed, but let's go over some of 9 their concerns. As far as the traffic is concerned, we -- we 10 11 are going to do substantial improvements to the roadway. are, hang on one second, we are -- you can see here from this 12 13 slide of Morris Bridge Road, it's -- it's a standard road now. 14 So is 122nd. I think they acknowledge that. Both of those are 15 going to be approved at 12-foot travel lane, 24-foot lane of lanes, an eight-foot stabilized shoulders. In addition to that, 16 17 there will also be an implementation of a capital improvement 18 plan for Hallow Creek Bridge (phonetically). And then the external connectivity, they raise as an issue. The western 19 driveway will be improved and realigned with Old Morris Road 20 21 Bridge Road and then the center access drive will also be improved and realigned. So the neighborhood will be having the 22 23 benefit of those extensive roadway improvements that they said that they've never been able to achieve. We also are going to 24 put a sidewalk on the boundary of our property on the northern 25

boundary of our property, so that will be added as well. 1 HEARING MASTER: And just to clarify as well, I think for the neighborhood. There was some -- some question at least to them, as to who maintains the road. But it is a county right of way, is that correct? MS. GRIMES: That's correct. 6 HEARING MASTER: And after the improvements are made by the developer, then it will be county's to maintain? 8 9 MS. GRIMES: Yes. HEARING MASTER: Is that correct? 10 MS. GRIMES: Yes. But these are going to be 11 substantial improvements that'll improve the -- the quality of 12 13 the roadways in that whole area, substantial from eight-foot to 14 24-foot, you know, of pavement with eight-foot stabilized 15 shoulders where there's ditches on both sides of the road right So I think that's important to note. I'm going to have 16 17 our engineer come up and address the issue with the -- with the 18 landfill and the -- the water quality and whether it's affected. 19 But lastly, I just want to say that the -- the -- the questions 20 about sounds and diesel fumes, this is -- they're right next to I-75. Some of the sounds that they hear already have to be 21 22 pretty impactful, as well as the fumes and so forth from the --23 from all of the cars and trucks and so forth that travel I-75. But we do understand their concerns and we're going to -- we are 24 25 trying to implement these measures that will ensure

1 | compatibility.

One other thing we wanted to also address was the lighting is the county has a code requirement that strictly limits lighting onsite and makes sure that lighting doesn't overflow onto adjacent properties. So that is one additional benefit. The sounds will be mitigated to some extent from that existing vegetation, the trees because that will prevent a lot of the sound from coming through. And we don't think visually they're going to be able to see onto the site because of that existing vegetation that will be maintained.

And now I'll introduce Danny Bergin.

MR. BERGIN: Good evening. Daniel Bergin. Civil engineer of record. 3802 Ehrlich Road, Suite 312, Tampa, Florida.

Just in addressing the neighbor's concerns primarily for water quality, there's no stormwater management onsite for the landfill. While the landfill is closed as recently as 2018, we can for record, we found that it has been receiving disposal materials, whether it's clay, dirt and things of that nature, without proper better management practices in place so that the site is active. I can't confirm how recently it was active, but we have on file, as you know, as early as 40 years ago it was receiving materials to be disposed of on site.

HEARING MASTER: Okay. Receiving materials, is that a polite way of saying it was illegal dumping?

1 MR. BERGIN: It's hard to say. But it -- it was cited for illegal dumping. And it was -- it was submitted to FDEP for 2 investigation, but there was no citation issued --3 HEARING MASTER: Okay. MR. BERGIN: -- as part for illegal dumping. is an AR use. So they are permitted to take materials, not disposable materials, not not admissible waste, but as far as it could be unsuitable soils or things of that nature, you know, 8 through that AR, that they are allowed to take, which is dump trucks and -- and things of that nature in high volume. 10 11 HEARING MASTER: Okay. MR. BERGIN: So the site is not dormant. 12 13 HEARING MASTER: Your -- your time's up, but I do want 14 you to con -- I want you to present your testimony, so please --15 MR. BERGIN: Sure. The -- the water quality portion what I was alluding to earlier was that there is no storm water 16 17 management system on place now. We are proposing make -- to 18 construct a storm water management system and can -- and connect to public water and public sewer. So there will be no septic, 19 there will be no well, there will be no offsite runoff that will 20 21 cause adverse impacts water quality at the adjacent neighbors. 22 The way the site drains now, it is split. Half of it drains to 23 the east and half drains to the west. DOT has accepted runoff from our site, which would then go from our management system 24 into DOT's. And then the remainder of the site, would drain 25

east into southwest (indiscernible) management district 1 property. That's per the base in drainage maps. Nothing would be going to 122nd Avenue once we're constructed. I cannot tell you from now, the runoff does not occur into their properties that comes off the landfill site. But the site would be essentially capped with pavement, rock and then drained into the appropriate management facilities that are shown on the construction documents, preventing any sort of contaminated 8 runoff from going towards the existing residents, which we've 9 (indiscernible). 10 11 HEARING MASTER: Are you qualified to speak to the question of whether stirring up the dirt on site will have -- on 12 13 site will have any impact to adjacent wells, water wells? 14 MR. BERGIN: So we have -- yes, ma'am. 15 environmental engineer with a degree from the University of 16 Florida. 17 We have strategically located the ponds in areas where 18 there's minimal impact to existing wasate. We've also shallowed certain areas so that the intent isn't to disturb the waste. 19 20 And also in the event that there is waste that is going to be 21 disturbed, it would be removed under the supervision of the (indiscernible) and we'd also come in with a measure or 22 23 something to prevent any sort of (indiscernible) or something like that. So it's highly regulated, highly tested. And the 24 25 end result would be an increase in water quality from the

current condition. That's the intent. And that's what's 1 required of us. 2 3 HEARING MASTER: Do you at this point, does a property owner have to go through any environmental cleanup that you know of? 6 MR. BERGIN: Not that I'm aware of. I believe the -the site -- there is some testing that's occurred, but there was no cleanup measures. Whatever we do, we would be subjected to 8 DEP's (indiscernible). HEARING MASTER: Okay. All right. I think that's all 10 11 my questions for you. 12 MR. BERGIN: Thank you. 13 HEARING MASTER: Thank you. Miss Grimes, did you have 14 anything further? 15 MR. GRIMES: Not unless there are any questions for 16 me. 17 HEARING MASTER: All right. I think I'm -- I'm not 18 sure the -- the neighbors' concerns about the use, the potential traffic and trucks and things like that was addressed. And the 19 20 Staff Report does mention potentially rental and service of new 21 or used commercial vehicles. It sounds like kind of a busy --22 MS. GRIMES: That -- that one particular use, whenever 23 you identified specific uses, the County requests that we use the use categories that they have in the zoning code. So we 24 would kind of limited with that description. If you look in our 25

Zone Hearing Master Hearing --November 13, 2023

narrative, we have a footnote that says we don't intend to do 1 the vehicle service aspect of -- of rental vehicles. I mean, it 2 was a much broader use than what we're really contemplating to So we do have that as a -- as a footnote in there and happy to add that as a condition as well, if -- if that's what's required to limit that use. Some of the other uses, like the -- the -- the outdoor storage and the -- in the warehouse are -- are, you know, not as 8 active of uses as -- as some of the other ones. I think that's 9 something that we won't know until we actually have built out, 10 11 but I think that's something that the -- the -- the residents have to weigh because you have the potential for uses that are 12 13 fairly passive type uses and you have the benefit of all these 14 roadway improvements and other improvements that would be -- be 15 done to a site right now a -- a landfill site that is potentially having impact on their property and according to 16 what they've testified to. 17 18 As far as the traffic is concerned, we did do a site 19 access analysis or site management -- access management 20 analysis. And what the trips that were generated as a result of 21 the most intensive of the uses that we proposed are still allow 22 that road to operate at an acceptable level of service, 23 especially with the improvements of what we come to. 24 HEARING MASTER: Okay. All right. Thank you very 25 much.

Zone Hearing Master Hearing --November 13, 2023

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MS. GRIMES: Thank you.
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              HEARING MASTER: All right. This is -- we'll close
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   the hearing on PD 23-0517. We're going to take a short break.
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   We'll be back at about five minutes after eight.
              (OFF THE RECORD.)
 5
              (ON THE RECORD.)
 6
              HEARING MASTER: All right. Welcome back to the
   November 13, 2023 Zoning Hearing Master Meeting. We're going to
 8
    reconvene. And we're ready to call the next case.
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Unincorporated Hillsborough County Rezoning				
Hearing Date: November 13, 2023 Report Prepared: November 1, 2023	Petition: PD 23-0517 9031 122 nd Avenue Northeast of the East Fowler Avenue and Interstate-75 intersection			
Summary Data:				
Comprehensive Plan Finding	INCONSISTENT			
Adopted Future Land Use	Suburban Mixed Use-6 (6 du/ga; 0.25 FAR)			
Service Area	Urban			
Community Plan	N/A			
Requested Zoning	Rezone from Agricultural Rural (AR) to a Planned Development to permit up to 0.25 FAR (170,319 sq. ft.) of limited commercial intensive uses			
Parcel Size (Approx.)	15.64 +/- acres (681,278.4 sq. ft.)			
Street Functional Classification	East Fowler Avenue - Principal Arterial Interstate-75 - Principal Arterial 122 nd Avenue East - Local			
Locational Criteria	Does not meet; waiver requested			
Evacuation Zone	D			



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Context

- The 15.64 +/- acre site is located northeast of the East Fowler Avenue and Interstate-75 intersection.
- The subject property is located within the Urban Service Area and is not within the limits of a Community Plan.
- The subject property is designated as Suburban Mixed Use-6 (SMU-6) on the Future Land Use Map. Properties in the SMU-6 Future Land Use category can be considered for a maximum density of 6 dwelling unit per gross acre and a maximum intensity of 0.25 FAR. The SMU-6 Future Land Use category is intended for urban/suburban in intensity and density of uses. Typical uses of SMU-6 include residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria.
- To the north is the SMU-6 Future Land Use category. To the south are the Public/Quasi-Public (P/QP) and the Community Mixed Use-12 (CMU-12) category. To the east and west is the Natural Preservation (N) category. In addition to the west are the CMU-12 and Residential (RES-20) categories.
- The subject property is zoned as Agricultural Rural (AR). To the south and west of the site is AR zoning. To the north is Agricultural Single Family-1 (AS-1) and Commercial Neighborhood (CN) zoning. To the west is Planned Development (PD) and AS-1 zoning. In addition to the south are Residential Duplex Conventional (RDC-12). PD and AR zoning.
- The site is currently listed as agricultural land. To the north of the site is single family residential, vacant and Public / Quasi-Public. To the east is the Lower Hillsborough Wilderness Park. To the south are several Public / Quasi-Public properties. To the west across Interstate-75 is vacant, single family residential, Public / Quasi-Public and light commercial uses. Further west is public utilities and multi-family.
- The applicant requests to rezone from Agricultural Rural (AR) to a Planned Development to permit up to 0.25 FAR (170,319 sq. ft.) of limited commercial intensive uses.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

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

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 8.5: Calculating Floor Area Ratio For purposes of calculating the maximum permitted gross building square footage for non-residential uses within a development proposal the following procedure shall apply: In applying floor area ratios (FAR) to acreage, all residential land use types that fall within a project's boundaries are excluded (except as allowed in the Innovation Corridor Mixed Use-35 land use category). Also, only those lands specifically within a project's boundaries may be used for calculating maximum permitted gross building square footage. Except in accordance with the County's transferable development rights regulations, intensity cannot be transferred from one parcel of land to another when such parcels are physically separated from each other unless the separation is created by a roadway, wetlands, stream, river, lake or railway. 11 Gross non-residential intensity refers to gross building square footage of nonresidential land use types within a given project or, in the case of mixed use projects, portion(s) of a project. A project's total non-residential acreage, for purposes of calculating its gross nonresidential land uses to which the owner or owner's agent or developer has surface development rights, includes the following land within the non-residential portion(s) of the project to be used for: planned and unconstructed roads and road rights-of-way, public and private parks and recreation sites, sites for schools and churches, open space sites and land uses, and public facilities such as sewage treatment plants, community centers, well fields, utility substations, and drainage facility sites.

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

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

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

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

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

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

Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Policy 16.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land 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 22.2: 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.

Roadways listed in the table as 2 or 4 lane roadways must be shown on the Highway Cost Affordable Long Range Transportation Plan; major local roadways are defined in the definitions section of this element.

At least 75% of the subject property must fall within the specified distance from the intersection. All measurements should begin at the edge of the road right-of-way.

Policy 22.5: When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e., antiques, boutiques) toward the edges of the activity center.

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

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the

potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

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

5.0 Neighborhood Level Design

5.1 Compatibility

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.

ENVIRONMENTAL & SUSTAINABILITY SECTION

OBJECTIVE 3.8: Manage flora, fauna, and uplands to ensure a healthy, functioning environment, economy, and quality of life.

- **Policy 3.8.1:** Protect and conserve Significant Wildlife Habitat and ensure a no net loss of Essential Wildlife Habitat.
- **Policy 3.8.2:** Continue to prohibit unmitigated encroachment into the 100-year floodplain to protect and conserve the functions and natural wildlife habitat attributes where they exist within the 100-year floodplains of rivers and streams as provided under local rules and regulations including mitigation as required.
- **Policy 3.8.3:** Maintain local wildlife and wildlife habitat protection and management programs to protect native plants and wildlife.
- **Policy 3.8.4:** Continue to apply adopted criteria, standards, methodologies, and procedures that require the development and implementation of management plans for Significant or Essential Wildlife Habitat determined to provide particularly valuable and manageable habitat qualities.
- **OBJECTIVE 3.9:** Manage natural preserves to ensure a healthy, functioning environment, economy, and quality of life.
- **Policy 3.9.9:** Protect natural resources, coastal resources, publicly owned, or managed natural preserves from adverse impacts attributable to adjacent land uses. Continue to require development activities on adjacent properties to comply with adopted criteria, standards, methodologies, and procedures to prevent adverse impacts.

DEFINITIONS SECTION

Neighborhood - An integrated area related to the larger community of which it is a part and consisting of residential districts.

Neighborhood - For purposes of the Census Bureau's Neighborhood Statistics Program, a neighborhood is a locally defined sub-area of a locality with non-overlapping boundaries. Neighborhoods usually have advisory representatives to present citizen views on municipal matters; where such representation does not exist, areas traditionally recognized can be used.

Established Neighborhood - A neighborhood where platted, or otherwise divided, lands have been at least eighty percent developed and occupied without substantial deterioration since such development.

Staff Analysis of Goals, Objectives, and Policies:

The 15.64 +/- acre site is located northeast of the East Fowler Avenue and Interstate-75 intersection. The subject property is located within the Urban Service Area and is not within the limits of a Community Plan. The applicant requests to rezone from Agricultural Rural (AR) to a Planned Development (PD) to permit up to 0.25 or 170,319 sq. ft. of limited commercial intensive uses. All uses except for the mini warehouse and warehouse uses are individually limited to 60,000 sq. ft. The applicant is asking to limit the zoning to the following uses:

- 1. Contractor's Office, with or without Open Storage
- 2. Open Storage and Sales
- 3. Sales, Rental and Service** of New or Used Commercial Vehicles, Buses, and Trucks
- 4. Mini Warehouse
- 5. Warehouse, with or without Distribution Center
- 6. Trucking and Truck Terminal

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The proposed CI-R uses are for the purpose of open storage of vehicles and mini warehouse/contractor's office is not consistent with the existing character of development in the area.

The site does not meet the Commercial Locational Criteria per FLUE Objective 22 and its accompanying policies. The proposed PD must have 75% of the site within 900 feet of the nearest qualifying intersection is the node of Williams Road and East Fowler Avenue. 75% of the PD is approximately over 5,100 feet from the nearest qualifying intersection nodes. Based on this, a waiver to Commercial Locational Criteria is required.

The applicant submitted a waiver request to Commercial Locational Criteria, stating that the proposed use is compatible with the adjacent residential and mobile homes uses. The applicant is stating that the residential area has deteriorated and does not meet the definition of an established neighborhood in the Comprehensive Plan. Additionally, the applicant states there is no registered neighborhood association, and the mobile home

property has open storage uses consistent with the proposed application. The applicant also states that the project will provide a 70 foot stormwater area and 30 foot landscape/type B buffer area on the north side providing additional screening to the residential areas. Lastly, the applicant states the property has a unique location at the terminus of two dead-end streets.

In addition to the stormwater and landscape buffer area, the applicant is proposing to utilize the existing vegetation on the northern boundary and add a 6 foot opaque fence to mitigate adverse impacts between the adjacent residential properties. Within the 100 foot setback, no land uses including open storage will be allowed. These measures are only applied on the northwestern frontage of the site as the east of the site is the Lower Hillsborough Wilderness Park. The applicant has also stated that the two existing access points will be retained, and sidewalks will be added on the south side of 122nd Avenue.

While the applicant is providing additional buffering, screening and setbacks, the proposal does not meet the intent of the Neighborhood Protection policies outlined under FLUE Objective 16. Policy 16.1 requires development in residential areas to be limited to a neighborhood scale. 16.5 requires that higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials. The proposed is adjacent to established residential uses north of the site and is proposing access off a local road, 122nd Avenue. While the site is adjacent to the interstate, there is no other opportunity for roadway access except for 122nd Avenue. The proposed does not meet the intent of Policy 16.5. In addition, the request would facilitate encroachment into the residential area adjacent to the subject property immediately to the north, which is inconsistent with Policy 16.2, which requires gradual transitions of intensities between different land uses to be provided for as new development is proposed and approved. The applicant has proposed mitigation measures, as stated above. Even with these measures, the intensity of the proposed use is out of character with the residential development in the surrounding area. In addition, the established neighborhoods definition of the Comprehensive Plan does refer to land that has been at least 80 percent developed without substantial deterioration. The residential dwellings north of the site are existing developed homes and meet this definition. Additionally, a separate neighborhoods definition in the Comprehensive Plan states a neighborhood usually have advisory representatives and does not state a registered neighborhood association is required. As it is not a requirement, it does not preclude the residential properties from being considered a neighborhood as referenced in Policy 16.5.

FLUE Policy 22.7 notes that meeting Commercial Locational Criteria is not the only factor to be taken into consideration when granting approval for an application. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential commercial use. Commercial Locational Criteria only designates locations that could be considered, and they in no way guarantee the approval of a particular non-residential use. Per Policy 22.8, the Board of County Commissioners may grant a waiver based on a use's compatibility with the surrounding area or unique circumstances. While the site is adjacent to Interstate-75 and is a former landfill, other non-intensive commercial or office uses could still be built on the site and would be more compatible with the surrounding residential uses. Due to the intensity of the proposed uses encroaching in the residential uses adjacent to the north, Planning Commission staff does not support a waiver based on conflicts with several

Comprehensive Plan compatibility policies and asks that the Board of County Commissioners not grant the waiver.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character 122nd Avenue contains mainly single family residential and vacant land to the north, mobile homes to the east, vacant residential land to the west, and light commercial uses along College Avenue. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful.

The subject site was previously approved as Planned Development (PD 98-0623). FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2 require that all development meet or exceed the land development regulations in Hillsborough County. The Florida Department for Transportation submitted comments dated October 26, 2023 stating that they are willing to revisit a revised site plan. However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.

A portion of the southeast quadrant of the site is located within a significant wildlife habitat. Per the Environmental and Sustainability Section, Policies 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5 and 3.9.9 emphasize protecting and conserving significant wildlife habitats. The Natural Resources Department has reviewed and has no objections. However, comments received indicate that the proposed site plan may require modifications during the site construction plan review process to address Land Development Code requirements. Additionally, any impact to the essential wildlife habitat found during the site plan review process will not be supported per Policies 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5 and 3.9.9 of the Environmental and Sustainability Section.

The submitted site plan is inaccurate as it states the site is within the east rural community planning area. The site is not located within the boundaries of a community plan and there are no designated planning areas.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* and is incompatible with the existing and planned development pattern found in the surrounding area.

Recommendation

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

FUTURE LAND USE RZ PD 23-0517

CONTINUED

WITHDRAWN DENIED

Jurisdiction Boundary County Boundary Urban Service

Tampa Service

PENDING

wam.NATURAL.LULC_Wet_Poly

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL/MINING-1/20 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR) RESIDENTIAL-1 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL-4 (.25 FAR) RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-16 (.35 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

URBAN MIXED USE-20 (1.0 FAR)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR) REGIONAL MIXED USE-35 (2.0 FAR)

ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RETAIL, 25 FAR RETAIL/COMMERCE) RESEARCH CORPORATE PARK (1.0 FAR) OFFICE COMMERCIAL-20 (.75 FAR)

LIGHT INDUSTRIAL PLANNED (.75 FAR)

HEAVY INDUSTRIAL (.75 FAR) LIGHT INDUSTRIAL (.75 FAR)

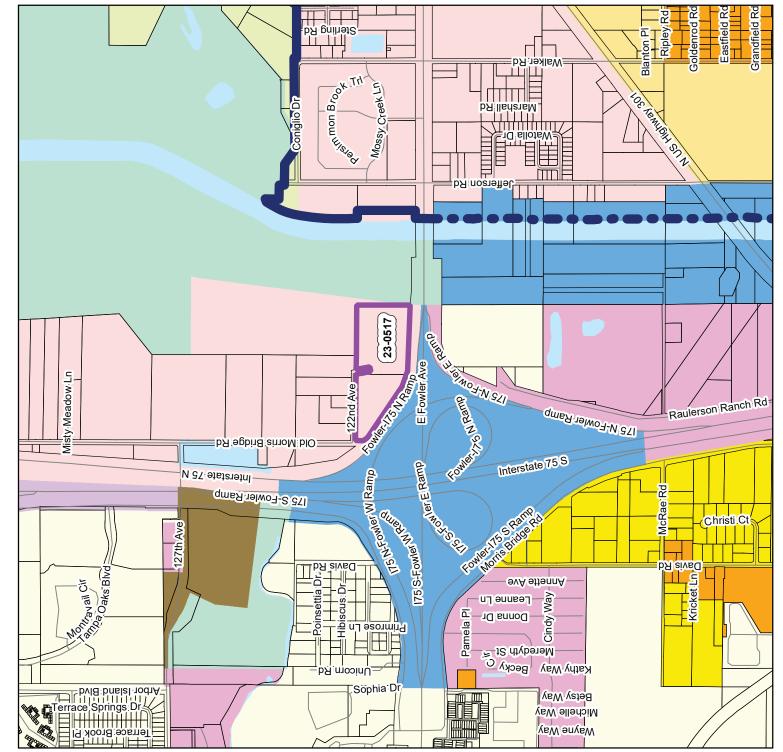
PUBLIC/QUASI-PUBLIC

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) NATURAL PRESERVATION CITRUS PARK VILLAGE

1,710 570

2,280





GENERAL SITE PLAN FOR CERTIFICATION



DEVELOPMENT SERVICES

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

HILLSBOROUGH COUNTY **DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

BOARD OF COUNTY COMMISSIONERS

Harry Cohen Ken Hagan Pat Kemp Gwendolyn "Gwen" Myers Michael Owen Donna Cameron Cepeda Joshua Wostal **COUNTY ADMINISTRATOR** Bonnie

M. Wise **COUNTY ATTORNEY** Christine M. **Beck INTERNAL AUDITOR** Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: CJDW 1-75 &	Fowler Avenue		
Zoning File: RZ-PD (23-0517) Modification: None			
Atlas Page: None Submitted: 12/21/23			
To Planner for Review: 12/21/23	Date Due: ASAP		
Bradley Arant Boult Cummings LLP - Gina Grimes Contact Person:	Phone: 813-559-5505/ ggrimes@bradley.com		
Right-Of-Way or Land Required for I	Dedication: Yes No ✓		
The Development Services Departm	ent HAS NO OBJECTION to this General Site Plan.		
The Development Services Departm Site Plan for the following reasons:	ent RECOMMENDS DISAPPROVAL of this General		
Reviewed by: Tim Lampkin	Date: 12-21-23		
Date Agent/Owner notified of Disapp	roval:		

TAMPA, FL 33637 ATTN: GHANSHYAM D PATEL

GHANSHYAM D PATEL 13003 TERRACE BROOK PL.

OWNER (PARCEL I):

& SAROJ G PATEL 13003 TERRACE BROOK PL. TAMPA, FL 33637

0.25

125

WREHOUSE, WITH OR WITHOUT DISTRIBUTION CENTER SALES, RENTAL AND SERVICE OF NEW AND/OR USED COMMERCIAL VEHICLES, BUSES AND TRUCKS CONTRACTOR'S OFFICE, WITH OR WITHOUT OPEN STORAGE OPEN STORAGE AND SALES

000'09

125 125,

125 125

10165 NW 19TH ST.

ATTN: GHANSHYAM D PATEL APPLICANT:

SCAUCE:

CAD FILE:

OLD MORRIS BRIDGE

PLANNED DEVELOPMENT

JOB NUMBER:

C0435-J0001

SHEET

OF 2 DESIGNED BY:
COD
DRAWN BY:
COD
CHECKED BY:
COD CALE:

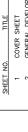
23-0517

CJDW I-75 & FOWLER AVENUE HILLSBOROUGH COUNTY, FLORIDA PLANNED DEVELOPMENT



INDEX OF DRAWINGS

COVER SHEET GENERAL DEVELOPMENT PLAN





VICINITY MAP

SECTION 07, TOWNSHIP 28, RANGE 20

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SITE DATA TABLE

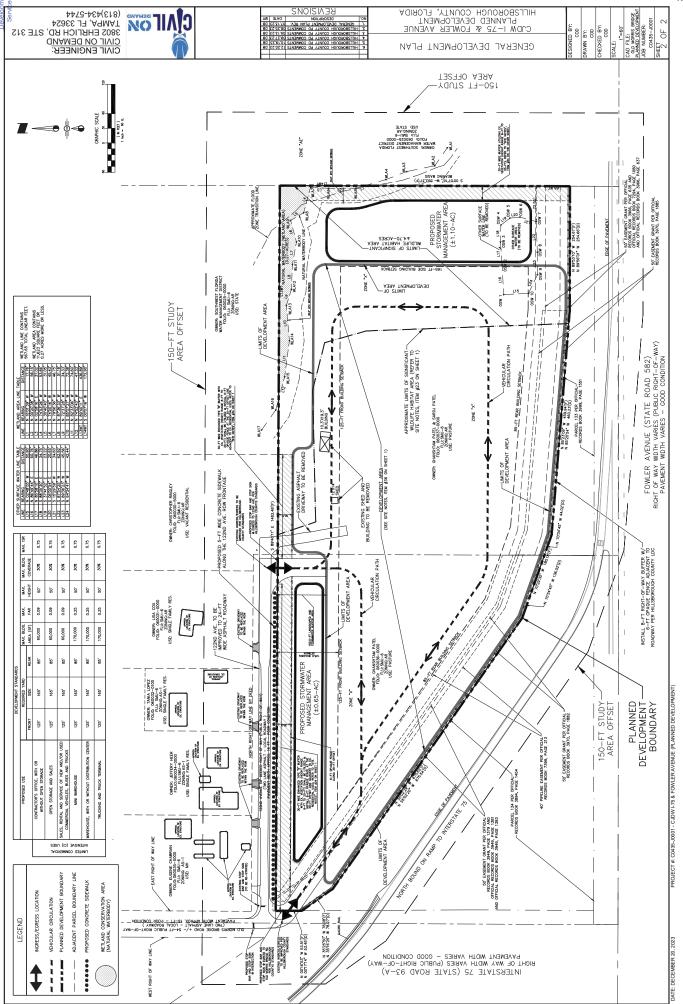
LEGAL DESCRIPTION

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PREPARED FOR:
CJDW RIVIERA, LLC
10168 NW 19TH STREET
MAMM, FL 33172
PHONE: (904) 716-1201
PREPARED BY:

GVIL ON

CIVIL ON DEMAND, LLC 3802 EHRLICH RD. SUITE 312 TAMPA, EL 33624 CONTACT. DEMEL. J. BERGIN PHONE: (813) 434-5744



2023

Received December 21, 2

AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: Richard Perez, AICP
PLANNING AREA: East Rural

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

- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8-foot shoulders on the bridge or as approved by Public Works.
- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided 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.

Other Conditions:

 Prior to certification, the applicant shall revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way"

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels, totaling 15.64 acres, from Agricultural Residential to Planned Development to allow the following uses with certain building square footage limitations:

- a. Maximum 60,000-sf building:
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
- b. Maximum 170,000-sf building:
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The site is located on the east side of Old Morris Bridge Rd. and south of 122nd Ave. The Future Land Use designation is Suburban Mixed Use 6 (SMU-6).

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, 11th Edition.

Approved PD:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
C)	Volume	AM	PM
AR: 3 Single Family Detached Units (ITE 210)	28	2	3

Proposed PD Modification:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
C	Volume	AM	PM
PD: 60,000 sf, Specialty Contractor (ITE 180)	586	100	116
PD: 235,224 sf, Outdoor Storage (ITE 151)	341	21	35
TOTAL	927	121	151

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference (+/-)	+899	+119	+148

The proposed rezoning would generally result in an increase of trips potentially generated by +899 average daily trips, +121 trips in the a.m. peak hour, and +151 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Old Morris Bridge Rd, and 122nd Ave.

Old Morris Bridge Rd. is a 2-lane, substandard, rural local roadway characterized by +/- 10-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 54-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to 127th Ave., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

<u>122 Ave.</u> is a 2-lane, substandard, rural local roadway characterized by +/- 8-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 50-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to Old Morris Bridge Rd., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

SITE ACCESS

The PD site plan proposes one full access connection on Old Morris Bridge Rd. and one full access connection on 122nd Ave.

As demonstrated by the site access analysis submitted by the applicant's traffic engineer, the project does not meet warrants for site access improvements (i.e. turn lanes) at the projects access connection.

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

REQUESTED DESIGN EXCEPTION-OLD MORRIS BRIDGE RD SUBSTANDARD ROADWAY

As Old Morris Bridge Rd is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve Old Morris Bridge Rd. to 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave.

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

REQUESTED DESIGN EXCEPTION- 122nd AVENUE SUBSTANDARD ROADWAY

As 122nd Ave. is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve 122nd Ave. to 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.

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

LEVEL OF SERVICE (LOS)

Old Morris Bridge Rd. and 122nd Ave. are not regulated roadways.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]

Sent: Monday, November 6, 2023 6:43 PM **To:** Steven Henry [shenry@lincks.com]

CC: ggrimes@bradley.com; Lampkin, Timothy [LampkinT@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org];

PW-CEIntake [PW-CEIntake@hillsboroughcounty.org]; De Leon, Eleonor

[DeLeonE@hillsboroughcounty.org]

Subject: FW: RZ PD 23-0517 - Design Exception Review

Attachments: 23-0517 DEAdIn 11-06-23_1.pdf; 23-0517 DEAdIn 11-06-23_2.pdf

Importance: High

Steve,

I have found the attached Design Exceptions (DE) for PD 23-0517 APPROVABLE with CONDITIONS. The Condition being that the 8' shoulders will continue across the bridge.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hillsboroughcounty.org</u> 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 <u>PW-CEIntake@hillsboroughcounty.org</u>

Mike

Michael J. Williams, P.E.

Director, Development Review County EngineerDevelopment 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

Facebook | Twitter | YouTube | LinkedIn | HCFL Stay Safe

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Monday, November 6, 2023 5:46 PM

To: Williams, Michael < Williams M@Hillsborough County. ORG>; De Leon, Eleonor

<DeLeonE@hillsboroughcounty.org>

Cc: Perez, Richard < PerezRL@hillsboroughcounty.org > **Subject:** RZ PD 23-0517 - Design Exception Review

Importance: High

Hello Mike,

The attached DEs are Approvable to me, please include the following people in your response.

shenry@lincks.com
ggrimes@bradley.com
lampkint@hillsboroughcounty.org
perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE (she/her/hers)

Transportation Review ManagerDevelopment 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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Please note: All correspondence to or from this office is subject to Florida's Public Records law.



Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	 ☐ Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.) 				
Submittal Type (check one)	☐ New Request ☐ Revised Request ☐ Additional Information				
Submittal Number and	▼ 1. Submittal 05/11/2023				
Description/Running History (check one and complete text box	$ \mathbf{x} $ 2. First Re-Submittal 08/30/2023 $ \mathbf{x} $ 5. Fourth Re-Submittal 11/06/2023				
using instructions provided below)	\mathbf{x}_{3} . Second Re-Submittal 09/27/2023 \mathbf{a}_{6} .				
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.					
Project Name/ Phase CJDW I-75& Fov	vler Ave PD				
Important: The name selected must be used on all full frequest is specific to a discrete phase, please also	Iture communications and submittals of additional/revised information relating to this variance. list that phase.				
Folio Number(s) 060036-0000; 0	60037-000				
Tono Hamber(3)	Check This Box If There Are More Than Five Folio Numbers				
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").					
Name of Person Submitting Request	Steve Henry/Gina Grimes				
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The				
Current Property Zoning Designation	AR				
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 https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html . For additional assistance, please contact the https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html . For additional assistance, please contact the https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html .					
Pending Zoning Application Number	PD 23-0517				
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not MM for major modifications, PRS for minor modifications/personal appearances.				
Related Project Identification Number	N/A				

1 of 1

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office 60,000 Square Feet
- Outdoor Storage 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, Old Morris Bridge Road is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Old Morris Bridge Road. The segment of Old Morris Bridge Road currently has the following characteristics:

- Two (2) lane rural roadway
- Ten (10) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7:

1) Lane Width – TS-7 has 12 foot lanes. The existing roadway has 10 foot lanes.

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has 8 foot shoulder with 5 feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has 5 foot sidewalk on both sides of the road. There are no sidewalks along the utilized segment of the roadway.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches on the roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet including widening the existing bridge to provide twelve (12) foot lanes.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

Based on the above, it is our opinion, the proposed improvements to Old Morris Bridge Road will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

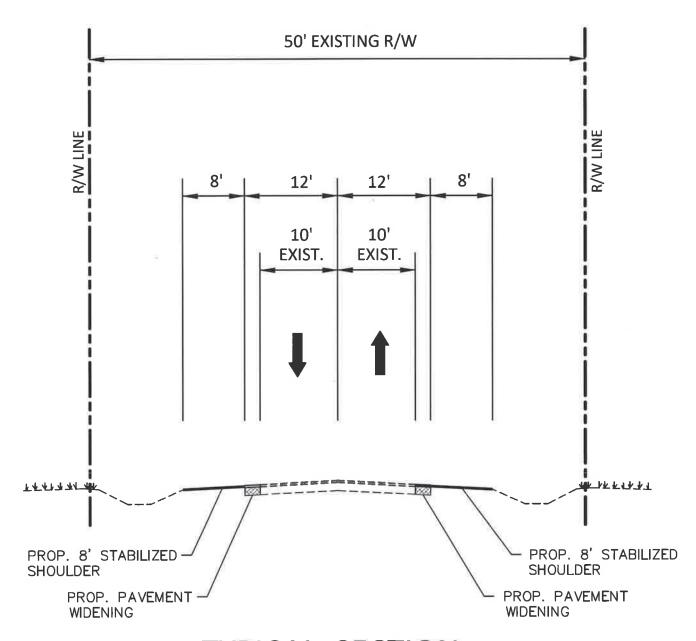
information.	any questions of require any additionar
Best Regards,	
Steven J Henry	
President	M/X/Van
Lincks & Associates, Inc.	
P.E. #51855	
	Contract of the Contract of th
90	
Based on the information provided by the app	
based on the information provided by the app	licant, this request is:
Disapproved	licant, this request is:
	licant, this request is:
Disapproved	
Disapproved	s clarification, please contact Sheida
DisapprovedApprovedApproved with Conditions If there are any further questions or you need	s clarification, please contact Sheida
DisapprovedApprovedApproved with Conditions If there are any further questions or you need	clarification, please contact Sheida oroughcounty.org.
DisapprovedApprovedApproved with Conditions If there are any further questions or you need	clarification, please contact Sheida oroughcounty.org. Sincerely, Michael J. Williams
DisapprovedApprovedApproved with Conditions If there are any further questions or you need	clarification, please contact Sheida oroughcounty.org.

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

nr		Total	116	35	151
PM Peak Hour Trip Ends	Ont	79	16 19 35	86	
	듸	37	16	53	
AM Peak Hour Trip Ends	otal	100	21	121	
	Ont	26	ଠା	35	
		듸	74	12	98
	Daily	Trip Ends	589	341	930
		Size	60,000 SF	235,224 SF	Total
	빝		180	151	
s.		Land Use	Contractor's Office	Outdoor Storage	

(1) Source: ITE Trip Generation Manual, 11th Edition, 2021,

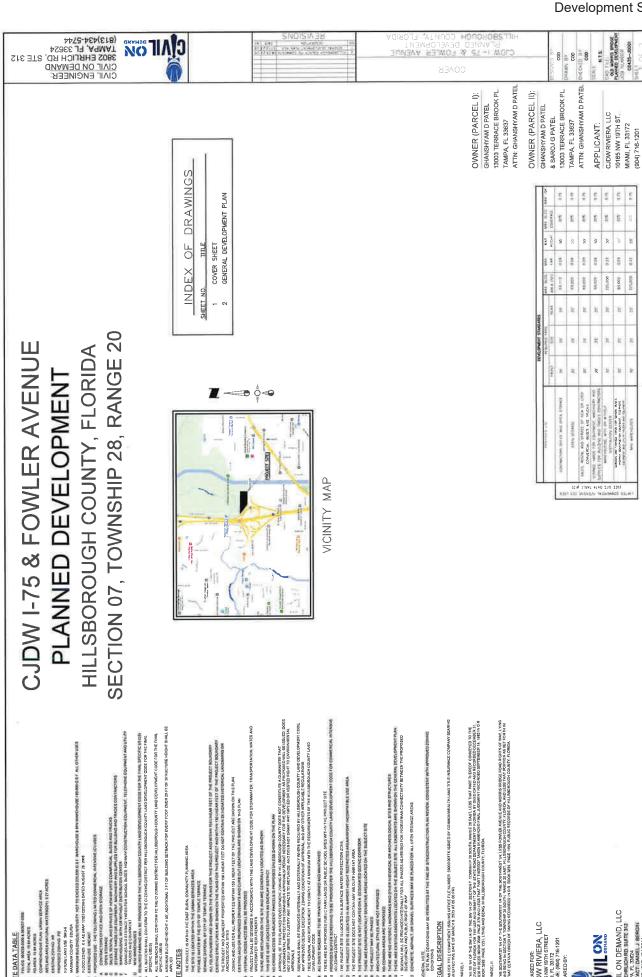


TYPICAL SECTION
OLD MORRIS BRIDGE ROAD



PD PLAN





CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 317 TAMPA FL 23524 CONTACT DAVEL J BERGH PHONE: (813) 4345744

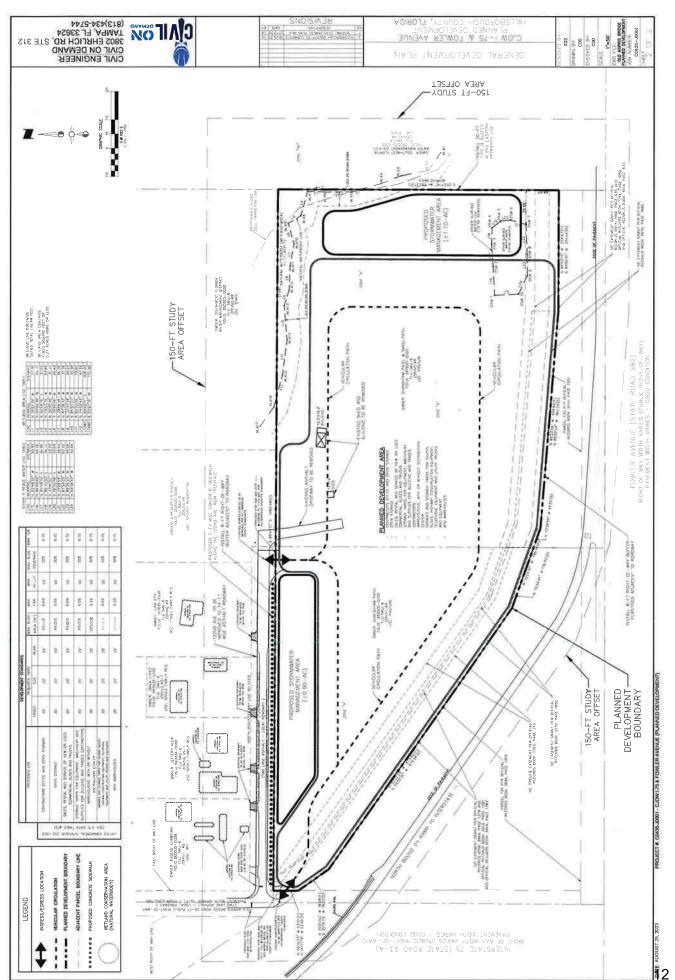
CWIL ORHAND

PREPARED FOR:
CJDW RIVIERA, LLC
10165 NW 19TH STREET
MIAM, FL 33172
PROPARED BY:

(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

EGAL DESCRIPTION

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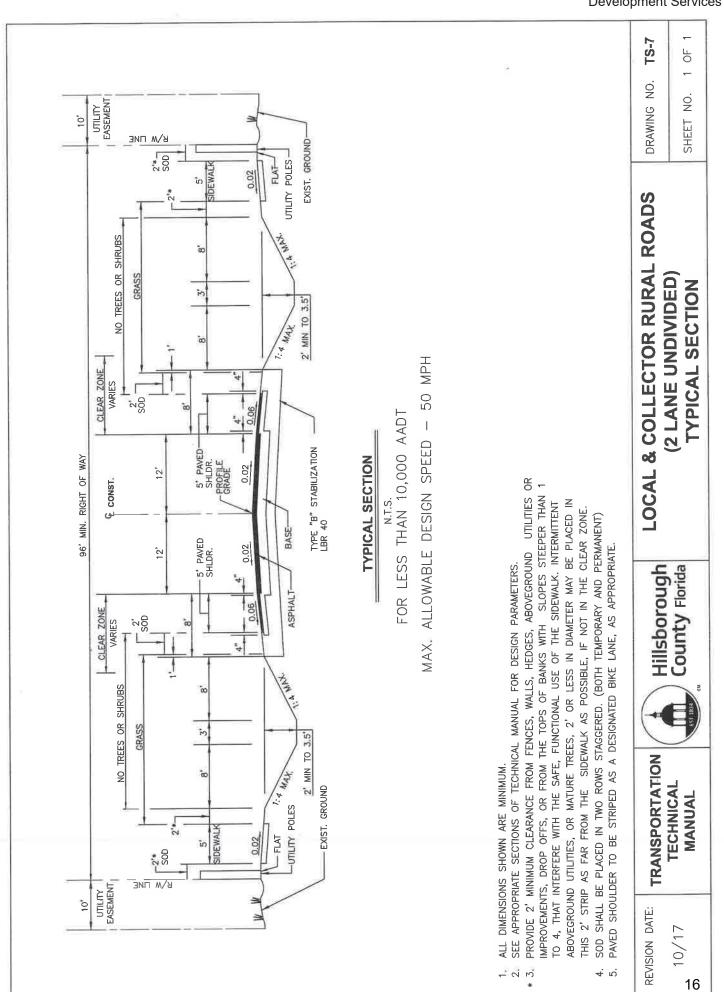
Development Services

HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7







Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form

complete this form.	
Request Type (check one)	 ☐ Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	☐ New Request ☐ Revised Request ☐ Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	 X 1. Submittal 05/11/2023
submittal number/name to each separate request. number previously identified. It is critical that the ap	lests (whether of the same or different type), please use the above fields to assign a unique Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. I information related to a previously submitted request, then the applicant would check the
Project Name/ Phase CJDW I-75& Fow	vler Ave PD
Important: The name selected must be used on all full frequest is specific to a discrete phase, please also	iture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 060036-0000; 0	60037-000
Tollo (valliber(s)	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided by	to a maximum of five. If there are additional folios, check the box to indicate such. Folio by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Steve Henry/Gina Grimes
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
Current Property Zoning Designation	AR
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at https://mc	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.
Pending Zoning Application Number	PD 23-0517
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 100 for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number (Site/Subdivision Application Number)	N/A

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable". 17 05/2020

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code

Section 6.04.03L for 122nd Avenue from Old Morris Bridge Road to the project access.

The developer proposes to rezone the property to PD to allow the following land uses:

• Contractor's Office - 60,000 Square Feet

Outdoor Storage – 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, 122nd Avenue is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for 122nd Avenue. The segment of 122nd Avenue currently has the following characteristics:

- Two (2) lane rural roadway
- Seven (7) / eight (8) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7.

 Lane Width – TS-7 has twelve (12) lanes. The existing roadway has seven(7) / eight(8) foot lanes. Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has eight (8) foot shoulder with five (5) feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has five (5) foot sidewalk on both sides of the road. There are no sidewalks on the road.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches along the existing roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for 122nd Avenue from Old Morris Bridge Road to the project access.

Based on the above, it is our opinion, the proposed improvements to 122nd Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

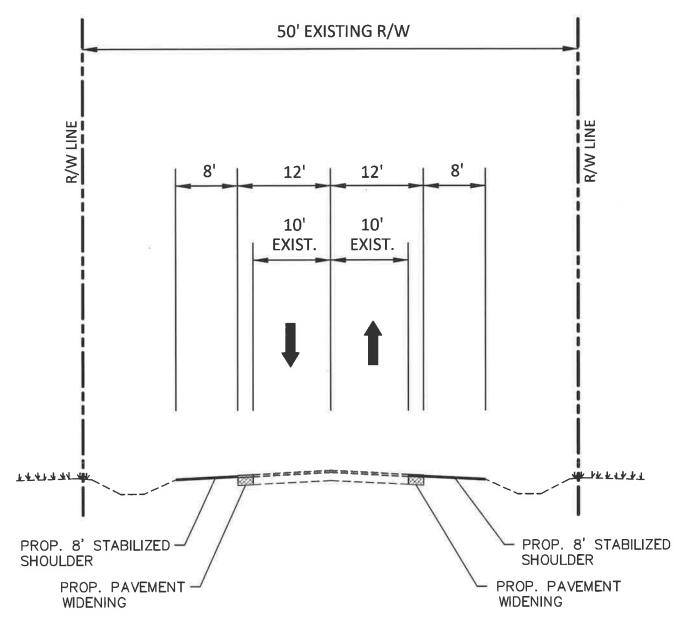
Please do not hesitate to contact us if you have a information.	any questions or require any additional
Best Regards, Steven J Henry	
President Lincks & Associates, Inc. P.E. #51555	
Based on the information provided by the appl	licant, this request is:
Approved	
Approved with Conditions	;
If there are any further questions or you need of L. Tirado, P.E, (813) 276-8364, TiradoS@hillsbo	· ·
	Sincerely,
	Michael J. Williams
	Hillsborough County Engineer

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

	r:			
our	Total	116	35	151
PM Peak Hour Trip Ends	In Out Total	62	19	98
P	듸	37	16	· 23
AM Peak Hour Trip Ends	Total	100	21	121
// Peak Ho Trip Ends	Ont	26	<u>ا</u>	35
A	드	74	12	86
	Trip Ends	589	341	930
	Size	60,000 SF	235,224 SF	Total
빝		180	151	
	Land Use	Contractor's Office	Outdoor Storage	

(1) Source: ITE Trip Generation Manual, 11th Edition, 2021.

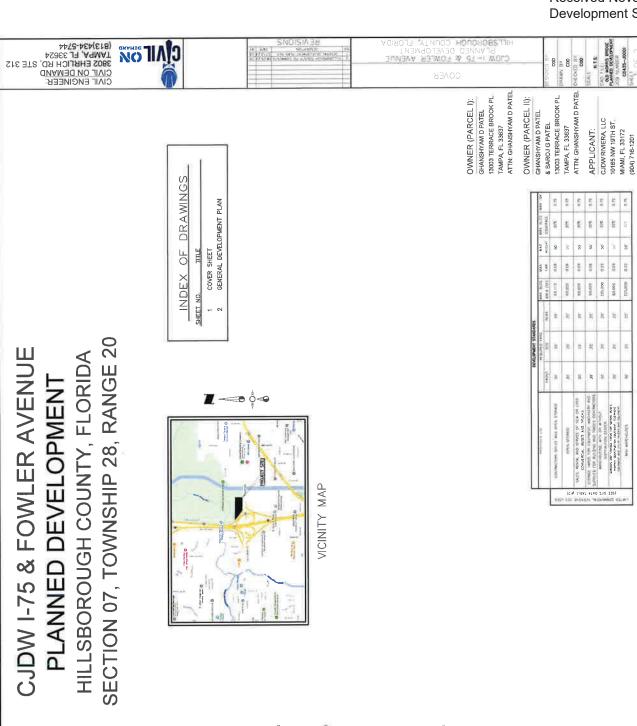


TYPICAL SECTION
OLD MORRIS BRIDGE ROAD



PD PLAN





CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 317 TAMPE AT 23524 CONTACT DATE 1, 8 BROWN PHONE: (813) 4345744

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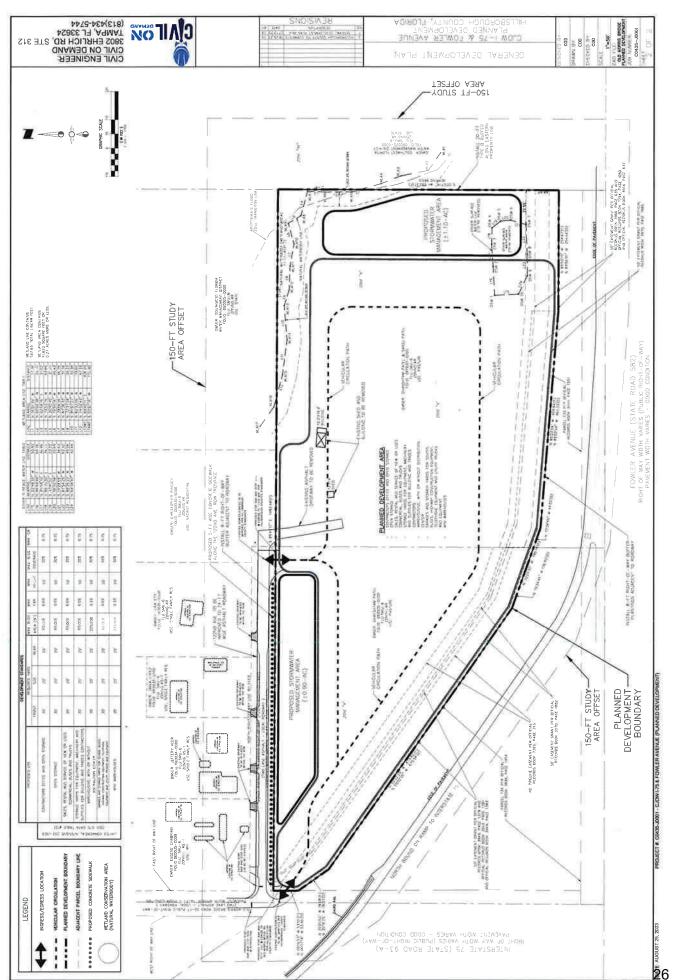
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PREPARED FOR:
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(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

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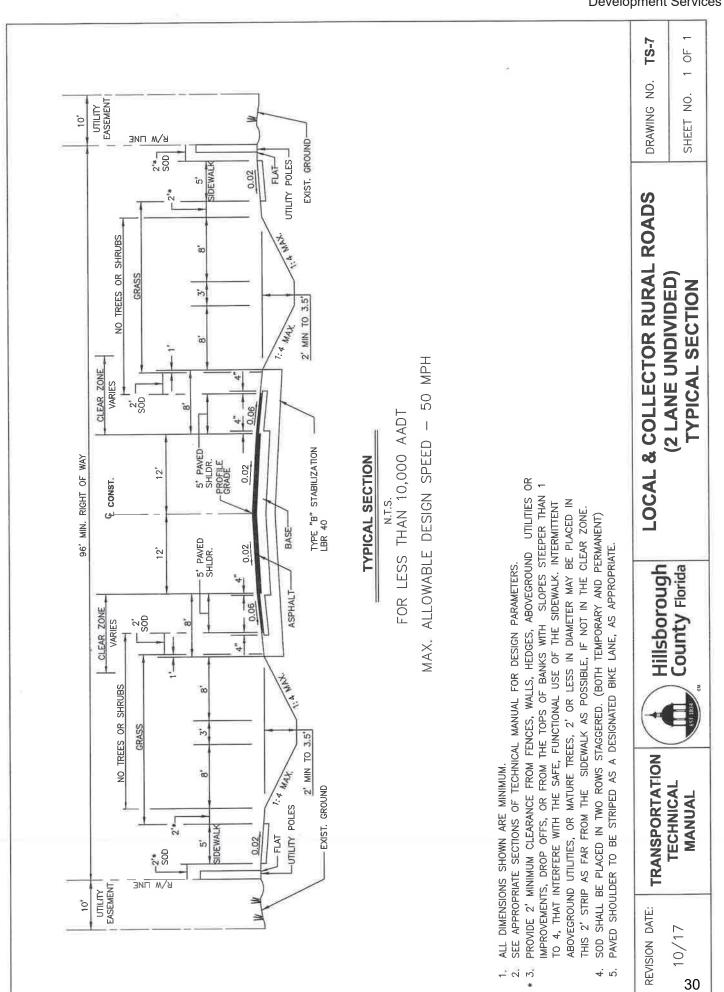


HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7





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		
Old Morris Bridge Rd.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other 		
122 nd Ave.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other 		

Project Trip Generation ☐ Not applicable for this request						
	Average Annual Daily Trips A.M. Peak Hour Trips P.M. Peak Hour Trips					
Existing	28	2	3			
Proposed	927	121	151			
Difference (+/-)	+899	+119	+148			

^{*}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	Х	None	None	Meets LDC	
South		None	None	Meets LDC	
East		None	None	Meets LDC	
West	X	None	None	Meets LDC	
Notes:	_				

Design Exception/Administrative Variance □ Not applicable for this request					
Road Name/Nature of Request Type Finding					
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable			
122 nd Ave./Substandard Roadway Design Exception Requested Approvable					
Notes:					

4.0 Additional Site Information & Agency Comments Summary				
Transportation	Conditions Requested	Additional Information/Comments		
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	☐ Yes ☐N/A ☑ No	⊠ Yes □ No	See report.	



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

October 24th, 2023

CDJW Planned Development

I-75 & Fowler (Old Morris Bridge Rd) SR 582 10 290 000 MP 6.748 Class 3 @ 55 MPH Connection/signal spacing – 440'/2640' Directional/full median opening spacing – 1320'/2640' Folio # 060036-0000 & 060037-0000

RE: Pre-Application Meeting

THIS DOCUMENT IS NOT A PERMIT APPROVAL

THE COMMENTS AND FINDINGS FROM THIS PRE-APPLICATION MEETING MAY7E SUBJECT TO CHANGE AND MAY NOT BE USED AS A BASIS OF APPROVAL AFTER 4/24/2024

Attendees:

Guests: Steve Henry, Daniel Bergin, David Wilf, Richard Perez FDOT: Mecale' Roth, Nancy Porter, Tom Allen, Genesis Zambrano, Selena Gonzalez, Leanna Schaill, David Ayala, Peter Maas, Lindsey Mineer, Daniel Santos, Luis Mejia, Ahmad Chehab

Proposed Conditions:

This development is proposing no new access to SR 582, a class 3 roadway with a posted speed limit of 55 MPH. Florida Administrative Code, Rule Chapter 14-97, requires 440' driveway spacing, 1320' directional, 2640' full median opening spacing, and 2640' signal spacing requirements.

Proposing to rezone to PD approximately 15.64 acres located east of Old Morris Bridge Rd and north of Fowler Ave. Even though the project does not request access to the state roadway, the project does impact the state roadway. Likely land uses are: 60,000 square foot Contractors Office and 5.4 acres of outdoor storage. Proposing one full



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

access to the extension of Old Morris Bridge Road south of 122nd Ave and one full access to 127th Ave. Also proposing to upgrade 127th Ave to 12' lanes up to Old Morris Bridge Rd.

FDOT Recommendations:

- 1. The Department has jurisdiction over the intersection of 127th Ave and Old Morris Bridge Road, and 127th Ave and Morris Bridge Road.
- 2. Please submit an access permit for the proposed development to document the development and impacts to the intersections on 127th Ave.
- 3. Please include an AutoTurn exhibit illustrating the largest anticipated vehicle expected to enter the site and/or use the storage facilities. The exhibit is to include the intersection at 127th Ave and Old Morris Bridge and 127th Ave and Morris Bridge Road. Please ensure the exhibit includes all movements at each intersection.
- 4. Please provide a complete traffic study evaluating the impacts to the intersection of Old Morris Bridge Road and 127th Ave, and 127th Ave and Morris Bridge Road to ensure there are no adverse impacts.
- 5. Truck turning Template for the largest anticipated vehicle making the turns at Morris Bridge Road and 127th Ave and 127th Ave and Old Morris Bridge Road.
- 6. The submitted traffic study is to include the intersection of 127th Ave and Morris Bridge Road in addition to the intersection of 127th Ave and Old Morris Bridge Road.
- 7. Please provide roadway plans for the proposed improvements to Old Morris Bridge Road from the development to the intersection of 127th Ave.
- 8. FDOT is looking to dissolve ownership of Morris Bridge Rd.
- Drainage permit required because ponds discharge to the west to FDOT ROW and to the east to SWFWMD.
 - a. Pre and post-development rates
 - b. 14-86 storm event (36)
 - c. 1' freeboard
 - d. Curb number calcs
 - e. 3-year rate
- 10. There is an FDOT project in design within the proposed work zone.
 - a. Please coordinate with FDOT project 439532-1 (Bike Path/Trail), Charlie Xie, Charlie.Xie@dot.state.fl.us or 813-975-6287



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

- 11. Contact Leanna Schaill or Andrew Perez for any traffic or access related questions at leanna.schaill@dot.state.fl.us, andrewa.perez@dot.state.fl.us, or at 813-975-6000.
- 12. Contact Todd, Nancy or Mecale' (makayla) for permit, pre app, or general questions at todd.croft@dot.state.fl.us, nancy.porter@dot.state.fl.us, mecale.roth@dot.state.fl.us, or 813-612-3200.
- 13. Contact Caroline Cation-Smith for drainage related questions at caroline.cationsmith@dot.state.fl.us or 813-262-8257.

Summary:

After reviewing and Department has def	discussing the information presented in this meeting, the termined we are in favor (considering the conditions stated above)
	□ not in favor
	⊠ willing to revisit a revised plan
The access, as prop	oosed in this meeting, would be considered — conforming
	□ non-conforming
	N/A (no access proposed)
	the rule chapters 1996/97 for connection spacing. The following ed to be applied for by visiting our One Stop Permitting website
(osp.idot.gov).	□ access-category A or B
	⊠ access-category C, D, E, or F
	⊠traffic study required
	□ access safety upgrade
	⊠ drainage
	or
	☐ drainage exception
	□ construction agreement
	□ utility
	☐ general Use
	□ other



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

Thank you for allowing us the opportunity to review and discuss this project in advance. Please feel free to contact me with any questions. We look forward to working with you again.

Respectfully,

Nancy Porter
Permit Coordinator II

2822 Leslie Rd. Tampa, Fl. 33619 Office - 813-612-3237 M-F 7:30 AM – 4:00 PM



Additional Comments/Standard Information:

(These comments may or may not apply to this project, they are standard comments)

- 1. Document titles need to reflect what the document is before it is uploaded into OSP, and please do not upload unnecessary documents.
- 2. Documents need to be signed and sealed or notarized.
- 3. Include these notes with the application submittal.
- 4. Permits that fall within the limit of a FDOT project must contact project manager, provide a work schedule, and coordinate construction activities prior to permit approval. Ask Mecale' for information if not provided in the notes.
- 5. Plans shall be per the current Standard Plans and FDM.
- 6. All the following project identification information must be on the Cover Sheet of the plans:
 - a. all associated FDOT permit #'s
 - b. state road # (& local road name) and road section ID #
 - c. mile post # and left (Lt) or right (Rt) side of the roadway (when facing north or east)
 - d. roadway classification # and posted speed limit (MPH)
- 7. All typical driveway details are to be placed properly:
 - a. 24" thermoplastic white stop bar equal to the lane width placed 4' behind crosswalk or a minimum of 25' in front of it
 - b. 36" stop sign mounted on a 3" round post, aligned with the stop bar

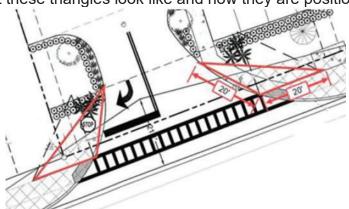


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2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

BORDER CONTRAST

- c. if applicable, a "right turn only" sign mounted below the stop sign (FTP-55R-06 or FTP-52-06)
- d. double yellow 6" lane separation lines
- e. 6' wide, high emphasis, ladder style crosswalk straddling the detectable warning mats
- f. warning mats to be red in color unless specified otherwise
- g. directional arrow(s) 25' behind the stop bar
- h. all markings on concrete are to be high contrast (white with black border)
- i. all striping within and approaching FDOT ROW shall be thermoplastic
- 8. Maintain 20' x 20' pedestrian sight triangles and draw the triangles on the plans to show there are no obstructions taller than 24" within the triangles. Also, no parking spaces can be in these triangles Measure 20' up the sidewalk and 20' up the driveway from the point at which the sidewalk meets the driveway. Here is an example of what these triangles look like and how they are positioned.



- 9. Any relocation of utilities, utility poles, signs, or other agency owned objects must be coordinated with the Department and the **existing and proposed location** must be clearly labeled on the plans. Contact the Permits Department for more details and contact information.
- 10. Make note on plans that it is the responsibility of the contractor to not only restore the ROW, but they are also responsible for maintaining the ROW for the duration of the project.

Context Classification:



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

Here is the link to find information about context classification to see what class standards the proposed project needs to be built to. Below is the standard table for sidewalk width for each class:

https://kai.maps.arcgis.com/apps/webappviewer/index.html?id=b5ecc163fe04491dafeb44194851ba93

 Topic #625-000-002

 FDOT Design Manual
 January 1, 2020

Table 222.1.1	Standard Sidewalk Widths
text Classification	Sidewalk Width (feet)

Context Classification		Sidewalk Width (feet)		
C1	Natural	5		
C2	Rural	5		
C2T	Rural Town	6		
СЗ	Suburban	6		
C4	Urban General	6		
C5	Urban Center	10		
C6	Urban Core	12		

Notes:

- (1) For C2T, C3 and C4, sidewalk width may be increased up to 8 feet when the demand is demonstrated.
- (2) For C5 and C6, when standard sidewalk width cannot be attained, provide the greatest attainable width possible, but not less than 6 feet.
- (3) For RRR projects, unaltered sidewalk with width 4 feet or greater may be retained within any context classification.
- (4) See FDM 260.2.2 for sidewalk width requirements on bridges.

Provide the following minimum unobstructed sidewalk width (excluding the width of the curb) when there is no practical alternative to placing a pole within the sidewalk:

- 36 inches for aboveground utilities. This 36 inch width may be reduced to 32 inches, not exceeding 24 inches in length, when there is no practical alternative available to avoid an obstruction.
- 48 inches for signal, light, sign poles

When used for plantings and street furniture, the area between the back of curb and the sidewalk should be 5 feet or greater in width. Consider providing treewells in areas where on-street parking is provided.

Lighting:

Lighting of sidewalks and/or shared paths must be to current standards (FDM section 231). Newly implemented FDOT Context classifications updated the required sidewalk widths (FDM section 222.2.1.1). Where sidewalk is being added and/or widened, the lighting will be analyzed to ensure sidewalks are properly lighted per FDOT FDM standards. Reference the following link and table for details:



2822 Leslie Road Tampa, FL 33612-6456 JARED W. PERDUE, P.E. SECRETARY

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf 2

Topic #625-000-002 FDOT Design Manual

January 1, 2020

Table 231.2.1 Lighting Initial Values

Roadway Classification	Illumination Level Average Foot Candle		Illumination Uniformity Ratios		lumination Level Average Foot Candle Illumination Uniformity Ratios		Veiling Luminance Ratio
Or Project Type	Horizontal (H.F.C.)	Vertical (V.F.C.)	Avg./Min.	Max./Min.	L _{V(MAX)} /L _{AVG}		
	С	onventional Lig	ghting				
Limited Access Facilities	1.5						
Major Arterials	1.5	N/A	4:1 or Less	10:1 or Less	0.3:1 or Les		
Other Roadways	1.0						
		High Mast Ligh	nting				
All Roadway Classifications	0.8 to 1.0	N/A	3:1 or Less	10:1 or Less	N/A		
	Signal	ized Intersection	n Lighting				
New Reconstruction	3.0	2.3	4:1 or Less	10:1 or Less	3		
Lighting Retrofit	1.5 Std. 1.0 Min.	1.5 Std. 1.0 Min.			N/A		
	Midb	lock Crosswall	Lighting				
Low Ambient Luminance	N/A	2.3	N/A	N/A	N/A		
Medium & High Ambient Luminance	1975	3.0					
	Sidewa	ilks and Shared	Use Paths				
Facilities Separated from the Roadway	2.5	N/A	4:1 or Less	10:1 or Less	N/A		
		Sign Lightin	g				
Low Ambient Luminance	15-20	THE STATE OF THE S					
Medium & High Ambient Luminance	25-35	N/A	N/A	6:1	N/A		
		Rest Area Ligh	ting				
All Roadways and Parking Areas	1.5	N/A	4:1 or Less	10:1 or Less	N/A		

231-Lighting

COMMISSION

Joshua Wostal Chair Harry Cohen Vice-Chair Donna Cameron Cepeda Ken Hagan Pat Kemp Gwendolyn "Gwen" W. Myers Michael Owen



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Rick Muratti, Esq. LEGAL DEPT
Steffanie L. Wickham WASTE DIVISION
Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING				
HEARING DATE: August 21, 2023	COMMENT DATE: June 5, 2023			
PETITION NO.: 23-0517	PROPERTY ADDRESS: 9031 122nd Ave, Tampa,			
EPC REVIEWER: Jackie Perry Cahanin	FL 33637			
CONTACT INFORMATION: (813) 627-2600 X 1241	FOLIO #: 060036-0000 & 060037-0000			
EMAIL: cahaninj@epchc.org	STR: 07-28S-20E			

REQUESTED ZONING: AR to PD

FINDINGS				
WETLANDS PRESENT	YES			
SITE INSPECTION DATE	06-05-2023			
WETLAND LINE VALIDITY	No, needs wetland delineation			
WETLANDS VERIFICATION (AERIAL PHOTO,	Wetlands located in north/northeastern portion of			
SOILS SURVEY, EPC FILES)	folio# 060037-0000			

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

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the
 Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary
 for the development as proposed will be issued, does not itself serve to justify any impact to wetlands,
 and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be

labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

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

INFORMATIONAL COMMENTS:

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

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

Jpc/cb

ec: <u>dwilf@theeastongroup.com</u> ggrimes@bradley.com

AGENCY REVIEW COMMENT SHEET

10:	ZONING TECHNICIAN, Planning Growth Mana	agement	D	ATE: 9 June 2023		
REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management						
APPLICANT: Gina Grimes PETITION NO: RZ-PD 23-0517						
LOCATION: 9031 122 nd Ave., Tampa, FL 33637						
FOL	IO NO: 60037.0000 & 60036.0000	SEC: <u>08</u>	TWN: <u>30</u>	RNG: <u>20</u>		
_						
Ш	This agency has no comments.					
	This agency has no objection.					
	,					
\boxtimes	This agency has no objection, subject to listed	or attache	d conditions	S.		
	This agency objects, based on the listed or atta	ached cond	ditions.			

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

AGENCY COMMENT SHEET

TO: Zoning/Code Administration, Development Services Department

FROM: **Reviewer:** Carla Shelton Knight **Date:** July 20, 2023

Agency: Natural Resources **Petition #: 23-0517**

- () This agency has **no comment**
- () This agency has **no objections**
- (X) This agency has **no objections**, subject to listed or attached conditions
- () This agency objects, based on the listed or attached issues.
- 1. An evaluation of the property identified the potential existence of significant wildlife habitat as delineated on the Hillsborough County Significant Wildlife Habitat Map. The potential for upland significant wildlife habitat within the boundaries of the proposed application shall require the preliminary site plan and site construction plans to identify its existence by type (mesic or xeric) and location and how the Land Development Code preservation provision for upland significant wildlife habitat will be addressed. See Section 4.01.08 in the Land Development Code. The proposed site plan may require modifications during the site construction plan review process to address this Code requirement.
- 2. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.
- 3. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

PD 23-0517 Natural Resources Page Two:

- 4. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
- 5. 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.



AGENCY REVIEW COMMENT SHEET

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

TO: Zoning Review, Development Services DATE: 08/10/2023

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: CJDW Riviera, LLC PETITION NO: 23-0517

LOCATION: 122nd Ave

FOLIO NO: 60036.0000 60037.0000

Estimated Fees:

WarehouseManufacturingLight Industrial(Per 1,000 s.f.)(Per 1,000 s.f.)(Per 1,000 s.f.)Mobility: \$1,337Mobility: \$3,315Mobility: \$4,230

Fire: \$34 Fire: \$57

Self-Storage/Mini-Warehouse Auto Sales (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$725 Mobility: \$16,520

Fire: \$32 Fire: \$313

Project Summary/Description:

Urban Mobility, Northeast Fire - Warehouse, Distribution, Industrial, storage, vehicle sales. Up to 35,000 sq ft

ENVIRONMENTAL SERVICES DIVISION



PO Box 1110 Tampa, FL 33601-1110

Agency Review Comment Sheet

NOTE: Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO: Zoning Review, Development Services REQUEST DATE: 8/31/2023

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 9/6/2023

APPLICANT: CJDW Riviera, LLC PID: 23-0517

LOCATION: 9031 122nd Ave. Tampa, FL 33637 and 122nd Ave. Tampa, FL 33637

FOLIO NO.: 60036.0000 and 60037.0000

AGENCY REVIEW COMMENTS:

A former Hillsborough County landfill is located on both folios. The application indicates that the property is within the County's Urban Service Area Boundaries with service to be provided by the City of Temple Terrace.

Based on the most current data, the proposed project is located within a Surface Water Resource Protection Area (SWRPA); however, the proposed activity is not a prohibited or restricted activity, as defined in Part 3.05.00 of the Land Development Code (LDC).

Based on the most current data, the proposed project is not located within a Wellhead Resource Protection Area (WRPA) and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code (LDC).

Hillsborough County Environmental Services Division (EVSD) has no objection.

WATER RESOURCE SERVICES REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETIT	ION NO.:	RZ-PD 23-0517	REVIEWED BY:	<u>Clay Walker, E.I.</u>	DATE: <u>11/6/2023</u>
FOLIC	NO.:	60036.0000 & 6	80037.0000		
WATER					
				<u>errace</u> Water Service mine the availability of	
	site) however	there could be a	additional and/or d	he site),	point-of-connection, ection determined at
	the Count need to b	y's water system	n. The improvemen the prior to	need to be completed p ts include o issuance of any build	and will
			WASTEWAT	ER	
				errace Wastewater Somine the availability of	
	feet from however	the site) there could be a	additional and/or d	(adjacent to the site), This will be the likely ifferent points-of-conne not a reservation of cap	point-of-connection, ection determined at
	connectio	n to the County [;] eed to be comple	s wastewater syste	nts will need to be em. The improvements prior to issuance of em.	include
COMM	ENTS:				
	_··· ~ ·		·		

VERBATIM TRANSCRIPT

NOVEMBEL 13, 2023				
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS				
X IN RE: Description of the content of the				
	F TESTIMONY AND PROCEEDINGS			
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master			
DATE:	Monday, November 13, 2023			
TIME:	Commencing at 6:00 p.m. Concluding at 9:07 p.m.			
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601			
Reported by: Diane DeMarsh, AAERT No.	1654			

```
1
                            Our next application is Item D.2, PD
             MS. HEINRICH:
    Rezoning 23-0517. The applicant is requesting to rezone
 2
    property that is zoned AR to PD. Tim Lampkin with Development
 3
    services will provide Staff findings after the applicant's
   presentation.
              MS. GRIMES: Good evening. I'm Gina Grimes with the
 6
    law firm of Bradley, Arant, Boult and Cummings, 100 North Tampa
 8
    Street. And I'm here tonight representing the applicant, CJDW
   Riviera on this rezoning from AR to PD.
 9
              Here are some site information. You can see that this
10
    site is located at the northeast corner of Interstate 75 and
11
12
    Fowler Avenue. It's a big site, 15.64 acres. The Future Land
13
    Use is SMU-6. And the current zoning is AR.
                                                  The current use of
14
    the property is vacant. The previous use was a landfill,
15
    another landfill, that was operated in this instance by
    Hillsborough County. Our proposed use is commercial intensive
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          It is in the County's urban service area. Service will
17
18
    be provided by Temple Terrace. And there is no registered
    neighborhood association.
19
              These are some pictures of photographs of the site.
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    You can see on the bottom two panels that those are the -- the
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22
    aerial views of the site. And I want you -- I ask you to take
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    note that on the periphery of each one of these -- each -- on
    this side and on this side, you can see the dense existing
24
    vegetation that we're going to proposed to retain. And the --
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the images to the -- in the top are just images of the site, 1 again vacant with accessory structures and vehicles and 3 equipment on it. So going down on the street, it's bordered by 122nd Avenue and then it also -- it connects to Old Morris Bridge Road. So looking where the star is located and looking down 122nd Avenue, you see that there is a -- a large berm along the property boundary. Here's a property right here. Here's the 8 central driveway. You can see that the first residence on the 9 north side of 122nd is -- is a substantial way down from the 10 center of the site. 11 And also, again, the purpose of these photos are just 12 13 to show you how high this existing berm is, how much higher 14 these trees are up in this area than the roadway. It's actually 15 an elevation difference of about ten feet. Again, the property and then berm along the -- along the road. 16 17 HEARING MASTER: Ms. Grimes, would you go back one 18 more slide, please? 19 MS. GRIMES: Can you -- can you pause my time? 20 HEARING MASTER: Yes. Certainly. 21 MS. GRIMES: Okay. Go ahead. 22 HEARING MASTER: One -- one more slide. Thank you. 23 MS. GRIMES: Yeah. HEARING MASTER: And could you show me again where 2.4 25 that berm is?

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             MS. GRIMES: Yes. Here's -- this is the subject
    property right here. And the berm runs along the northern
    boundary of the property, which is this right -- this area right
    here. So when you're looking west this way down 122nd, here is
    that berm. So on a -- on -- on this photo up here, you can see
    that the existing vegetation and trees, several oak trees,
    several camphor trees, some of which are fairly substantial.
    And then there's also, you know, a brush on the ground. And
 8
    then all that existing vegetation exists along the -- that
    northern boundary of the site. We're going to proposed to -- to
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11
    retain that.
12
             HEARING MASTER: Does it go all the way across that
13
    northern boundary?
14
             MS. GRIMES: Actually, it does it.
15
             HEARING MASTER: Okay.
             MS. GRIMES: Hang on. If you can -- if I can go back
16
17
    to this photo. Okay. So this is looking west, looking east,
18
    I'm sorry. This is looking east. Here's the central driveway.
    So you can see all of that dense vegetation along that whole
19
    northern boundary. And then in a minute, I'll show you where it
20
    connects to the Swift Mud (phonetically) property. It's also to
21
22
    the east. And again, on that -- on that portion of the property
23
    too we're going to be maintaining a lot of that existing
    vegetation. It connects up to a wetland on that side and -- and
24
    then some significant wildlife habitat.
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HEARING MASTER: Thank you.

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MS. GRIMES: Okay. So surrounding properties, here we 2 3 You have a subject property right here and then to the -to the -- it's -- you have the I-75, which is to the west and Fowler Avenue, which is to the south. On the east is the Swift Mud property. Several hundred acres owned by Swift Mud, dense wetlands and significant wildlife habitat on -- across from the subject property. And this is the key area with respect to this 8 whole application. So across -- directly across from the property, you have a -- a property that is almost entirely 10 designated as a -- delineated as wetlands and it -- it is vacant 11 property. Then you have three single-family homes. And then 12 13 you have a mobile home with open storage. And it's historically 14 this property is historically been used as open storage. 15 show you some aerials in a little bit, but it's a mobile home with a -- a -- the larger area of the property is open storage. 16 This property to the west, sort of -- what we call caddy corner 17 18 is actually being developed right now for what we're told by the 19 person on site as self-storage.

So going down on the street, we have Old Morris Bridge Road. This is looking north. There's a -- a small produce stand called Misty's Market that's along that area. And for some reason there's all these abandoned vehicles. I don't think they have anything to do with Misty's Market, that they just happened to be abandoned cars and trucks and trailers and so

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forth that are just left there on the side of the street. This
 1
   blue star shows that mobile home parcel along with the open
             And you can see from these photos, you have various
    different -- there's the mobile home. You have various
    different open storage throughout the property. It has a
   history of open stores. You have telephone poles stored here,
   boats and various different vehicles. And then you have the
    caddy corner property, which is this property right here.
 8
    Looking right at the site, you can see it's under construction.
    There's either a construction trailer or a residential trailer
10
11
    right there.
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              So let's go now to the history of the property, which
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    is that it was operated by Hillsborough County as a landfill
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    from 1962 to 1969. But what it appears to us to look like is
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    that portions of the property previous to that were operated as
    a borrow pit. The -- the use of the property as a landfill, I
16
    have here as by code definition as industrial. It's listed as
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18
    one of the -- as a use that's permitted in industrial. It's not
    specifically defined in the code as industrial. So I just
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20
    wanted to clarify that. But this east western portion of the
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    site was the borrow pit area. And this eastern portion was the
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    trenches that were dug for the landfill. They reportedly
23
    accepted -- sorry, they reportedly accepted residential
    commercial industrial waste, construction and demolition debris,
24
    drums containing pesticides and other questionable materials.
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1 And that's all from our -- our environmental information that we obtained.

I want -- I want to show you these aerials because I 3 4 think they're important for a couple different reasons. a 1957 aerial here. These were either taken by FDOT or by the Here, you see the site of 1957. And what's interesting about it is that it was before I-75 was constructed and that on So you can see this activity right here was borrow pit 8 activity. Also interesting, this area to the north where the residents are also appears to have been part of that borrow pit. 10 11 So then you fast-forward to 1960 -- oh and I'll -- I'll note, 12 there are no houses at that point in time. So it was being 13 operated -- the area was being operated as a -- a landfill, 14 industrial borrow pit type facility. Why? Because it was 15 located at the intersection of Old Morris -- Morris Bridge Road and Fowler Avenue. You can see in 1965, you can still see that 16 17 intersection present, but in 1965 you have the houses there. So 18 the houses were constructed at a point in time when a borrow pit and a landfill were already in operation. They -- this was the 19 20 industrial light area and the residences moved to that 21 industrial light area. Then in 1969 whenever the landfill 22 closed, you can see the site was practically barren compared to what it looks like now. And these homes across the street. 23 Again, the mobile home with the storage. 24

So this site, again, as its previous use as a -- as a

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landfill obviously affects the viable uses of the property. 1 we asked our environmental consultant, GHD, who had issued a letter that's part of this presentation, as to what uses are appropriate. And they said this is an excellent candidate for heavy commercial light industrial development and -- and that's because those types of developments reduce the risk to future site uses. For various different reasons, they say that the -the commercial and industrial type uses have more resilient 8 structural designs, heavier designs for more pavement and are better suited for the variable self-service conditions. 10 11 also say the concentration of acceptable concentration levels in the soil potential contaminants is higher or acceptable for 12 13 commercial, industrial versus residential, which is -- that's 14 common sense because people -- residential property is -- you're 15 going to have individuals on the site longer for longer durations than you would if it was commercial or industrial. 16 17 Also the heavy commercial and light industrial uses also limit 18 the occupancy by customers who don't necessarily invite members 19 of the public to the site. 20 And lastly, the reason it's an excellent candidate for 21 the for -- the commercial and -- and industrial is that risks 22 associated with the landfill gases that are generated as a 23 result of the landfill and obviously it has less of an impact in commercial and industrial uses because they are -- those 24 buildings are constructed differently with more ventilation and 25

higher ceilings.

We have another report that we included from FDEP that
also says essentially the same thing, basically that they
discourage the -- the construction of residential on this
property. So we know that we can't have residential on the
property. We also know agriculture is inappropriate because of
the soil conditions. And commercial uses, which is by members
of the public or have members of the public there like an office
all day long are also not appropriate. So the previous use is a
landfill pretty much limits us to what we're proposing, which is
a limited commercial intensive use.

And we are requesting some certain uses, about six uses that are permitted uses in commercial intensive zoning districts. They are either permitted or conditional uses in that district. They were contractors office with or without open storage, open storage and sales, sales rental and service of commercial vehicles, mini warehouse, warehouse with or without distribution center and trucking and truck terminal. The wrong direction, I apologize.

Important to note that the proposed design either meets or exceeds all of the CI standards and -- provides for an appropriate buffering that would enhance the compatibility with the residential area to the north. So we will comply with the SMU FAR standards. I'm going to show you the setbacks in -- in just one second because they are extensive and should be

considered heavily.

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The height of the structures is going to be consistent with the 50-foot height limitation and CI. Parking will comply 3 with whatever parking required under the various different uses. And the infrastructure for the project is we're going to be constructing improvements to Morris Bridge Road, 122nd by building travel lanes and stabilizing the shoulders, both of those roads right now are substandard roads. So this is the 8 plan that I wanted to show you. And it's very important because 9 you have the three residences and the mobile home open storage 10 11 lot to the north. Along 122nd, you have the -- the eight-foot Behind that, you have 30-foot landscape buffer. 12 13 again, we're proposing alternative buffer to retain all of 14 that -- that landscaping right there. We're also going to build 15 a -- a six-foot fence right behind the 30-foot buffer. And beyond that, another 70 feet for a stormwater pond. And beyond 16 17 that, another 25 feet to the building setback. So you have 18 125-foot building setback along with the northern property adjacent to the residential. Most of it's going to stay intact. 19 20 We don't believe that getting this distance, that they'll even 21 be able to see the activity and they won't see many changes out front either. 22 On the -- on the eastern side, we have 165-foot 23 building set back, which includes a stormwater pond, that's 24

adjacent to Swift Mud property. And on the south and on the

west, we have an 85-foot building setback.

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Development Services and the other county departments 2 3 have no objections to finding it approvable with conditions. The same is -- the same is true for transportation, just Planning Commission is the outlier in this case. They find it inconsistent with two objectives and policies of the Comp Plan. One is a commercial locational criteria and the second is the criteria dealing with the location of higher intents uses. 8 We don't believe the CLC criteria is applicable in this case. The reason we don't is we -- we don't believe that it is intended to 10 address a -- a situation like this. This isn't commercial 11 strict development that the CLC is intended to address, nor is 12 13 this intersection the kind of node that you -- you would It's the intersection of two 14 ordinarily apply the CLC criteria. 15 dead-end streets. There's no through streets here. There's two dead-end streets that -- that -- that end in dead-end to one 16 17 another.

So the other issue on dealing with Policy 16.5 that states that these intensive usage should be not located near these -- or should be located on arterials or collectors if they're adjacent to an established neighborhood, we don't think that provision is applicable either. And the reason, it has to do with the definition of a neighborhood and the comprehensive plan. I concluded those defin -- definitions for you. The reason that we don't think that it -- it applies is because

these three mobile homes and -- or these three homes and a
mobile home do not in and of themselves constitute a
neighborhood. They're not integrated into a larger community or
a part of another area. They're -- they're located on a piece
of land kind of tucked behind a conservation park, definitely
not what you would consider in a typical neighborhood. They,
weren't constructed or developed in relation to one another and
it's -- there's not 80% development of the area. There's also a
neighborhood association, which is typical.

So we -- we really think that what happened in this

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situation is Planning Commission mischaracterized the area as a neighborhood when it really is not. We -- we think that these compatibility measures that we've included are really what's the We have a situation like this where you have commercial intensive uses next to residential, the most important thing, especially in SMU-6 is compatibility. The mixture of uses is appropriate. The uses are appropriate, but it's what's important is how you buffer those uses from one another. I'll repeat again, we have the -- along the northern boundary line, we have that eight-foot berm, a 30-foot buffer area, a fence beyond that, a 70-foot stormwater pond and then another 25-foot setback. And then on the northeast on the side that abuts the -- the swift mud property, again, we have 165-foot building setback. And on the south along the interstate, we have an 85-foot building setback.

```
And lastly, I just want to present to you this -- this
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    provision in the Comp Plan with I-75 corridor development
    because it is important. These areas are within a mile any of
    I-75 are -- are intended to be preserved, if you will, for
    employment centers. And -- and it goes on to say Objection 36,
    residential opportunities will be limited plan for categories
    within one mile from the interstate. So while we have no
    objection to the residential being adjacent to -- to this
 8
    property, it's not necessarily the training in the area.
    key here is the compatibility we think we've achieve that.
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              HEARING MASTER: All right. Ms. Grimes, just a couple
    of questions for you. You did mention the storage facility to
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13
    the west.
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              MS. GRIMES:
                           Yes.
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              HEARING MASTER: That's approved and being developed?
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              MS. GRIMES: I -- I -- I don't know that it is, but it
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    is definitely very -- it's very open and obvious, noticeable
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    construction site.
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             HEARING MASTER:
                              Okay.
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              MS. GRIMES: There are significant improvements.
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    doesn't look like someone's just putting up a storage facility
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    on their own. It looks like it's being instructed by licensed
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    contractors.
              HEARING MASTER: Would that use not also be subject to
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25
    the commercial locational criteria if it is?
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If it went through a processes, yes
 1
             MS. FRIMES:
 2
    ma'am.
 3
              HEARING MASTER: All right. You covered everything.
 4
    I think that's all my questions for you right now.
 5
              MS. GRIMES: Okay. Thank you.
              HEARING MASTER: Thank you.
 6
              MS. GRIMES: And also, I want to make sure too that
    this PowerPoing is part of the record.
 8
              HEARING MASTER: You're submitting it to the record
 9
    with the clerk?
10
11
              MS. GRIMES:
                           Yes.
12
              HEARING MASTER: Okay. Thank you.
13
              All right. Development services, please.
14
              MR. LAMPKIN: Good evening. Development Services,
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    Tim Lampkin, Hillsborough County for PD 23-517.
16
              The applicant seeks to develop a 15.64 acre unified
17
    development consisting of two folios located at the northeast
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    corner of the intersection of Interstate 75 on ramp and Fowler
    Avenue. Other request is for rezoning from agricultural to
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20
    rural to planned development to allow for the development
    limited commercial intensive as follows.
21
                                              The contractor's
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    office with or without open storage or open storage, sales or
23
    sales rental and service of new or used commercial vehicles,
    buses and trucks or mini warehouse or warehouse with or without
24
    distribution center or trucking and truck terminal.
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1 The immediate area surrounding the property is predominately developed with residential and agricultural. 2 The vacant commercial's located to the west of the subject site immediately north across 122nd Avenue for single-family homes. Agricultural uses and vacant parcels to the immediate east. as the applicant presented, is undeveloped property owned by Southwest Florida Water Management District. 8 The applicant does not request any variations to the Land Development Code part 6.06.00. The applicant is, Staff will note, along 122nd Avenue (indiscernible) an eight-foot 10 11

Land Development Code part 6.06.00. The applicant is, Staff will note, along 122nd Avenue (indiscernible) an eight-foot vehicle vehicular use area, a buffer would be required. It illustrates mitigation measures to create compatibility with the adjacent residential development to the north. Specifically, the applicant is proposing the location along 122nd Avenue, a 30-foot with Type B screening. And the applicant proposes to utilize Land Development Code Section 6.06.06.C.12, which permits the applicant to submit an alternative screening plan at the time of site and development review. And this plan (indiscernible) screening in terms of height (indiscernible) against separation equivalent to or exceeding that provided by the above requirements in Section 6.06.06.

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The applicant additionally proposed this alternative screening along with the entire northern boundary, as is showed in their presentation. And this is natural vegetation creates a natural buffer and natural distance separation from the adjacent

properties north of -- on the north side of 122nd Avenue right 1 of way. The Planning Commission finds the application is not supportable based upon neighborhood protection policies and it doesn't meet commercial locational criteria and other policies that are stated in the planning commission report. environmental protection commission wetlands division has reviewed the proposed rezoning and has determined a submittal is not necessarily the site plans current configuration. 8 There are two transportation design exceptions of Old Morris Bridge Road, it's a substandard road and that was found approvable. And 10 122nd Avenue is also a substandard road and that was also found 11 approvable by the county engineer. 12 13 Based on the above, Staff finds the request approvable 14 unless you have any questions. 15 HEARING MASTER: I'm just looking at the zoning map and it appears that the property that Ms. Grimes pointed out was 16 17 being developed for something. It looks like storage. It looks 18 like that one is zoned CN. Are you aware of any development on 19 that parcel? 20 MR. LAMPKIN: So they're -- I'm not aware of a 21 building permit when the application came in. I looked for one. 22 There could be one in the process now, but I'm not aware, no. 23 HEARING MASTER: All right. And then Development Services Staff and your analysis of the case, do you look at 24 whether the -- the parcel is subject to commercial locational 25

criteria? 1 MR. LAMPKIN: We do not. HEARING MASTER: Okay. All right. That's all the 3 questions I have for you then. Thank you. 5 MR. LAMPKIN: Thank you. 6 HEARING MASTER: All right. Planning Commission. MR. FEHRINGER: Good evening. Bryce Fehringer, Planning Commission Staff. 8 The subject property is located within the suburban 9 mixed use six, Future Land Use Category in the urban service 10 It is not located within the limits of the community 11 The suburban mixed use six, Future Land Use Category 12 13 extends north. To the south are the public quasi-public and the 14 community mixed use 12 categories. To the east and west is the 15 natural preservation Future Land Use Category. To the west are the community mixed use 12 and Residential-20 Future Land Use 16 17 Categories. 18 Objective one and Policy 1.4 of the Future Land Use Element encourage compatible development within the urban 19 service area. The proposed restriction, commercial intensive 20 21 uses are for the purpose of open storage of vehicles and mini warehouse or contractor's offices. These uses are not 22 23 consistent with the existing character of the development in the While the applicant is providing enhanced buffering 24 screening methods and setbacks, the proposal does not meet the 25

intent of neighborhoods protection policies outlined by the 1 Future Land Use Element Objective 16 and its associated policies. 3 4 The residential dwellings north of the site are existing developed homes and meet the definition of an established neighborhood. The request would facilitate the encroachment into the residential area adjacent to the subject property immediately to the north, which -- which requires 8 gradual transition of intensities between different land uses to be provided. Though the applicant has submitted proposed 10 mitigation measures, the intensity of the proposed use is out of 11 character with the existing residential development in the area. 12 13 Similarly, the nature of the request directly conflicts with the 14 community design components, policy direction for new 15 developments to ensure compatibility. 16 The site does not meet esta -- the established 17 commercial locational criteria per Objective 22 of the Future 18 Land Use Element and has submitted a waiver request pursuant to Policy 22.8 of the Future Land Use Element. While the site is 19 adjacent to Interstate 75 and is a formal landfill, other 20 non-intensive commercial or office uses could still be built on 21 22 the site and it would be more compatible with the surrounding 23 residential uses due to the intensity of the proposed uses

encroaching into the residential uses adjacent to the north.

Planning Commission Staff does not support the waiver and

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respect -- respectfully recommends that the Board of County Commissioners not grant the waiver.

A portion of the southeast quadrant of the site is located within a significant wildlife habitat. Any impact to the essential wildlife habitat found during the site plan review process will not be supported for several policies of the environmental and sustainability section. Based upon these considerations, Planning Commission Staff finds the proposed rezoning inconsistent with the Unincorporated Hillsborough County Comprehensive Plan.

HEARING MASTER: All right. Thank you.

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

Is there anyone here or online who wishes to speak in opposition to this application? Please make sure you speak into the microphone and state your name and address for the record.

MS. HEAR: My name is Jerri Hear. I am a resident of 9016 122nd Avenue and I'm representing the neighborhood, which we consider ourselves. While we are not wholly opposed to having this development, we do have some concerns and want to make sure are addressed and considered before the -- the Commission makes a decision in this matter. One of the concerns is the development of property may -- may affect water quality. As we've discussed or it has been discussed, this is a former landfill with some pretty significant contaminates. And because

of those contaminates, the development of I-75 was actually had to be rerouted or changed because changing and moving that landfill property would have affected the contaminates.

Also, the State forced the county to put in deep wells into our properties because we need to go below the upper level aquifer in order to hit safe water. And we're concerned that bending or moving or building on that property would affect that from an environmental standpoint.

Another thing that I want to point out is the slide that was put up indicating the previous, the 1957 and 1962 and 1969 building, the one on 1957, there were in fact, two homes in that area, but they're concealed because that area does not show houses underneath trees. So there were homes in that facility before the landfill existed. So that was one of our major concerns potential of water damage or water contamination that we would have to deal with.

I also concerned about the increased traffic. That particular area has one egress. The only way in and out of that neighborhood both north of us and our neighborhood itself is a single stop sign coming from 127 onto Morris Bridge Road. And right now there is huge amounts of traffic issues during rush hours. And the -- the development north of us that has added 90 homes, which had maybe two vehicles per home, is another 160 vehicles that have to get out of that one stop sign every time there's a rush hour, which is twice a day for most of us anyway.

1 And adding more commercial vehicles coming through there on a roadway that is not designed for that, I'm thinking 2 the road is going to have to be improved. We need to look at maybe a stop light or something so that we can improve the egress and entrance to and from that property or that whole neighborhood area. And that -- I'm not sure how that's going to be handled. The road condition itself, that road hasn't really been improved or repaired in probably 30 years. And again, 8 increased traffic of trucks or whatever kind of commercial vehicles coming on there, is that going to create an issue where 10 11 that road is going to break down more, have to be repaired more? There's also some, you know, some concern about who's 12 13 responsibility would be -- is it going to be to repair that road 14 when damage happens. We aren't really in a position to do it. 15 I'm assuming that the applicant has looked at that -- that possibility. We've had some problems over the years of the 16 17 county both denying and then finally agreeing that they're 18 responsible for it. And occasionally, they'll come out and mow 19 the lawn, but mostly we have to do the treatment of grass growth and all that sort of stuff on our own road because nobody else 20 will do it. 21 22 And lastly, our concern is for the potential value 23 change for our properties and our way of life. We like this piece of property because it is out of the way. It's like our 24 little piece of heaven that is very close to the City of Tampa, 25

but it's quiet and lots of nature around. As you can see from 1 the different aerials that we saw, the trees and wildlife habitats, here there and all these kind of protected area. 3 now we're talking about bringing commercial properties in here, that would affect that quality of life for us. And so we have concerns about that. Whether or not the change -- this one change would then consider or put to it to where our properties would then need review about our zone. They're going to take 8 our agricultural use away because now it's commercial right 9 across the street from us. Is that going to cause some kind of 10 evaluation or re-evaluation where our taxes would increase 11 because our property values had changed? 12 13 So those are the kinds of things and concerns that we 14 have and that we need to see address before we would even close 15 to approve something like this or -- or change our opposition to Thank you. 16 it. 17 HEARING MASTER: Ms. Hear. 18 MS. HEAR: Yes. 19 HEARING MASTER: You stated that you represent other 20 neighbors --21 MS. HEAR: Yes. 22 HEARING MASTER: -- in the neighborhood. About how 23 many neighbors are there, about how many? MS. HEAR: Two are left. One on either side of us. 2.4 25 So we're kind right in the middle. And then there's a neighbor

to the east of us, neighbor to the west of us. There's a fourth 1 property further to the east, but that property is vacant right The gentleman who lived there passed way, so his daughter owns it, but nobody's currently living there. HEARING MASTER: So basically it's two neighbors plus 6 yourself. So three homes. MS. HEAR: That's correct. HEARING MASTER: And they're all -- they're on 122nd 8 9 Avenue? 10 MS. HEAR: Yes. 11 HEARING MASTER: Okay. And so you're concerns, and I understand your concerns, and you stated them very clearly, but 12 13 you're not necessarily in opposition to the development request, 14 but you are -- you do have these concerns about the impacts on 15 the properties. 16 MS. HEAR: Because the -- the proposed development has 17 so many different varieties of types of things. So, like, I'm 18 not sure that I would mind having, like, a contractor that comes in and he's got a small business, but if you're going to have a 19 20 trucking firm coming in there that's going to bring a bunch of trucks in and out, that's going to affect the roadway and the 21 22 traffic. The sound issues, fumes, I mean you know, all those 23 kinds of things. So the restrictions would have to be in such a way that it's a minimal impact kind of development where we 24 would be opposed to it because it would change our way of life. 25

1 I see. All right. Thank -- thank HEARING MASTER: you very much. 2 All right. Is there anyone else here or online who 3 wishes to speak in opposition to this application? I do not hear anyone. Development Services anything further? MS. HEINRICH: No. HEARING MASTER: All right. Applicant. Ms. Grimes, 8 in your rebuttal, could you address in a little bit more detail, 9 particularly for the -- the neighbors, what are the proposed 10 uses and improvements to the roadway that would have to be made? 11 12 MS. GRIMES: Yes, ma'am. 13 First, I was going to address just one other point too 14 about the Planning Commission's objection. If you look, you can 15 see that Policy 22.8 does allow a waiver under the commercial 16 locational criteria and the -- the criteria are if the proposed use is compatible with the adjacent area or there are unique 17 circumstances. We think we have both. We think we established 18 19 compatibility, I'll get into that more. But it is a unique circumstances in that the -- the uses on the site are absolutely 20 21 limited to what we're proposing, which is commercial intensive 22 uses. 23 I -- I also feel Planning Commission didn't fully consider the fact that the uses are limited as a result of the 24 previous landfill use. If we can't do residential, we can't do 25

agricultural, we don't want to do industrial because of the --1 the residences to the north, we're limited to just commercial intensive, that they're saying you can't have commercial because it doesn't mean the CLC. So basically, they're saying there's no option for you, you can't use this property. that's not rational. And lastly, the -- our -- our neighbors to the north. We have spoken to them several times. I -- I know they did say 8 that they were not fully opposed, but let's go over some of their concerns. As far as the traffic is concerned, we -- we 10 11 are going to do substantial improvements to the roadway. are, hang on one second, we are -- you can see here from this 12 13 slide of Morris Bridge Road, it's -- it's a standard road now. 14 So is 122nd. I think they acknowledge that. Both of those are 15 going to be approved at 12-foot travel lane, 24-foot lane of lanes, an eight-foot stabilized shoulders. In addition to that, 16 17 there will also be an implementation of a capital improvement 18 plan for Hallow Creek Bridge (phonetically). And then the 19 external connectivity, they raise as an issue. The western 20 driveway will be improved and realigned with Old Morris Road 21 Bridge Road and then the center access drive will also be improved and realigned. So the neighborhood will be having the 22 23 benefit of those extensive roadway improvements that they said that they've never been able to achieve. We also are going to 24 put a sidewalk on the boundary of our property on the northern 25

boundary of our property, so that will be added as well. 1 2 HEARING MASTER: And just to clarify as well, I think for the neighborhood. There was some -- some question at least 3 to them, as to who maintains the road. But it is a county right of way, is that correct? MS. GRIMES: That's correct. 6 HEARING MASTER: And after the improvements are made by the developer, then it will be county's to maintain? 8 9 MS. GRIMES: Yes. HEARING MASTER: Is that correct? 10 11 MS. GRIMES: Yes. But these are going to be 12 substantial improvements that'll improve the -- the quality of 13 the roadways in that whole area, substantial from eight-foot to 14 24-foot, you know, of pavement with eight-foot stabilized 15 shoulders where there's ditches on both sides of the road right So I think that's important to note. I'm going to have 16 17 our engineer come up and address the issue with the -- with the 18 landfill and the -- the water quality and whether it's affected. 19 But lastly, I just want to say that the -- the -- the questions 20 about sounds and diesel fumes, this is -- they're right next to 21 I-75. Some of the sounds that they hear already have to be 22 pretty impactful, as well as the fumes and so forth from the --23 from all of the cars and trucks and so forth that travel I-75. But we do understand their concerns and we're going to -- we are 24 25 trying to implement these measures that will ensure

1 | compatibility.

One other thing we wanted to also address was the lighting is the county has a code requirement that strictly limits lighting onsite and makes sure that lighting doesn't overflow onto adjacent properties. So that is one additional benefit. The sounds will be mitigated to some extent from that existing vegetation, the trees because that will prevent a lot of the sound from coming through. And we don't think visually they're going to be able to see onto the site because of that existing vegetation that will be maintained.

And now I'll introduce Danny Bergin.

MR. BERGIN: Good evening. Daniel Bergin. Civil engineer of record. 3802 Ehrlich Road, Suite 312, Tampa, Florida.

Just in addressing the neighbor's concerns primarily for water quality, there's no stormwater management onsite for the landfill. While the landfill is closed as recently as 2018, we can for record, we found that it has been receiving disposal materials, whether it's clay, dirt and things of that nature, without proper better management practices in place so that the site is active. I can't confirm how recently it was active, but we have on file, as you know, as early as 40 years ago it was receiving materials to be disposed of on site.

HEARING MASTER: Okay. Receiving materials, is that a polite way of saying it was illegal dumping?

1 MR. BERGIN: It's hard to say. But it -- it was cited for illegal dumping. And it was -- it was submitted to FDEP for 2 investigation, but there was no citation issued --3 HEARING MASTER: Okay. MR. BERGIN: -- as part for illegal dumping. is an AR use. So they are permitted to take materials, not disposable materials, not not admissible waste, but as far as it could be unsuitable soils or things of that nature, you know, 8 through that AR, that they are allowed to take, which is dump trucks and -- and things of that nature in high volume. 10 11 HEARING MASTER: Okay. MR. BERGIN: So the site is not dormant. 12 13 HEARING MASTER: Your -- your time's up, but I do want 14 you to con -- I want you to present your testimony, so please --15 MR. BERGIN: Sure. The -- the water quality portion what I was alluding to earlier was that there is no storm water 16 management system on place now. We are proposing make -- to 17 18 construct a storm water management system and can -- and connect 19 to public water and public sewer. So there will be no septic, there will be no well, there will be no offsite runoff that will 20 21 cause adverse impacts water quality at the adjacent neighbors. 22 The way the site drains now, it is split. Half of it drains to 23 the east and half drains to the west. DOT has accepted runoff from our site, which would then go from our management system 24 into DOT's. And then the remainder of the site, would drain 25

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east into southwest (indiscernible) management district
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    property. That's per the base in drainage maps. Nothing would
    be going to 122nd Avenue once we're constructed. I cannot tell
    you from now, the runoff does not occur into their properties
    that comes off the landfill site. But the site would be
    essentially capped with pavement, rock and then drained into the
    appropriate management facilities that are shown on the
    construction documents, preventing any sort of contaminated
 8
    runoff from going towards the existing residents, which we've
 9
    (indiscernible).
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11
              HEARING MASTER: Are you qualified to speak to the
    question of whether stirring up the dirt on site will have -- on
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    site will have any impact to adjacent wells, water wells?
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              MR. BERGIN: So we have -- yes, ma'am.
15
    environmental engineer with a degree from the University of
16
    Florida.
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              We have strategically located the ponds in areas where
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    there's minimal impact to existing wasate. We've also shallowed
    certain areas so that the intent isn't to disturb the waste.
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    And also in the event that there is waste that is going to be
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    disturbed, it would be removed under the supervision of the
    (indiscernible) and we'd also come in with a measure or
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    something to prevent any sort of (indiscernible) or something
    like that. So it's highly regulated, highly tested.
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    end result would be an increase in water quality from the
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current condition. That's the intent. And that's what's 1 required of us. 2 3 HEARING MASTER: Do you at this point, does a property owner have to go through any environmental cleanup that you know of? 6 MR. BERGIN: Not that I'm aware of. I believe the -the site -- there is some testing that's occurred, but there was no cleanup measures. Whatever we do, we would be subjected to 8 DEP's (indiscernible). 9 HEARING MASTER: Okay. All right. I think that's all 10 11 my questions for you. 12 MR. BERGIN: Thank you. 13 HEARING MASTER: Thank you. Miss Grimes, did you have 14 anything further? 15 MR. GRIMES: Not unless there are any questions for 16 me. 17 HEARING MASTER: All right. I think I'm -- I'm not 18 sure the -- the neighbors' concerns about the use, the potential traffic and trucks and things like that was addressed. And the 19 20 Staff Report does mention potentially rental and service of new 21 or used commercial vehicles. It sounds like kind of a busy --22 MS. GRIMES: That -- that one particular use, whenever 23 you identified specific uses, the County requests that we use the use categories that they have in the zoning code. So we 24 would kind of limited with that description. If you look in our 25

narrative, we have a footnote that says we don't intend to do 1 the vehicle service aspect of -- of rental vehicles. I mean, it was a much broader use than what we're really contemplating to do. So we do have that as a -- as a footnote in there and happy to add that as a condition as well, if -- if that's what's required to limit that use. Some of the other uses, like the -- the -- the outdoor storage and the -- in the warehouse are -- are, you know, not as 8 active of uses as -- as some of the other ones. I think that's 9 something that we won't know until we actually have built out, 10 11 but I think that's something that the -- the -- the residents have to weigh because you have the potential for uses that are 12 13 fairly passive type uses and you have the benefit of all these 14 roadway improvements and other improvements that would be -- be 15 done to a site right now a -- a landfill site that is potentially having impact on their property and according to 16 17 what they've testified to. 18 As far as the traffic is concerned, we did do a site 19 access analysis or site management -- access management 20 analysis. And what the trips that were generated as a result of 21 the most intensive of the uses that we proposed are still allow 22 that road to operate at an acceptable level of service, 23 especially with the improvements of what we come to. 2.4 HEARING MASTER: Okay. All right. Thank you very 25 much.

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MS. GRIMES: Thank you.
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              HEARING MASTER: All right. This is -- we'll close
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 3
    the hearing on PD 23-0517. We're going to take a short break.
   We'll be back at about five minutes after eight.
              (OFF THE RECORD.)
 5
              (ON THE RECORD.)
 6
              HEARING MASTER: All right. Welcome back to the
   November 13, 2023 Zoning Hearing Master Meeting. We're going to
 8
   reconvene. And we're ready to call the next case.
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Zoning Master Hearing ---October 16, 2023

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	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS
IN RE: ZONE HEARING MASTER HEARINGS)))))))
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS	
BEFORE:	Susan Finch Land Use Hearing Master
DATE:	Monday, October 16, 2023
TIME:	Commencing at 6:00 p.m. Concluding at 10:13 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601
Reported by: Diane DeMarsh, AAERT No.	1654

Zoning Master Hearing --October 16, 2023

continuances for the hearing. The first one being Item A.1, PD 1 23-0287. This application is in order to be heard and is being continued to the November 13, 2023 ZHM Hearing. Item A.2, PD 23-0406. This application is out of ordered to be heard and is being continued to the December 18, 2023 ZHM Hearing. Item A.3, PD 23-0517. This application is out of order to be heard and is being continued to the November 13, 2023 ZHM Hearing. 9 Item A.4, Major Mod application 23-0518. This 10 11 application is out of order to be heard and is being continued to the November 13, 2023 ZHM Hearing. 12 13 Item A.5, PD 23-0519. This application is out of 14 order to be heard and is being continued to the 15 November 13, 2023 ZHM Hearing. 16 Item A.6, PD 23-0522. This application is being 17 continued by staff to the November 13, 2023 ZHM Hearing. 18 Item A.7, PD 23-0540. This application is out of 19 order to be heard and is being continued to the 20 November 13, 2023 ZHM Hearing. Item A.8, PD 23-0583. This application is out of 21 22 order to be heard and is being continued to the November 13th 23 ZHM Hearing. Item A.9, PD 23-0584. This application is out of 24 order to be heard and is being continued the November 13, 2023 25

ZHM Hearing September 18, 2023

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HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
IN RE: ZONE HEARING MASTER HEARINGS))))	
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS		
BEFORE:	SUSAN FINCH Land Use Hearing Master	
DATE:	Monday, September 18, 2023	
TIME:	Commencing at 6:00 p.m. Concluding at 10:54 p.m.	
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, FL 33601	
Reported by: Diane DeMarsh, AAERT No. 1654		

ZHM Hearing September 18, 2023

Ms. Heinrich, do you want to go over the rest of the 1 2 changes? 3 MS. HEINRICH: Sure. On our published withdraws and continuances, we have Item A.1, PD 23-0153. This application is being withdrawn from the Zoning Hearing Master process. Item A.2, Major Mod 23-0281, this application is being 6 continued by the applicant to the October 16th, 2023, Zoning 8 Hearing Master hearing. Item A.3, PD 23-0287, this application is out of order 9 to be heard and is continued to the October 16th, 2023, Zoning 10 11 Hearing Master hearing. Item A.4, this -- Major Mod 23-0407, this application 12 13 is being continued by staff to the October 16th, 2023, Zoning 14 Hearing Master hearing item. 15 Item A.5, PD 23-0422, this application is out of order to be heard and is being continued to the October 16th, 2023, 16 17 Zoning Hearing Master hearing. 18 Item A.6, Standard Rezoning 23-0443, this application is out of order to be heard and is being continued to the 19 October 16th, 2023, Zoning Hearing Master hearing. 20 Item A.7, PD 23-0472, this application is out of order 21 22 to be heard and is being continued to the November 13th, 2023 23 Zoning Hearing Master hearing. Item A.8, PD 23-0517, this application is out of order 24 to be heard and is being continued to the October 16th, 2023, 25

ZHM Hearing September 18, 2023

Zoning Hearing Master hearing. 1 Major Mod application 23-0518, this application is out of order to be heard and is being continued to the October 16th, 3 2023, Zoning Hearing Master hearing. Item A.10, PD Rezoning 23-0519, this application is out of order to be heard and is being continued to the October 16th, 2023, Zoning Hearing Master hearing. Item A.11, Major Mod application 23-0520, this 8 application is being continued by staff to the October 16th, 9 2023, Zoning Hearing Master hearing. 10 11 Item A.12, PD 23-0522, this application is being continued by staff to the October 16th, 2023, Zoning Hearing 12 13 Master hearing. Item A.13, PD application 23-0540, this application is 14 15 out of order to be heard and is being continued to the October 16th, 2023, Zoning Hearing Master hearing. 16 Item A.14, PD 23-0583, this application is out of 17 18 order to be heard and is being continued to the October 16th, 19 2023, Zoning Hearing Master hearing. 20 Item A.15, PD application 23-0584, this application is 21 being continued by the applicant to the October 16th, 2023, 22 Zoning Hearing Master hearing. 23 Item A.16, Standard Rezoning 23-0588, this application is being continued by staff to the October 16th, 2023, Zoning 24 Hearing Master hearing. 25

ZHM Hearing August 21, 2023

A	agust 21, 2025	
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
X) IN RE:		
ZONE HEARING MASTER) HEARINGS)X		
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS		
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master	
DATE:	Monday, August 21, 2023	
TIME:	Commencing at 6:00 p.m. Concluding at 8:43 p.m.	
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601	
Reported by: Diane DeMarsh, AAERT No.	1654	

ZHM Hearing August 21, 2023

Item A.5, Major Mod Application 23-0281. This 1 application is out of order to be heard and is being continued 2 to September 18, 2023 ZHM hearing. 3 Item A.6, PD 0287. This application is out of order 4 to be heard is being and is being continued to the September 18, 2023 ZHM hearing. Itme A.7, PD 23-0369. This application is out of order to be heard and is being continued to the 8 9 September 18, 2023 ZHM hearing. Item A.8, PD 23-0406. This application is out of 10 11 order to be heard and is being continued to the October 16, 2023 ZHM hearing. 12 13 Item A.9, Major Mod Application 23-0407. This 14 application is being continued by Staff to the 15 September 18, 2023 ZHM hearing. 16 Item A.10, Major Mod 23-0414. This application is 17 being continued by the applicant to the September 18, 2023 ZHM 18 hearing. Item A.11, PD 23-0472. This application is out of 19 order to be heard and is being continued to the 20 21 September 18, 2023 ZHM hearing. 22 Item A.12, PD 23-0516. This application is being 23 withdrawn from the ZHM process. Item A.13, PD 23-0517. This application is out order 2.4 to be heard and is being continued to the September 18, 2023 ZHM 25

ZHM Hearing August 21, 2023

hearing. 1 Item A.14, Major Mod 23-0518. This application is out of order to be heard and is being continued to the 3 September 18, 2023 ZHM hearing. Item A.15, PD 23-0519. This application is out of order to be heard and is being continued to the September 18, 2023 ZHM hearing. Item A.16, Major Mod 23-0520. This application is out 8 of order to be heard and is being continued to the 9 September 18, 2023 ZHM hearing. 10 Item A.17, PD 23-0522. This application is out of 11 order to be heard and is being continued to the 12 13 September 18, 2023 ZHM hearing. 14 Item A.18, Standard Rezoning 23-0552. 15 application is out of order to be heard and is being continued 16 to the September 18, 2023 ZHM hearing. Item A.19, Standard Rezoning 23-0573. This 17 18 application is being continued by Staff to the 19 September 18, 2023 ZHM hearing. 20 Item A.20, Major Mod 23-0578. This application is out 21 of order to be heard and is being continued to the September 18, 2023 ZHM hearing. 22 23 Item A.21, Standard Rezoning 23-0588. application is out of order to be heard and is being continued 24 to the September 18, 2023 ZHM hearing. 25

EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

DATE/TIME: 1/13/23 GPM HEARING MASTER: POWELQ SO HOTLEY

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT William J. Molly **APPLICATION #** mM MAILING ADDRESS 32-5 BVL 22-0671 CITY Targe STATE FL ZIP PHONE SHY 7457 NAME Touble (Olbert APPLICATION # MAILING ADDRESS 1090 U. ashley 1st. Suite: 900 MWI 22-067/ CITY Tampa STATE A ZIP32602 PHONE 331-0276 NAME JIM JOHNSON APPLICATION # MAILING ADDRESS 19255 Hiddey Oxots Or. MW CITY Brookswill STATE Ft ZIP PHONE 813. 494, 22.0671 PLEASE PRINT **APPLICATION #** NAME LOGAN Opshal MAILING ADDRESS 215 Noviola Dr 23-0782 PLEASE PRINT **APPLICATION #** NAME TO de Press May MAILING ADDRESS NOON 23-0369 PLEASE PRINT GILA GrilleS APPLICATION # MAILING ADDRESS 100 N. Ton St. Ste 2200 30517 CITY TON STATE F1 ZIP 3360 PHONE 813 -

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

PAGE 2 OF 3

DATE/TIME: 1/3/23 GPM HEARING MASTER: Pamela 10 Hatley

PRINT CLEARLY. THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT APPLICATION # NAME MAILING ADDRESS 0010 122 md 23-05/7 CITY TOR STATE FL ZIP 3363 PHONE 4193 APPLICATION # NAME DANJEL Bergin MAILING ADDRESS 3802 Ehrlich Rd. Ste 312 23-0517 CITY Tampa STATE FL ZIP 33614 PHONE (813) 280-4441 PLEASE PRINT APPLICATION # NAME Kamala Corbe CZ 23-05 19 MAILING ADDRESS 101 & Connoly Blyd, Ste 3700 CITY TAMPA STATE & ZIP 3360 PHONE & 12-227 8421 NAME Kamal a Cornett **APPLICATION #** MAILING ADDRESS 1012 Menuly Bu Ste3700 RZ 23-0522 CITY TOMOS STATE FL ZIPSSET PHONE 913-227 84 NAME Stephen Mueuch **APPLICATION #** MAILING ADDRESS 6806 Sluwons Loop 27 CITY RIVEY STATE FC ZIP 335 TOPHONE 23-0522 PLEASE PRINT **APPLICATION #** NAME RZZ MAILING ADDRESS 23-0522

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

DATE/TIME: 1/1/3/23 GPM HEARING MASTER: Pamela to Hatley

ARLY, THIS INFORMATION WILL BE USED FOR MAILING
NAME Kamu la Cornett
MAILING ADDRESS 101 Elemely Blad Ste 3700
CITY NAWA STATE ZIP
PLEASE PRINT NAME STEPHEN Sposafo
MAILING ADDRESS 505 E. Jackson St.
CITY Tampa STATE & ZIP 37602 PHONE 813-375-0616
NAME David Singer
MAILING ADDRESS 1000 W. Cuss St.
CITY Tupe STATE & ZIP 33/2/PHONE 813-251-8598
PLEASE PRINT NAME
MAILING ADDRESS
CITYSTATEPHONE
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MAILING ADDRESS
CITYSTATE ZIPPHONE

HEARING TYPE: ZHM, PHM, VRH, LUHO DATE: 11/13/2023

HEARING MASTER: Pamela Jo Hatley PAGE: 1 of 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
MM 22-0671	Michelle Heinrich	Revised Staff Report	No
MM 22-0671	William Molloy	2. Applicant Presentation Packet	Yes (Copy)
RZ 23-0782	Michelle Heinrich	Revised Staff Report	No
RZ 23-0369	Michelle Heinrich	Revised Staff Report	No
RZ 23-0369	Todd Pressman	2. Revised Staff Report	No
RZ 23-0517	Michelle Heinrich	Revised Staff Report	No
RZ 23-0517	Gina Grimes	2. Applicant Presentation Packet	No
RZ 23-0519	Michelle Heinrich	Revised Staff Report	No
RZ 23-0519	Kami Corbett	2. Applicant Presentation Packet	No
RZ 23-0522	Michelle Heinrich	Revised Staff Report	No
RZ 23-0522	Kami Corbett	2. Revised Staff Report	No
RZ 23-0777	Michelle Heinrich	Revised Staff Report	No
RZ 23-0777	Stephen Sposato	2. Applicant Presentation Packet	No
RZ 23-0884	Michelle Heinrich	Revised Staff Report	No
RZ 23-0884	David Singer	Applicant Presentation Packet	No

NOVEMBER 13, 2023 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, November 13, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

Pamela Jo Hatley, ZHM, called the meeting to order at 6:00 p.m. and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

Michelle Heinrich, Development Services (DS), introductions and reviewed the changes/withdrawals/continuances.

Pamela Jo Hatley, ZHM, overview of ZHM process.

Chief Assistant County Attorney Cameron Clark, overview of evidence/ZHM/BOCC Land Use agenda process.

Pamela Jo Hatley, ZHM, Oath.

B. REMANDS

B.1. MM 22-0671

Michelle Heinrich, DS, called MM 22-0671

► Testimony provided.

Pamela Jo Hatley, ZHM, closed MM 22-0671.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 23-0782

▶ Michelle Heinrich, DS, called RZ 23-0782.

Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 23-0782.

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ 23-0369

Michelle Heinrich, DS, called RZ 23-0369.

Testimony provided.

▶ Pamela Jo Hatley, ZHM, closed RZ 23-0369.

D.2. RZ 23-0517

- Michelle Heinrich, DS, called RZ 23-0517.
- ► Testimony provided.
- Pamela Jo Hatley, ZHM, closed RZ 23-0517.

D.3. RZ 23-0519

- ▶ Michelle Heinrich, DS, called RZ 23-0519.
- Testimony provided.
- Pamela Jo Hatley, ZHM, closed RZ 23-0519.

D.4. RZ 23-0522

- ▶ Michelle Heinrich, DS, called RZ 23-0522.
- Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0522.

D.5. RZ 23-0777

- Michelle Heinrich, DS, called RZ 23-0777.
- ► Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0777.

D.6. RZ 23-0884

- ▶ Michelle Heinrich, DS, called RZ 23-0884.
- Testimony provided.
- ▶ Pamela Jo Hatley, ZHM, closed RZ 23-0884.

E. ZHM SPECIAL USE

MONDAY, NOVEMBER 13, 2023

ADJOURNMENT

▶ Pamela Jo Hatley, ZHM, adjourned the meeting at 9:10 p.m.

Rezoning Application:

PD 23-0517

Zoning Hearing Master Date:

November 13, 2023

BOCC Land Use Meeting Date:

January 9, 2024



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: CJDW Rivera, LLC

FLU Category: SMU-6

Service Area: Urban

Site Acreage: Approximately 15.64 acres

Community

Overlay:

Plan Area: None

None



Introduction Summary:

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses including the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

Zoning:	oning: Existing Proposed	
District(s)	AR	Proposed
Typical General Use(s)	Single-Family Residential/Agricultural Limited Commercial Intensive	
Acreage	15.64 acres 15.64 acres	
Density/Intensity	Minimum 5 acres per SF home Maximum 0.25 FAR	

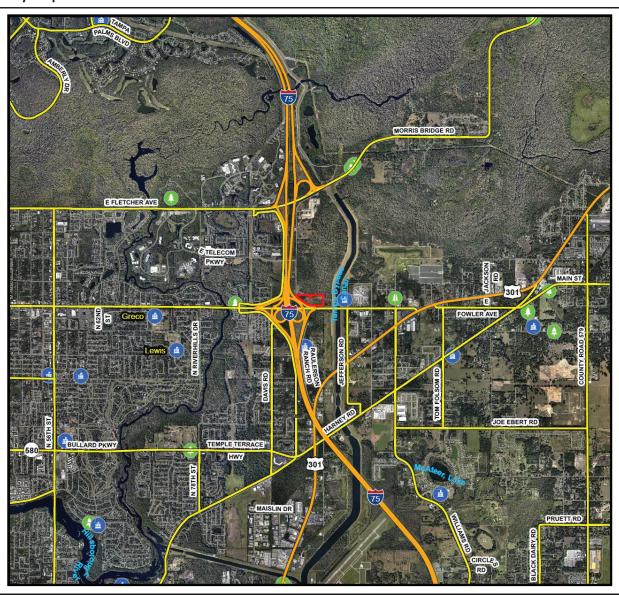
Development Standards:		Existing	Proposed		
District(s)		AR	PD		
Setbacks/Buffering and Screening	Front: 50 ft. Side: 25 ft. Rear: 50 ft.		South/West (along I-75 on-ramp): 85 ft. setback with 6 ft. opaque fence East: 165 ft. setback North (front) along 122 nd Avenue: 125 ft. front building setback 30 ft. buffer with Type "B" landscape		
Height		50 ft. Max. Ht.	50 ft. Max. Ht.		
Additional Information:					
PD Variation(s)		None requested as part of this application			
Waiver(s) to the Land Develo	opment Code	None requested as part of this application.			

Planning Commission Recommendation:	Development Services Recommendation:
INCONSISTENT	APPROVABLE, Subject to Conditions.

Case Reviewer: Tim Lampkin, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

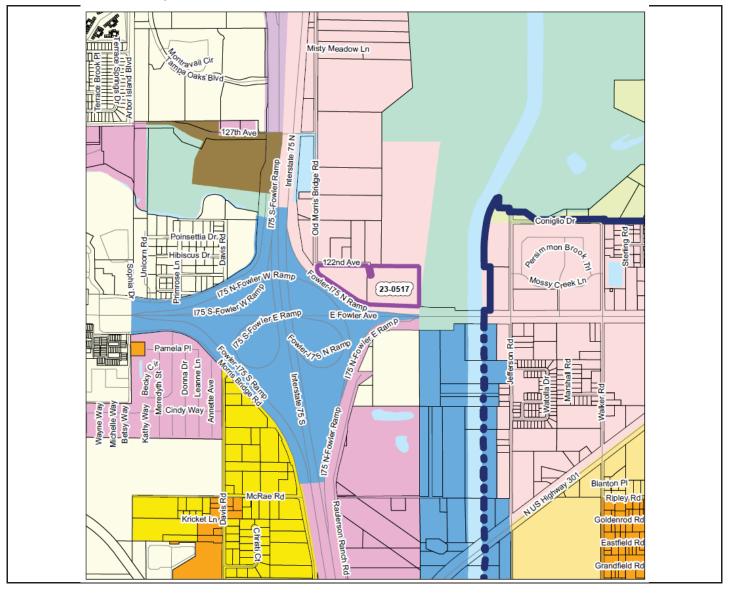
The subject property is located on the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue.

The immediate area surrounding the property is developed with a mix of uses with Commercial Neighborhood to the west and single-family uses to the north. AS-1 is located to the north across 122nd Avenue and developed with single-family homes. AR zoning is located to the northeast and east of the subject site. On the east side of the subject site is an approximately 390-acre property owned by Southwest Florida Water Management District. Further north is mostly single-family development with some commercial development.

ZHM HEARING DATE: November 13, 2023 BOCC LUM MEETING DATE: January 9, 2024

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



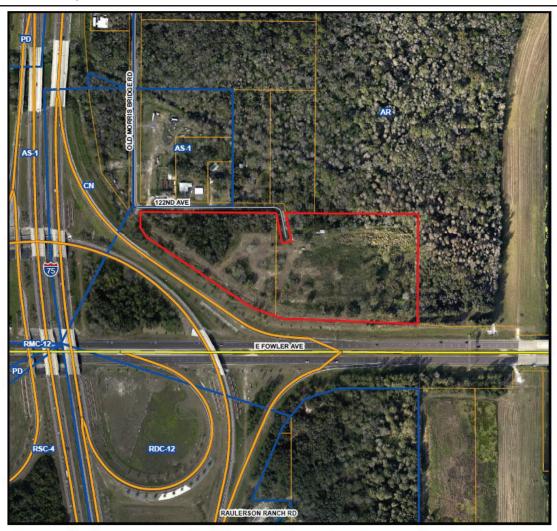
Case Reviewer: Tim Lampkin, AICP

Subject Site Future Land Use Category:	SMU-6
Maximum Density/F.A.R.:	6 du/acre;
Typical Uses:	Typical uses in the SMU-6 include residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, and mixed-use.

Case Reviewer: Tim Lampkin, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

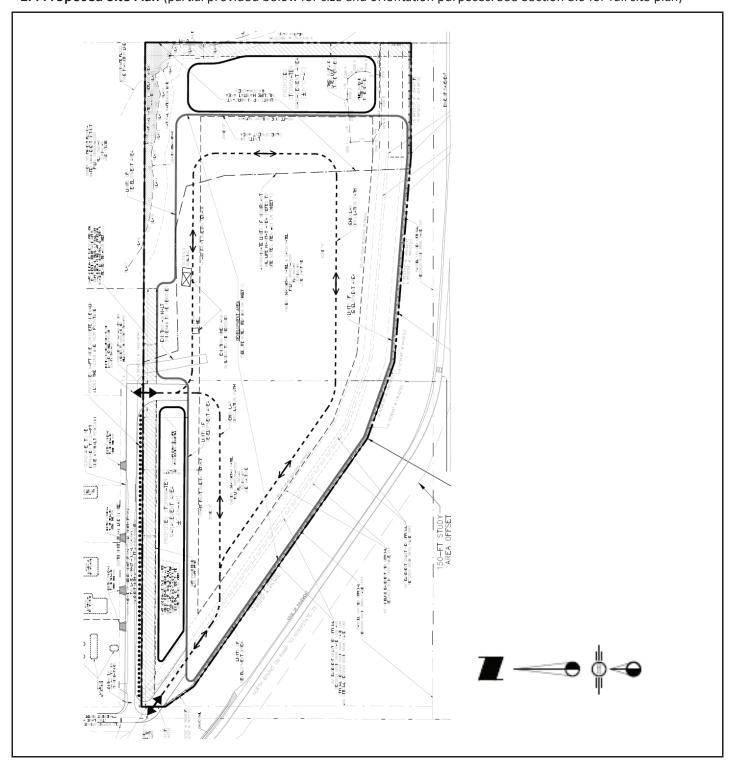


Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	AS-1; AR	1 acre per dwelling	Agricultural / SF	SF and AG uses	
South	I-75 and Fowler Rd. ROW	NA	NA	I-75 on ramp and Fowler Rd. ROW	
East	AR	Min. 5 acres per dwelling	Agricultural / SF	390-acre SWFWMD Land	
West	CN and I-75 ROW	Max. FAR: 0.2	Commercial	Vacant	

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

Case Reviewer: Tim Lampkin, AICP



APPLICATION NUMBER:	PD 23-0517	
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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	
		2 Lanes	☐ Corridor Preservation Plan	
Old Morris Bridge Rd.	County Local	☐ Site Access Improvements		
Old Worns Bridge Nd.				
			☐ Other	
		2 Lanes	☐ Corridor Preservation Plan	
122 nd Ave.	County Local - Rural	⊠ Substandard Road	☐ Site Access Improvements	
		☐ Sufficient ROW Width	☐ Other	

Project Trip Generation ☐ Not applicable for this request					
Average Annual Daily Trips A.M. Peak Hour Trips P.M. Peak Hour Trips					
Existing	28	2	3		
Proposed	927	121	151		
Difference (+/-)	+899	+119	+148		

^{*}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	X	None	None	Meets LDC	
South		None	None	Meets LDC	
East		None	None	Meets LDC	
West	X	None	None	Meets LDC	
Notes:			-	•	

Design Exception/Administrative Variance \Box	Not applicable for this request	
Road Name/Nature of Request	Туре	Finding
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable
Notes:		

4.0 Additional Site Information & Agency Comme	ents Summary		
Transportation	Objections	Conditions Requested	Additional Information/Comments
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	☐ Yes ☐ N/A ☐ No	Yes No No	See report.

ZHM HEARING DATE: November 13, 2023 BOCC LUM MEETING DATE: January 9, 2024

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	,
Natural Resources	⊠ Yes □ No	□ Yes ⊠ No	⊠ Yes □ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Check if Applicable: ☑ Wetlands/Other Surface Waters ☐ Use of Environmentally Sensitive Land Credit ☐ Wellhead Protection Area ☑ Surface Water Resource Protection Area	☑ Significan☐ Coastal H☐ Urban/Su☐ Adjacent	Vater Wellfield Pro t Wildlife Habitat igh Hazard Area burban/Rural Scer to ELAPP property port Incompatible	(Upland Wildlif	e Habitat Area) ight Restriction 130'
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation ☑ Design Exc./Adm. Variance Requested ☑ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	See Transportation Report.
Service Area/ Water & Wastewater ⊠ Urban □ City of Tampa □ Rural ⊠ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No	See Water Resources Report, dated 11/06/23.
Hillsborough County School Board Adequate □ K-5 □6-8 □9-12 ⊠N/A Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□ Yes ⊠ No	□ Yes □ No	□ Yes □ No	
Impact/Mobility Fees Warehouse Manufacturin (Per 1,000 s.f.) (Per 1,000 s.f.) Mobility: \$1,337 Mobility: \$3,3 Fire: \$34 Fire: \$34 Self-Storage/Mini-Warehouse (Per 1,000 s.f.) Auto Sales (Per 1,000 s.f.) Mobility: \$725 Mobility: \$1	.) 15 f.)	Light Industria (Per 1,000 s.f. Mobility: \$4,2 Fire: \$57)	

Case Reviewer: Tim Lampkin, AICP

ZHM HEARING DATE: BOCC LUM MEETING DATE:	November 13, 2023 January 9, 2024		Case R	eviewer: Tim Lam	pkin, AICP
Fire: \$32	Fire: \$313				
Urban Mobility, Northea	st Fire - Warehouse, D	istribution, Ind	ustrial, storage, veh	nicle sales. Up to	o 35,000 sq ft
		Comments		Conditions	۱ ما ما ۱ ۱ د م م ا
Comprehensive Plan:		Received	Findings	Requested	Additional Information/Comments
Comprehensive Plan: Planning Commission			Findings		
•	iteria □N/A		Findings Inconsistent		

APPLICATION NUMBER:

 $\hfill\square$ Minimum Density Met

PD 23-0517

 \square N/A

ZHM HEARING DATE: November 13, 2023

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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant seeks to develop an approximately 15.64-acre unified development consisting of two folios located at the northeast corner of the intersection of Interstate 75 on-ramp and Fowler Avenue. The request is for a rezoning from Agricultural Rural (AR) to Planned Development (PD) to allow for the development of limited Commercial Intensive (CI) uses limited to the following: Contractor's Office, with or without Open Storage; Open Storage and Sales; Sales, Rental and Service of New or Used Commercial Vehicles, Buses, and Trucks; Mini Warehouse; Warehouse, with or without Distribution Center; Trucking and Truck Terminal.

The immediate area surrounding the property is predominantly developed with residential and agricultural. Vacant commercial is located to the west of the subject site. Immediately north across 122nd Avenue are single-family homes, agricultural uses and vacant parcels. To the immediate east is undeveloped property owned by Southwest Florida Water Management District (SWFWMD).

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The applicant is required to have an 8-foot Vehicular Use Area buffer along 122nd Avenue. The site plan illustrates mitigation measures to create greater compatibility with the adjacent residential development to the north side of 122nd Avenue directly across from the subject site. These mitigation measures include a 30-foot buffer with Type "B" screening. To maintain the visual view for the neighbors to the immediate north across 122nd Avenue, the applicant proposes to allow the use of existing vegetation in lieu of the proposed LDC Sec. 6.06.06 (Type "B) required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening plan at the time of site and development review. This alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. The applicant proposes this alternative landscaping along the northern boundary where there is extensive natural vegetation creating a natural buffer and natural distance separation from the proposed development and adjacent properties across the 122nd Avenue right-of-way. The 6 ft. fence is proposed to be located 30 feet south of the northern boundary along 122nd Avenue behind the natural landscaped area. South of the fence the applicant proposes a stormwater management area. The applicant proposes a 125-foot front building setback along the entire front of the subject property, and a 100-foot area with landscaping fronting 122nd Avenue in the northwestern portion of the subject site.

The applicant proposes a 6-foot-high opaque fence along the southern property line (rear of the subject site) adjacent to the Instersate-75 on-ramp and Fowler Road portion of the site that meets the on-ramp. Along the northeastern and eastern property boundary adjacent to the wetland buffer is a 390-acre Southwest Florida Management District property (Lower Hillsborough Wilderness Preserve), requires a 30-foot buffer with Type "B" screening. The applicant proposes to allow the use of existing vegetation in lieu of LDC Sec. 6.06.06 required screening pursuant to Land Development Code Section 6.06.06.C.12, which permits an applicant to submit an alternative screening planting. The applicant is seeking the alternative screening to ensure protection of the existing native vegetation and habitat adjacent to Lower Hillsborough Wilderness Preserve. Along the east side, the applicant proposes a 165-foot building setback and a 1.10-acre stormwater management area.

The Planning Commission report acknowledges additional buffering, screening and setbacks proposed by the applicant. However, the proposed development does not meet "Neighborhood Protection" policies nor Commercial Locational Criteria, and other policies as stated in the Planning Commission report. Overall, the proposed Planned Development has **not** been found consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

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The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning and has determined a resubmittal is not necessary for the site plan's current configuration. The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

Transportation Design Exceptions:

- 1. Old Morris Bridge Road is a substandard roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.
- 2. 122nd Avenue is a substandard roadway, the applicant's Engineer of Record (EOR) submitted Design Exception request (dated November 6, 2022) which was found approvable by the County Engineer.

5.2 Recommendation

Based on the above considerations, staff finds the request APPROVABLE.

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Prior to site plan certification, the applicant shall complete the following:

- Remove "East Rural Community Plan" from the site plan.
- o Revise Site Date Table, Note 10:
 - "Not to exceed 170,000 sf Warehouse and Min-storage / 60,000 sf all other uses" TO
 - to "Not to exceed a maximum of total 170,000 square feet for mini warehouse; warehouse with or without storage; trucking and truck terminal. May not exceed a maximum total 60,000 square feet for contractor's office with or without open storage; open storage and outdoor sales; sales, rental and service of new and/or used commercial vehicles, buses and trucks."
- o Revise "100-ft. enhanced buffer from existing residential" TO "100-ft. landscaped and stormwater buffer area".
- Revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way".

6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted October 24, 2023.

- 1. The project shall be developed in general conformance with the October 24, 2024, site plan and be limited to the following uses.
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The uses if combined shall be subject to the maximum square feet for buildings shown on the site plan, however, any combination of uses shall be limited by the maximum FAR permitted for the SMU-6 Comprehensive Plan category (0.25 FAR) and limited by the total trip generation rate of 121 AM peak hour trips and 151 PM peak hour trips, as studied in the Transportation Analysis.

2. The development shall comply with the standards shown on the October 24, 2023, site plan and the following development standards.

a. Minimum Rear (South/West) Building Setback:
b. Minimum Front Yard Building Setback:
c. Minimum Side Yard Building (East) Setback:
d. Maximum Building Height:
50 feet*

*Any height greater than 50 feet shall comply with Section 6.01.01, endnote 8.

- 3. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code with the following exceptions.
 - a. A 30-foot buffer with Type "B" screening along the northern property boundary, including along 122nd Avenue, excluding access points off 122nd Avenue.
 - Existing vegetation, excluding invasive plant species, may be retained in lieu of construction of the 6foot-high screening located adjacent to the Wetland Conservation Area setback area where said
 vegetation is at least 6 feet in height and provides an overall opacity of seventy-five percent on the

ZHM HEARING DATE: November 13, 2023

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northeast and east portions of the property boundary.

- Existing vegetation, excluding invasive plant species, may be retained in lieu of the replanting landscaping along the north boundary along 122nd Avenue.
- A 6-foot opaque fence shall be located on the rear (south) perimeter of the subject site.
- 4. Screening of trash and recycling receptacles, service areas, and other similar areas shall be in accordance with Section 3.13.03 of the LDC.
- 5. Parking shall be in compliance with Section 6.05.00 of the Land Development Code.
- 6. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8' shoulders on the bridge or as approved by Public Works.
- 7. If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- 8. A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- 9. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- 10. Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided consistent with the LDC.
- 11. 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.
- 12. An evaluation of the property identified the potential existence of significant wildlife habitat as delineated on the Hillsborough County Significant Wildlife Habitat Map. The potential for upland significant wildlife habitat within the boundaries of the proposed application shall require the preliminary site plan and site construction plans to identify its existence by type (mesic or xeric) and location and how the Land Development Code preservation provision for upland significant wildlife habitat will be addressed. See Section 4.01.08 in the Land Development Code. The proposed site plan may require modifications during the site construction plan review process to address this Code requirement.
- 13. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area and Preservation Area setbacks. A minimum setback must be maintained around these areas which shall be designated on all future plan submittals. Only items explicitly stated in the condition of approval or items allowed per the LDC may be placed within the wetland setback. Proposed land alterations are restricted within the wetland setback areas.

ZHM HEARING DATE: November 13, 2023

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14. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.

- 15. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
- 16. The subject application is adjacent to the Wilderness Conservation Park. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.
- 17. 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.
- 18. 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.
- 19. 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).
- 20. 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.
- 21. 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, unless otherwise stated herein.
- 22. 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.
- 23. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not

ZHM HEARING DATE: November 13, 2023

BOCC LUM MEETING DATE: January 9, 2024 Case Reviewer: Tim Lampkin, AICP

been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:

trator Sign Off:

J. Brian Grady

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

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

ZHM HEARING DATE: November 13, 2023 BOCC LUM MEETING DATE: January 9, 2024

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

Case Reviewer: Tim Lampkin, AICP

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.

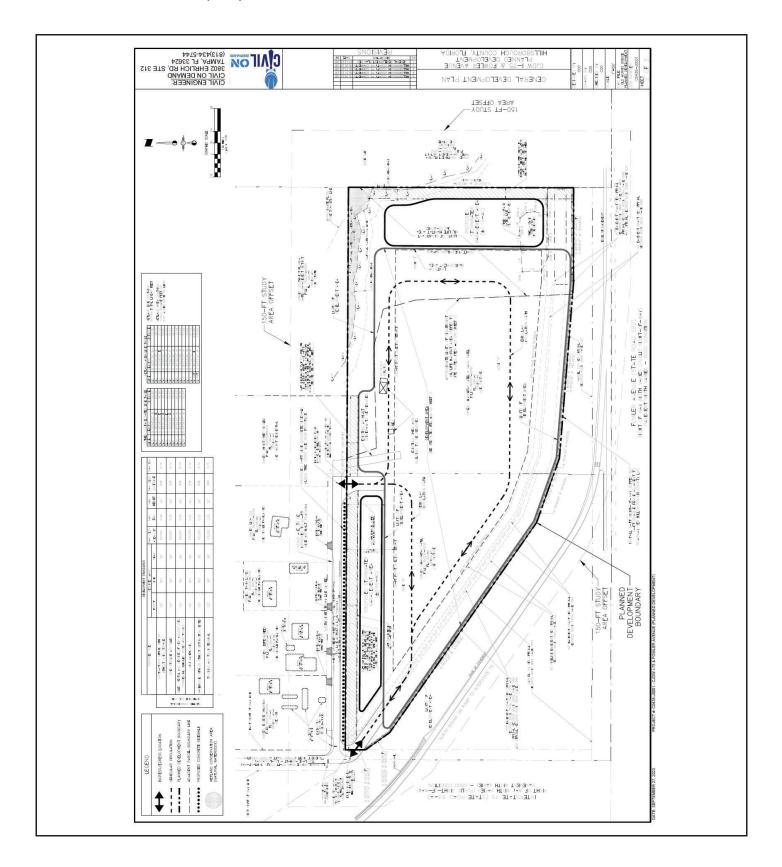
ZHM HEARING DATE: November 13, 2023

BOCC LUM MEETING DATE: January 9, 2024 Case Reviewer: Tim Lampkin, AICP

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

ZHM HEARING DATE: November 13, 2023 BOCC LUM MEETING DATE: January 9, 2024

8.0 PROPOSED SITE PLAN (FULL)



Case Reviewer: Tim Lampkin, AICP

ZHM HEARING DATE: November 13, 2023

BOCC LUM MEETING DATE: January 9, 2024 Case Reviewer: Tim Lampkin, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

REVIEWER: Richard Perez, AICP
PLANNING AREA: East Rural

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

- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on Old Morris Bridge Rd. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave. The applicant shall coordinate with the CIP bridge project. If the project does move not forward, the applicant shall also construct 8-foot shoulders on the bridge or as approved by Public Works.
- If PD 23-0517 is approved, the County Engineer will approve a Design Exception related to the substandard road improvements on 122nd Ave. The developer shall construct improvements to Old Morris Bridge Rd. consistent with the Design Exception (dated November 6, 2023) and found approvable by the County Engineer (November 6, 2023). Specifically, the developer shall construct 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.
- A sidewalk shall be constructed along the project 122nd Ave. frontage consistent with the LDC.
- Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along PD boundaries.
- Notwithstanding anything shown in the PD site plan, internal pedestrian sidewalks and ADA accessible routes shall be provided 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.

Other Conditions:

 Prior to certification, the applicant shall revise the proposed PD site plan to roadway information from "Old Morris Bridge Road 50-FT Public Right-of-way" to "Old Morris Bridge Road +/-54-FT Public Right-of-way"

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels, totaling 15.64 acres, from Agricultural Residential to Planned Development to allow the following uses with certain building square footage limitations:

- a. Maximum 60,000-sf building:
 - Contractor's office, with or without open storage
 - Open storage and Sales
 - Sales, Rental and Service of new and/or used commercial vehicles, buses and trucks
- b. Maximum 170,000-sf building:
 - Mini-warehouse
 - Warehouse, with or without distribution center
 - Trucking and Truck Terminal

The site is located on the east side of Old Morris Bridge Rd. and south of 122nd Ave. The Future Land Use designation is Suburban Mixed Use 6 (SMU-6).

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, 11th Edition.

Approved PD:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak 1	Hour Trips
C,	Volume	AM	PM
AR: 3 Single Family Detached Units (ITE 210)	28	2	3

Proposed PD Modification:

Zoning, Lane Use/Size	24 Hour Two-Way	Total Peak 1	Hour Trips
C	Volume	AM	PM
PD: 60,000 sf, Specialty Contractor (ITE 180)	586	100	116
PD: 235,224 sf, Outdoor Storage (ITE 151)	341	21	35
TOTAL	927	121	151

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour	Total Peak	Hour Trips
Zonnig, Lane Ose/Size	Two-Way Volume	AM	PM
Difference (+/-)	+899	+119	+148

The proposed rezoning would generally result in an increase of trips potentially generated by +899 average daily trips, +121 trips in the a.m. peak hour, and +151 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Old Morris Bridge Rd, and 122nd Ave.

Old Morris Bridge Rd. is a 2-lane, substandard, rural local roadway characterized by +/- 10-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 54-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to 127th Ave., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

<u>122 Ave.</u> is a 2-lane, substandard, rural local roadway characterized by +/- 8-foot wide travel lanes with no paved shoulders in average condition. The roadway lines within a +/- 50-foot wide right-of-way along the project's frontage. There is a no sidewalks in the vicinity of the proposed project.

According to the Hillsborough County Transportation Technical Manual a TS-7 rural collector 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. The applicant has submitted a Design Exception to make improvements to Old Morris Bridge Rd., from the project entrance to Old Morris Bridge Rd., which includes widening the lanes to 12 feet and stabilizing an 8-foot shoulder. See additional detail under the section titled "Requested Design Exception" found herein.

SITE ACCESS

The PD site plan proposes one full access connection on Old Morris Bridge Rd. and one full access connection on 122nd Ave.

As demonstrated by the site access analysis submitted by the applicant's traffic engineer, the project does not meet warrants for site access improvements (i.e. turn lanes) at the projects access connection.

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

REQUESTED DESIGN EXCEPTION-OLD MORRIS BRIDGE RD SUBSTANDARD ROADWAY

As Old Morris Bridge Rd is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve Old Morris Bridge Rd. to 12-foot lanes with 8-foot stabilized shoulders from the project access to 127th Ave.

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

REQUESTED DESIGN EXCEPTION- 122nd AVENUE SUBSTANDARD ROADWAY

As 122nd Ave. is a substandard rural local roadway, the applicant's Engineer of Record (EOR) submitted a Design Exception (dated November 6, 2023) to determine the specific improvements that would be required by the County Engineer. Based on factors presented in the Design Exception request, the County Engineer found the Design Exception request approvable (on November 6, 2023). The developer will be required to improve 122nd Ave. to 12-foot lanes with 8-foot stabilized shoulders from the project access to Old Morris Bridge Rd.

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

LEVEL OF SERVICE (LOS)

Old Morris Bridge Rd. and 122nd Ave. are not regulated roadways.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]

Sent: Monday, November 6, 2023 6:43 PM **To:** Steven Henry [shenry@lincks.com]

CC: ggrimes@bradley.com; Lampkin, Timothy [LampkinT@hillsboroughcounty.org]; Perez, Richard [PerezRL@hillsboroughcounty.org]; Tirado, Sheida [TiradoS@hillsboroughcounty.org];

PW-CEIntake@hillsboroughcounty.org]; De Leon, Eleonor

[DeLeonE@hillsboroughcounty.org]

Subject: FW: RZ PD 23-0517 - Design Exception Review

Attachments: 23-0517 DEAdIn 11-06-23_1.pdf; 23-0517 DEAdIn 11-06-23_2.pdf

Importance: High

Steve,

I have found the attached Design Exceptions (DE) for PD 23-0517 APPROVABLE with CONDITIONS. The Condition being that the 8' shoulders will continue across the bridge.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (<u>DeLeonE@hillsboroughcounty.org</u> 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 <u>PW-CEIntake@hillsboroughcounty.org</u>

Mike

Michael J. Williams, P.E.

Director, Development Review County EngineerDevelopment 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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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hillsboroughcounty.org>

Sent: Monday, November 6, 2023 5:46 PM

To: Williams, Michael < Williams M@Hillsborough County. ORG>; De Leon, Eleonor

<DeLeonE@hillsboroughcounty.org>

Cc: Perez, Richard < PerezRL@hillsboroughcounty.org > **Subject:** RZ PD 23-0517 - Design Exception Review

Importance: High

Hello Mike,

The attached DEs are Approvable to me, please include the following people in your response.

shenry@lincks.com
ggrimes@bradley.com
lampkint@hillsboroughcounty.org
perezrl@hillsboroughcounty.org

Best Regards,

Sheida L. Tirado, PE (she/her/hers)

Transportation Review ManagerDevelopment Services Department

P: (813) 276-8364

E: tirados@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

<u>Facebook</u> | <u>Twitter</u> | <u>YouTube</u> | <u>LinkedIn</u> | <u>HCFL Stay Safe</u>

Please note: All correspondence to or from this office is subject to Florida's Public Records law.



Supplemental Information for Transportation Related Administrative Reviews

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- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	 Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	
Submittal Number and	▼ 1. Submittal 05/11/2023
Description/Running History (check one and complete text box	$ \underline{\mathbf{x}} _2$. First Re-Submittal 08/30/2023 $ \underline{\mathbf{x}} _5$. Fourth Re-Submittal 11/06/2023
using instructions provided below)	\mathbf{x}_{3} . Second Re-Submittal 09/27/2023 \mathbf{a}_{6} .
submittal number/name to each separate request number previously identified. It is critical that the ap	uests (whether of the same or different type), please use the above fields to assign a unique. Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. If information related to a previously submitted request, then the applicant would check the
Project Name/ Phase CJDW I-75& Fov	vler Ave PD
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	uture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 060036-0000; 0	60037-000
Tono Hamber(3)	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided l	to a maximum of five. If there are additional folios, check the box to indicate such. Folioby the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Steve Henry/Gina Grimes
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
Current Property Zoning Designation	AR
Designation. Typing "N/A" or "Unknown" will result to County Zoning Atlas, which is available at https://me	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.
Pending Zoning Application Number	PD 23-0517
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not MM for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number	N/A

1 of 1

Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".

Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office 60,000 Square Feet
- Outdoor Storage 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, Old Morris Bridge Road is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for Old Morris Bridge Road. The segment of Old Morris Bridge Road currently has the following characteristics:

- Two (2) lane rural roadway
- Ten (10) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7:

1) Lane Width – TS-7 has 12 foot lanes. The existing roadway has 10 foot lanes.

5023 West Laurel Street Tampa, FL 33607 813 289 0039 Telephone 8133 287 0674 Telefax www.Lincks.com Website Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has 8 foot shoulder with 5 feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has 5 foot sidewalk on both sides of the road. There are no sidewalks along the utilized segment of the roadway.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches on the roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet including widening the existing bridge to provide twelve (12) foot lanes.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for Old Morris Bridge Road from 122nd Avenue to 127th Avenue.

Based on the above, it is our opinion, the proposed improvements to Old Morris Bridge Road will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

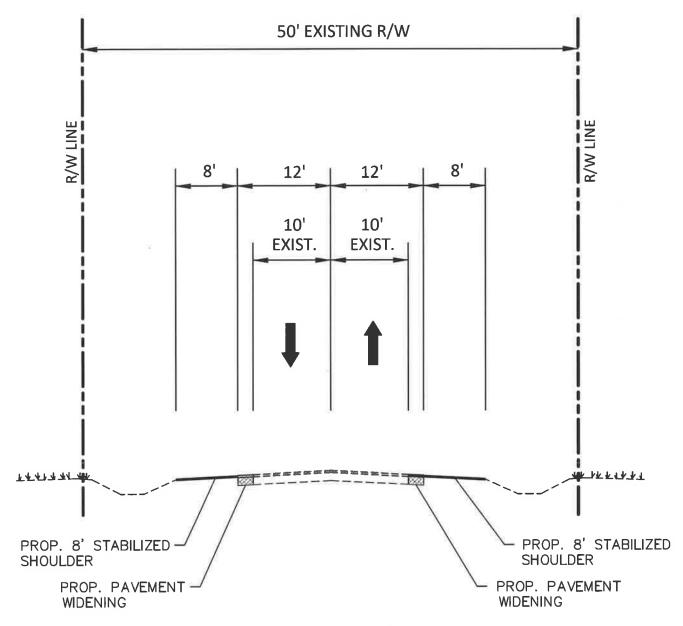
information.	any questions of require any additional
Best Regards.	
Steven J Henry	
resident	All Xas
Lincks & Associates, Inc. P.E. #5/855	
1,2. #9,000	
960	
Based on the information provided by the app	olicant this request is:
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Disapproved	oncant, this request is.
Disapproved	»
	*
Approved	s clarification, please contact Sheida
Approved Approved with Condition If there are any further questions or you need	s clarification, please contact Sheida
Approved Approved with Condition If there are any further questions or you need	clarification, please contact Sheida poroughcounty.org.
Approved Approved with Condition If there are any further questions or you need	s clarification, please contact Sheida poroughcounty.org.
Approved Approved with Condition If there are any further questions or you need	clarification, please contact Sheida coroughcounty.org.

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

nr		Total	116	35	151	
M Peak Ho	Trip Ends	Out	79	16 19 35	86	
<u>a</u>		드	37	16	53	
'n		Total		21		
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A		듸	74	12	98	
	Daily	Trip Ends	589	341	930	
		Size	60,000 SF	235,224 SF	Total	
	믵		180	151		
Si di		Land Use	Contractor's Office	Outdoor Storage		

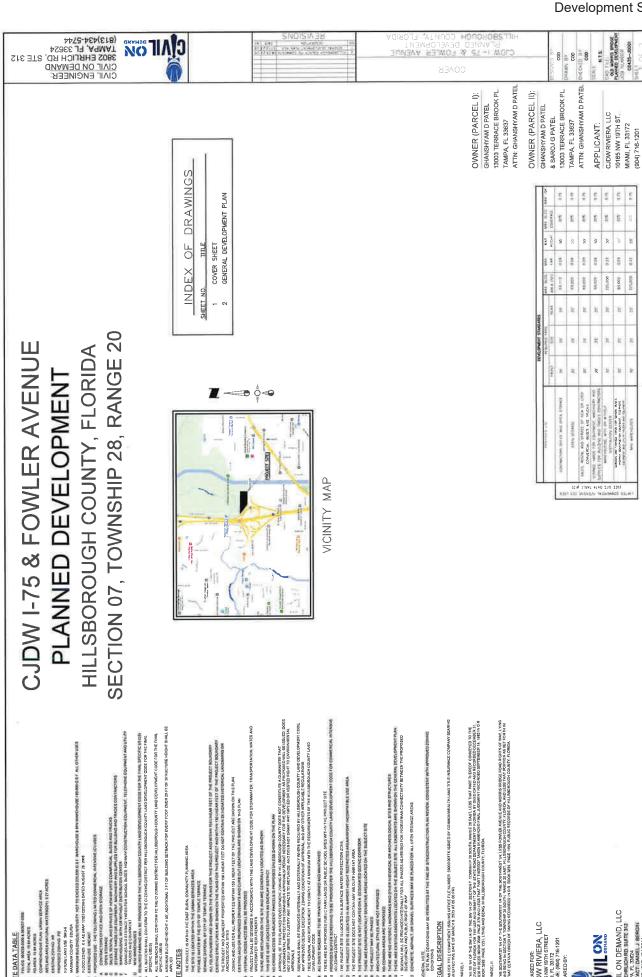
(1) Source: ITE Trip Generation Manual, 11th Edition, 2021,



TYPICAL SECTION
OLD MORRIS BRIDGE ROAD

PD PLAN





(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

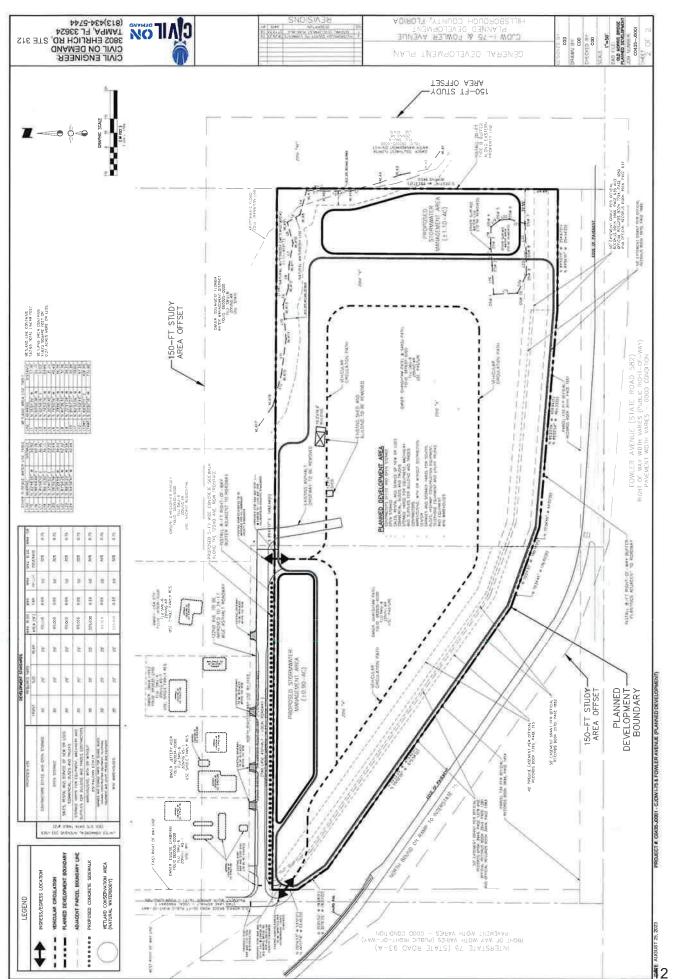
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CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 313 TAMPA B. 23824 CONTACT DAVEL J. BERGH PHONE: (813) 4345744

CWIL ORHAND

PREPARED FOR:
CJDW RIVIERA, LLC
10165 NW 19TH STREET
MIAM, FL 33172
PROPARED BY:

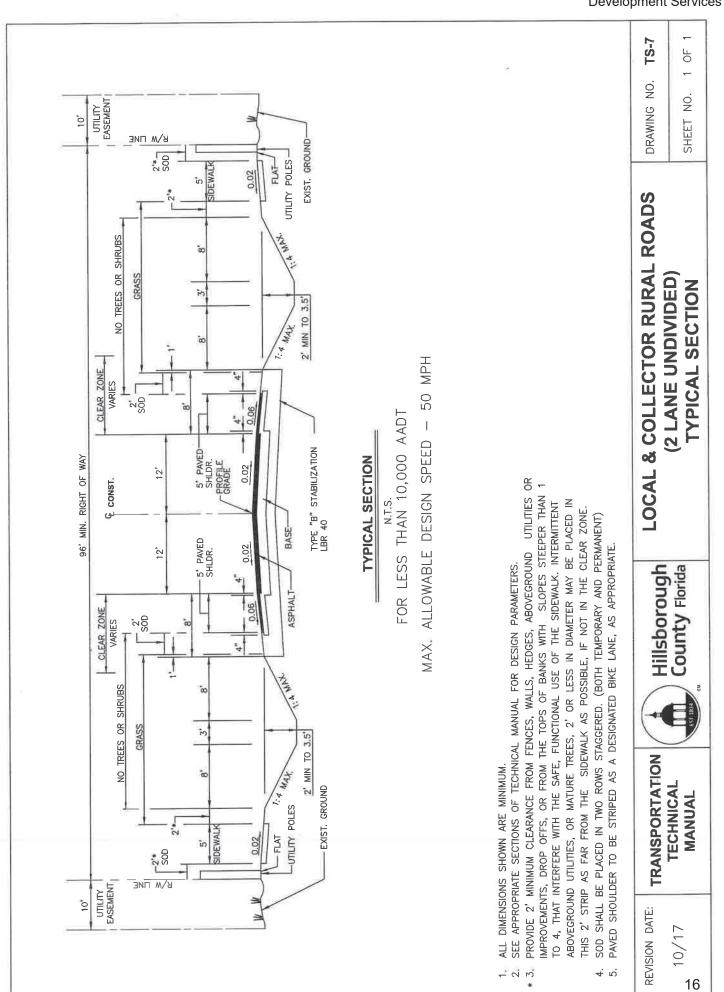


HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7







Supplemental Information for Transportation Related Administrative Reviews

Instructions:

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- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- 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@hcpafl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

complete this form.	
Request Type (check one)	 Section 6.04.02.B. Administrative Variance ☐ Technical Manual Design Exception Request ☐ Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) ☐ Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	\times 1. Submittal 05/11/2023
submittal number/name to each separate request. number previously identified. It is critical that the ap	nests (whether of the same or different type), please use the above fields to assign a unique. Previous submittals relating to the same project/phase shall be listed using the name and oplicant reference this unique name in the request letter and subsequent filings/correspondence. If information related to a previously submitted request, then the applicant would check the
Project Name/ Phase CJDW I-75& Fov	vler Ave PD
Important: The name selected must be used on all fu If request is specific to a discrete phase, please also	iture communications and submittals of additional/revised information relating to this variance. list that phase.
Folio Number(s) 060036-0000; 0	60037-000
Polio (validae)	☐ Check This Box If There Are More Than Five Folio Numbers
numbers must be provided in the format provided b	to a maximum of five. If there are additional folios, check the box to indicate such. Folio by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, 789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789;
Name of Person Submitting Request	Steve Henry/Gina Grimes
Important: For Design Exception (DE) Requests, the DE request letter must be signed and sealed.	person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The
Current Property Zoning Designation	AR
Designation. Typing "N/A" or "Unknown" will result i County Zoning Atlas, which is available at https://mc	mily Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) in your application being returned. This information may be obtained via the Official Hillsborough aps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, for Development Services at (813) 272-5600 Option 3.
Pending Zoning Application Number	PD 23-0517
	nter the application number preceded by the case type prefix, otherwise type "N/A" or "Not 11M for major modifications, PRS for minor modifications/personal appearances.
Related Project Identification Number (Site/Subdivision Application Number)	N/A

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".

1 of 1

17 05/2020



LINCKS & ASSOCIATES, INC.

November 6, 2023

Mr. Michael Williams, PE County Engineer Development Review Director Hillsborough County 601 East Kennedy Blvd., 20th Floor Tampa, FL 33602

Re: CDJW I-75 & Fowler Avenue PD

PD 23-0517

Folio 060036.0000 060037.0000 Lincks Project No. 23070

The purpose of this letter is to request a Design Exception to the Hillsborough County Transportation Technical Manual per Section 1.7.2 to meet Land Development Code Section 6.04.03L for 122nd Avenue from Old Morris Bridge Road to the project access.

The developer proposes to rezone the property to PD to allow the following land uses:

- Contractor's Office 60,000 Square Feet
- Outdoor Storage 5.4 Acres

Table 1 provides the trip generation for the proposed project. The proposed PD plan is included in the Appendix of this letter.

According to the Hillsborough County Roadway Functional Classification Map, 122nd Avenue is classified as a local roadway. The subject site is within the Hillsborough County Urban Service Area.

The request is for a Design Exception to TS-7 of the Hillsborough County Transportation Technical Manual for 122nd Avenue. The segment of 122nd Avenue currently has the following characteristics:

- Two (2) lane rural roadway
- Seven (7) / eight (8) foot lanes
- No paved shoulders

The following provides a summary of the existing road compared to the elements of TS-7.

 Lane Width – TS-7 has twelve (12) lanes. The existing roadway has seven(7) / eight(8) foot lanes. Mr. Mike Williams November 6, 2023 Page 2

- 2) Shoulders TS-7 has eight (8) foot shoulder with five (5) feet paved. The existing roadway has no paved shoulders.
- 3) Sidewalk TS-7 has five (5) foot sidewalk on both sides of the road. There are no sidewalks on the road.
- 4) Drainage Ditches TS-7 has road side ditches on both sides of the road. There are minimal to no ditches along the existing roadway.
- 5) Right of Way TS-7 has 96 feet of right of way. The existing road has 50 feet of right of way.

Due to limited right of way along the subject segment of the roadway, the following improvements are proposed:

- 1. Lane Width The lanes are proposed to be widened to twelve (12) feet.
- 2. Shoulders Eight (8) foot stabilized shoulders are proposed.
- 3. Drainage Ditches The final design of the drainage ditches will be addressed at the construction plan stage.

Figure 1 illustrates the proposed section for 122nd Avenue from Old Morris Bridge Road to the project access.

Based on the above, it is our opinion, the proposed improvements to 122nd Avenue will mitigate the impact of the project and meet the intent of the Transportation Technical Manual to the extent feasible.

Mr. Mike Williams November 6, 2023 Page 3

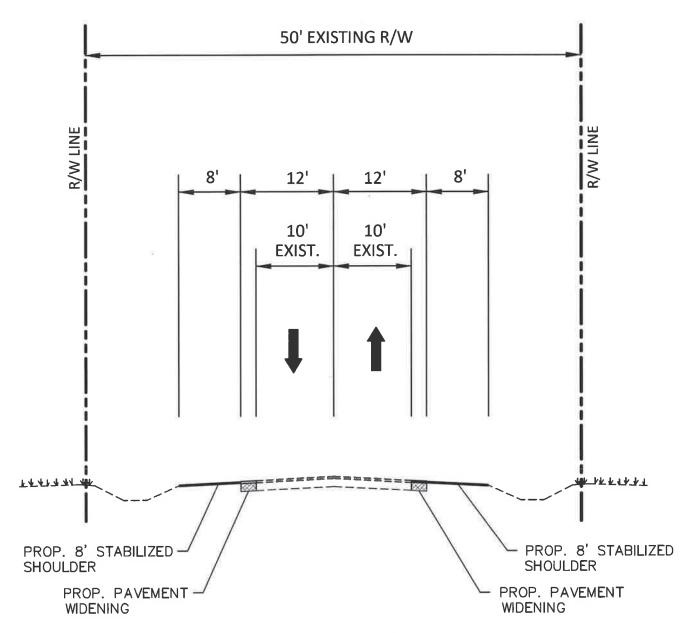
Please do not hesitate to contact us if you have any information.	questions or require any additional
Best Regards, Steyen J Henry	
President Lincks & Associates, Inc. P.E. #51555	
Based on the information provided by the applica	ant, this request is:
Disapproved	
Approved	
Approved with Conditions	
If there are any further questions or you need cla L. Tirado, P.E, (813) 276-8364, TiradoS@hillsboro	• •
	Sincerely,
	Michael J. Williams
	Hillsborough County Engineer

Mr. Mike Williams November 6, 2023 Page 4

TABLE 1
TRIP GENERATION (1)

	10			
our	Total	116	35	151
PM Peak Hour Trip Ends	Ont	62	19	86
A.	드	37	16	23
AM Peak Hour Trip Ends	Total	100	121	121
// Peak Ho Trip Ends	Ont	26	OI	35
AN	드	74	12	86
	Trip Ends	589	341	930
	Size	60,000 SF	235,224 SF	Total
E	2	180	151	
	Land Use	Contractor's Office	Outdoor Storage	

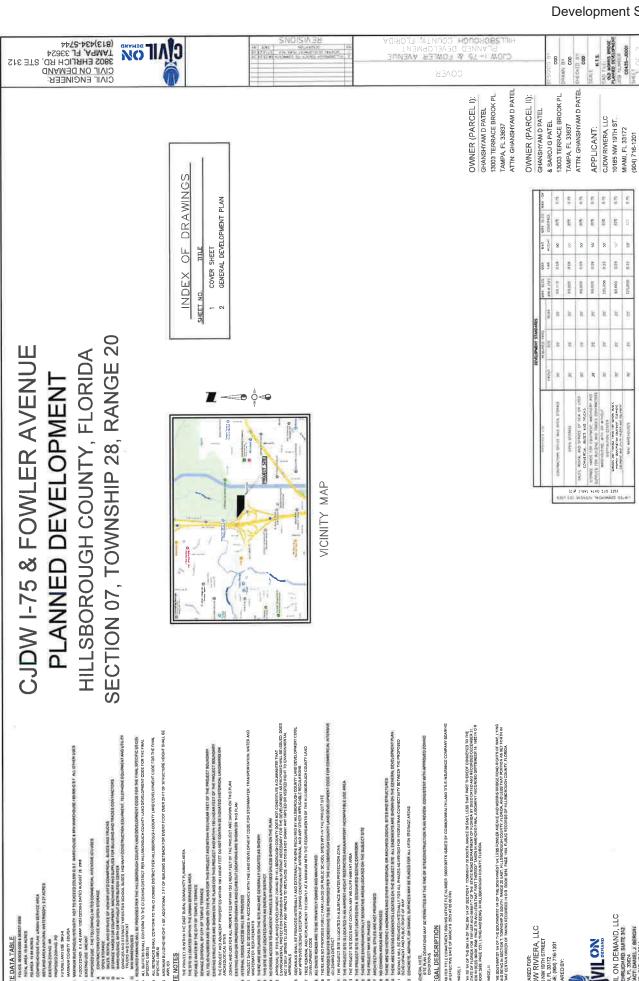
(1) Source: ITE Trip Generation Manual, 11th Edition, 2021.



TYPICAL SECTION
OLD MORRIS BRIDGE ROAD

PD PLAN





(AS PER TITLE COMMITMENT ISSUING OFFICE FILE NUMBE! AN EFFECTIVE DATE OF MARCH 9, 2023 AT 05 00 PM)

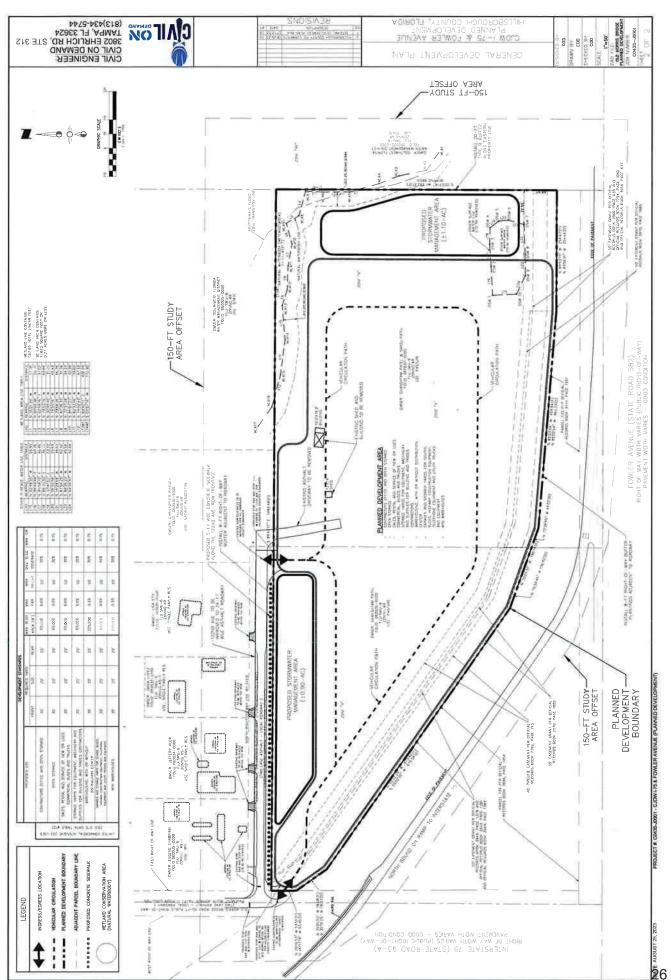
EGAL DESCRIPTION

HERE ARE USE HERE LANGUAGES AND DRIVE SPORVAK WHE CHESHING EARCHEST LOCATED OF DEVELOPMENT AND PUBLIC PROSTLOS WAY DEVELOPMENT AND PUBLIC PROSTLOS WAY

CIVIL ON DEMAND, LLC 3002 EHRLICH RD SILITE 313 TAMPA B. 23824 CONTACT DAVEL J. BERGH PHONE: (813) 4345744

CWIL ORHAND

PREPARED FOR:
CJDW RIVIERA, LLC
10165 NW 19TH STREET
MIAM, FL 33172
PROPARED BY:

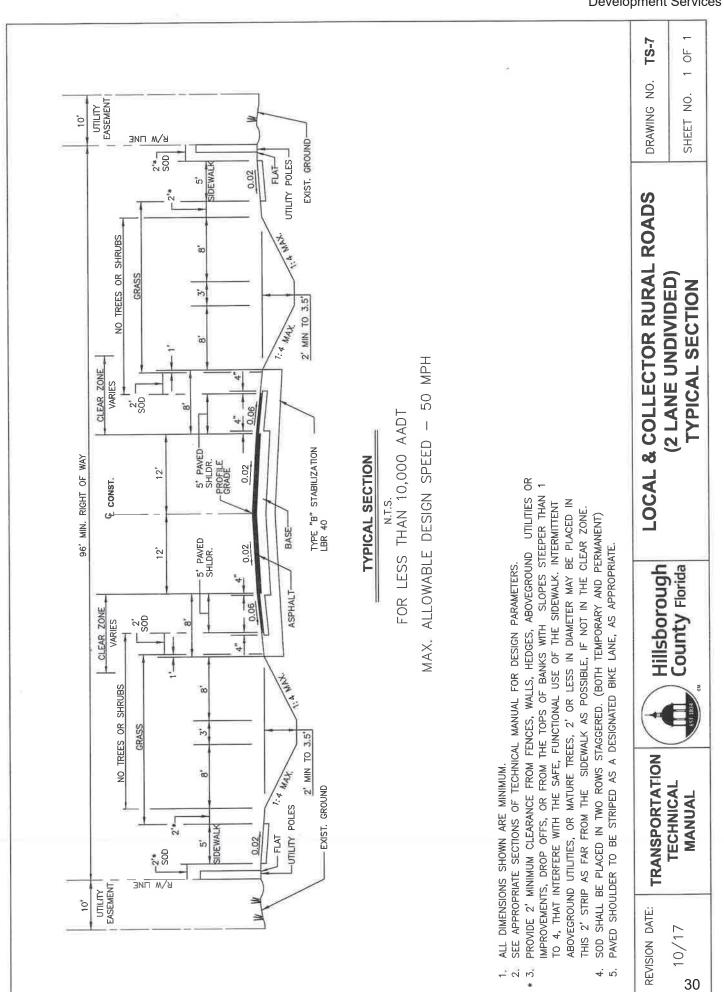


HILLSBOROUGH COUNTY ROADWAY CLASSIFICATION MAP



TS-7





Transportation Comment Sheet

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

Adjoining Roadways (c	heck if applicable	e)	
Road Name	Classification	Current Conditions	Select Future Improvements
Old Morris Bridge Rd.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other
122 nd Ave.	County Local - Rural	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements ⋈ Substandard Road Improvements □ Other

Project Trip Generation	n \square Not applicable for this reques	t	
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	927	121	151
Difference (+/-)	+899	+119	+148

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

Connectivity and Cross	Access 🗆 Not ap	plicable for this request		
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance	Not applicable for this request	
Road Name/Nature of Request	Туре	Finding
Old Morris Bridge Rd./Substandard Roadway	Design Exception Requested	Approvable
122 nd Ave./Substandard Roadway	Design Exception Requested	Approvable
Notes:		

4.0 Additional Site Information & Agency Comme	ents Summary		
Transportation	Objections	Conditions Requested	Additional Information/Comments
☑ Design Exception/Adm. Variance Requested☑ Off-Site Improvements Provided	□ Yes □N/A ⊠ No	⊠ Yes □ No	See report.

APPLICATION NUMBER: RZ 23-517

NAME: Gina Grimes

ENTERED AT PUBLIC HEARING: ZHM

EXHIBIT #: 2

DATE: 11/13/2023



RZ PD 23-0517 9031 122ND AVE.

REZONING FROM AR TO PD (LIMITED CI USES)

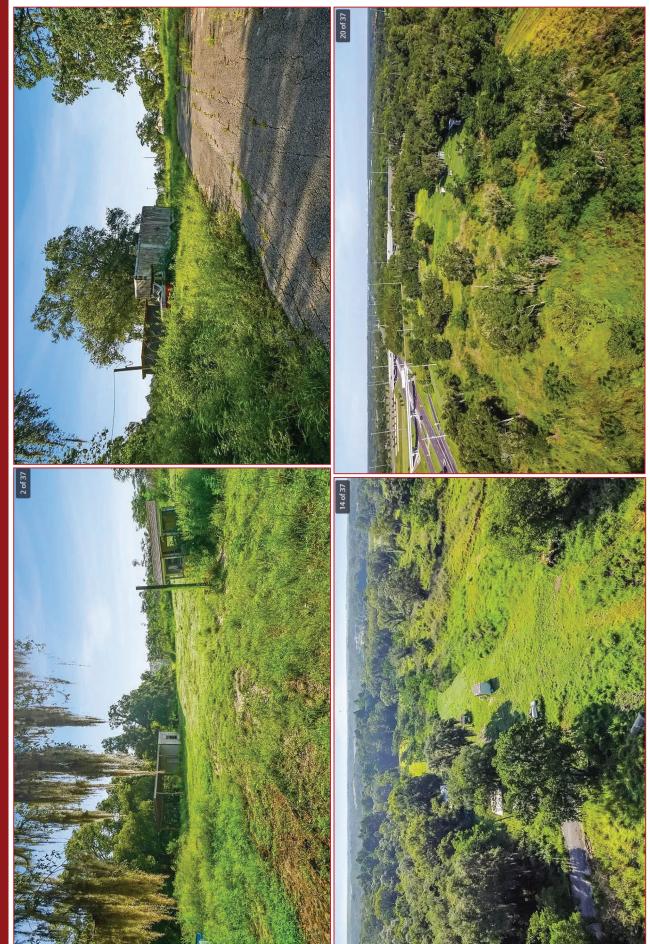
Applicant: CJDW Riviera, LLC

SUBJECT PROPERTY

Location	NE corner of the Intersection of I-75 and Fowler Ave
Size	15.64 Acres
Future Land Use Designation	SMU-6 (Suburban Mixed Use, 6du/a; 0.25 FAR)
Current Zoning	AR, Agricultural Rural
Current Use	Dormant with misc. accessory structures and vehicles with majority comprised of vacant, naturally vegetated land
Previous Use	Landfill operated by Hillsborough County
Proposed Use	Limited Commercial Intensive (CI)
County's Urban Service Area	Service to be provided by City of Temple Terrace
Registered Neighborhood?	No



SUBJECT PROPERTY - CURRENT IMAGES



SUBJECT PROPERTY - CURRENT IMAGES



SUBJECT PROPERTY - CURRENT IMAGES



SURROUNDING PROPERTIES

• West: I-75 on/off ramp

South: Fowler Ave

East and NE: SW Florida Water Management District property - Dense wetlands and Significant Wildlife Habitat

Northwest:

Wetlands

3 single-family structures

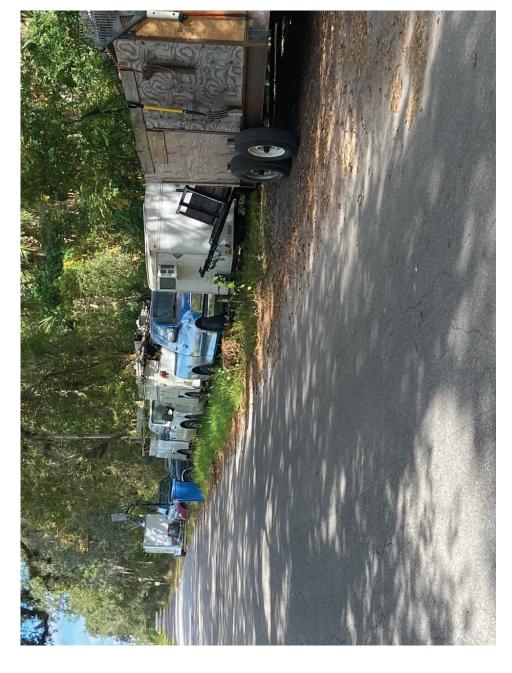
possible debris, and small shed-like structures are shown on one property beginning in the 2000s") circled in one mobile home with open storage. (Note, a report cites "apparent tractor trailers and other vehicles,

The cattycorner property to NW outlined in orange is currently under construction for self storage according to conversation with personnel onsite



SURROUNDING PROPERTY IMAGES (CONTINUED)

Old Morris Bridge Rd – Abandoned vehicles across from Misty's Market



SURROUNDING PROPERTY IMAGES (CONTINUED)





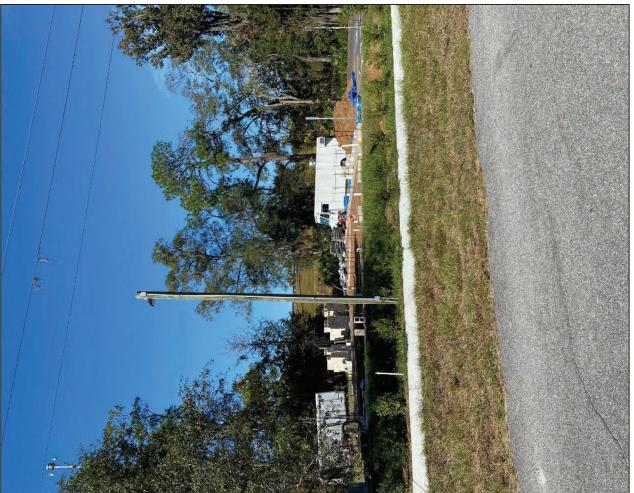


SURROUNDING PROPERTY IMAGES (CONTINUED)







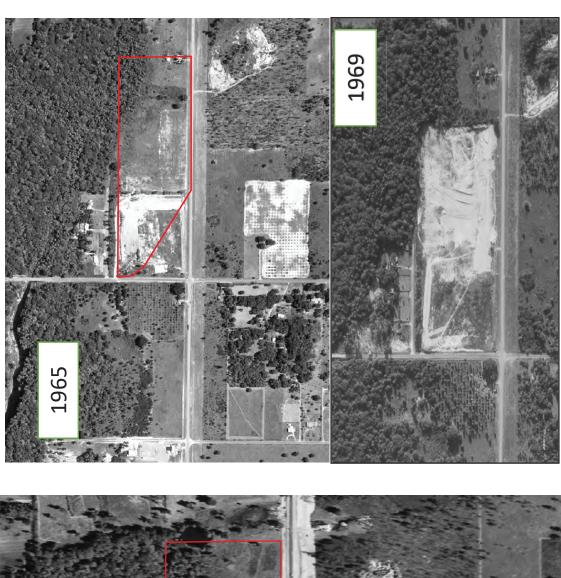


PROPERTY HISTORY- FORMER COUNTY LANDFILL and BORROW PIT

- Former Landfill operated by Hillsborough County from 1962 1969
- County's use of Property as Landfill was by code definition an industrial use
- Reportedly accepted residential, commercial, and industrial waste, construction and demolition debris, and drums containing pesticides and other "questionable materials"
- Western portion of Property was a 30' to 35' deep borrow pit that was filled with waste
- Eastern portion of Property was excavated to 12' to 15' deep trenches and filled with waste (this is the area now designated by the County as "significant wildlife habitat")



HISTORICAL PROPERTY IMAGES





LIMITATIONS ON VIABLE USES DUE TO HISTORICAL LANDFILL USE BY COUNTY

EXCERPTS - GHD Environmental Consultants and Engineers - Letter dated 11-8-23 (attached at end of PowerPoint):

- commercial uses, **they prefer heavier commercial and industrial uses <mark>because these uses generally involve less</mark>** redevelopment. Although the EPC allows redevelopment of solid waste disposal sites for residential and "In our opinion, this site represents an <mark>excellent candidate for heavy commercial/light industrial</mark> risks to site future users for the following reasons:"
- pavement designs used for heavier commercial and industrial uses are best suited for the in-situ variable implementation of common reclamation techniques such as over-excavation, screening, re-capture of useable granular material for fill, and structural fill mass grading. <mark>More resilient structural designs and</mark> "The aerial extent, thickness and composition of landfill materials at this site preclude economic subsurface conditions at the site,"
- residential uses due to exposure duration (i.e., residential users may be exposed for longer periods than industrial users). Furthermore, future land use consisting of <mark>heavy commercial or light industrial will</mark> imit occupancy by customers and other members of the public to the property; thereby reducing "Acceptable soil concentrations for commercial/industrial users are higher than thresholds for potential risks."
- plan for the site includes rollup doors and warehouse spaces that by their nature, increase ventilation and "Risks associated with an accumulation of landfill generated gas in commercial/industrial structures is typically less than within residential dwellings (i.e., more ventilation and higher ceilings). The current reduce the potential for accumulation of landfill generated gas."

LIMITATIONS ON VIABLE USES (CONTINUED)

Excerpts from a report authored by the Department of Environmental Protection (DEP) titled "Guidance For Disturbance and Use of Old Closed Landfills Or Waste Disposal Areas In Florida"

GUIDANCE FOR DISTURBANCE AND USE OF OLD CLOSED LANDFILLS OR WASTE DISPOSAL AREAS IN FLORIDA

Version 2.3

April 2, 2019



Prepared by:

(q)

Department of Environmental Protection Solid Waste Section 2600 Blair Stone Road Tallahassee, Florida 32399-2400

6.0 CONSTRUCTION OVER WASTE-FILLED AREAS

adversely impacted and to protect the health and safety of individuals who may be using is conducted over an old disposal site. The goals of this consultation are to ensure that The appropriate District office must be consulted before any construction activity the integrity of the environmental protection measures of the disposal area is not the disposal area.

6.1 Cautions For Construction

When considering construction projects over old disposal sites, the Department recommends the following guidelines be used.

- and structural settlement problems are well documented difficulties with this use over old waste-filled areas. Instances of landfill gas seeping into the structures The Department strongly discourages the construction of residential structures of old disposal sites. (a)
- areas must be designed with good ventilation and with explosion proof electrical gas. Inside structures, combustible gases must not exceed twenty-five percent Any construction projects should consider potential impacts from combustible wiring. Enclosed ground level and underground structures should be avoided of the lower explosive limit for methane. Any structures located on disposal

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LIMITATIONS ON VIABLE USES (CONTINUED)

- County's previous use as a landfill severely limits the viable re-uses due to potential contamination and soil conditions.
- Limited commercial intensive use is one of the few, if not only, option to salvage some use of the Property to prevent a taking.
- Residential is not appropriate;
- Agricultural is **not appropriate** due to soil conditions and potential contamination;
- Commercial uses, which invite members of the public, appropriate ;
- commercial intensive uses are less intensive than what existed when Previous use by County as landfill was an Industrial use, and limited residences to the north were constructed.
- Limited Commercial Intensive uses are only reasonable and viable adaptive reuse given location bordered by the Interstate-75 interchange, Fowler Ave., and the Tampa Bypass Canal

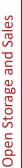
PROPOSED USES

- Commercial Intensive (CI) Uses are consistent with the Future Land Use (FLU) designation of SMU-6;
- All proposed uses are permitted or conditional uses in Commercial Intensive (CI) zoning per the Land Development
- Requesting approval for the following Limited Commercial Intensive (CI) Uses:
- 1. Contractor's Office, with or without Open Storage
- . Open Storage and Sales
- 3. Sales, Rental, and Service of New or Uses Commercial Vehicles, Buses, and Trucks
- 4. Mini Warehouse
- 5. Warehouse, with or without Distribution Center
 - 6. Trucking and Truck Terminal

Examples:













Note: For illustrative purposes only. Public images.

DEVELOPMENT STANDARDS & DESIGN CONSIDERATIONS

- Proposed design exceeds Commercial Intensive (CI) code standards.
- The applicant's transitional use enhances the site and surrounding infrastructure, and positively impacts the area.

Building Size	0.25 FAR limit consistent with SMU-6 FAR standards
Setbacks/Buffer	Consistent with, and exceeding, Commercial Intensive (CI) standards of 30 ft. front setback: -Applicant proposing a 125' foot development setback/buffer area from all existing residential structures (illustrated on PD Plan); - Densely vegetated area and +/- 8' foot high berm currently exists along the property facing the existing residential structures; - Alternative Buffer proposed to maintaining existing vegetation within the buffer, the applicant will be providing a denser buffer than if the applicant were to clear and install landscaping called for by code.
Height	Consistent with code Section 6.01.01 endnote 8
Parking	Final parking requirements to be determined at site plan review and will meet or exceed code standards
Infrastructure Improvements	- Applicant to improve Old Morris Bridge Road, the Bridge crossing Cow Hollow Creek, and 122nd Avenue (Details on next slide);
	- Applicant to add sidewalk on south side of 122 nd Avenue;
	- Infrastructure improvements benefit long-term plan for the area.
Access	Two existing access points will be improved and retained

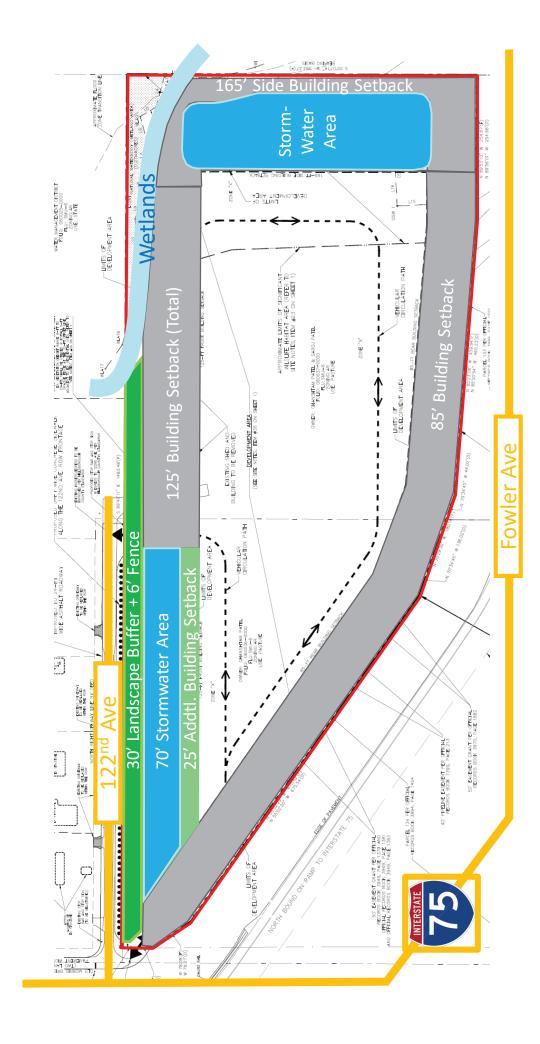
17

TRANSPORTATION INFRASTRUCURE

Infrastructure Improvements benefiting long term plan for area

	Existing	Improvement
Old Morris Bridge Road	9′ foot to 10′ travel lanes Limited shoulders	12' foot travel lanes 8' stabilized shoulders
122 nd Avenue	7′ foot to 8′ foot travel lanes Limited shoulders No sidewalks	12' foot travel lanes 8' stabilized shoulders Sidewalks added to south side along Property boundary
Cow Hollow Creek Bridge	Sufficient with identified/mid-term capital improvement plan per Public Works/Engineering	Implementation of capital improvement plan
External Connectivity	2 existing access driveways	Western access driveway improved and realigned with extension of Old Morris Bridge Road
Note: All design exceptions	Note: All design exceptions have been found "approvable"	Center/North access driveway improved and realigned with access to 122nd Avenue

PD PLAN *Illustrative, not drawn to scale



STAFF REPORTS AND FINDINGS

- Development Services Approvable with Conditions
- All other County departments No objections; Conditions requested
- Transportation Review Section No objections; Design Exceptions approved; Conditions requested
- Planning Commission Inconsistent with Comprehensive Plan Policies 22 and 16.5

COMP PLAN POLICIES IDENTIFIED BY PLANNING COMMISSION

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 OBJECTIVE 22 - Commercial Locational Criteria - Not Applicable; Waiver Request and Justification character of the areas and to the availability of public facilities and the market.

- Objective 22 states the purpose of the CLC Objective is to avoid strip commercial development, however, proposal is not 'strip commercial';
- CLC are not applicable because not an 'intersection node'; instead, located south of the terminus of both 122nd Ave. And Old Morris Bridge Rd., where both roads dead-end into one another;
- Waiver of the Commercial Locational Criteria (type and amount) required by the Planning Commission and Policy 22.8 allows waiver if the proposed use is compatible with the adjacent area OR there are unique circumstances.

neighborhoods shall be restricted to collectors and arterials and to locations external to established and Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to *established* POLICY 16.5 - Higher intensity land uses adjacent to established neighborhoods – Not Applicable developing *neighborhoods*.

COMP PLAN OBJECTIVE/POLICY 22 AND 16.5 NOT APPLICABLE BECAUSE AREA DOES NOT MEET THE DEFINITION OF "NEIGHBORHOOD" OR "ESTABLISHED NEIGHBORHOOD" AS DEFINED BY THE COMP

- "Neighborhood An integrated area related to the larger community of which it is a part and consisting of residential districts. "
- Neighborhoods usually have advisory representatives to present citizen views on municipal matters; "Neighborhood - For purposes of the Census Bureau's Neighborhood Statistics Program, a neighborhood is a locally defined sub-area of a locality with nonoverlapping boundaries. where such representation does not exist, areas traditionally recognized can be used."
- "Established Neighborhood A neighborhood where platted, or otherwise divided, lands have been at least eighty percent developed and occupied <mark>without substantial deterioration since such</mark> development."

Cont'd - COMP PLAN OBJECTIVE/POLICY 22 AND 16.5 NOT APPLICABLE

AREA DOES NOT MEET THE DEFINITION OF "NEIGHBORHOOD" OR "ESTABLISHED **NEIGHBORHOOD" AS DEFINED BY THE COMP PLAN:**)

- Landfill existed and operating before homes were constructed homes were constructed in a NONresidential area, INDUSTRIAL area.
- Three homes and mobile home do not, in and of themselves, constitute a "neighborhood" because not integrated into larger community or area of which they are part.
- Residences randomly located on a strip of land tucked between the Wilderness Conservation Park and I-75, and not constructed or developed in relation to one another nor is area 80% developed.
- inoperable vehicles and boats, and multiple storage sheds and containers, which has existed since it Historically, the mobile home lot contained a large amount of open storage of equipment, operable and was initially developed.
- No registered neighborhood association, typical of most neighborhoods;
- Compatibility established with 125-foot distance between the proposed commercial uses and the residences, including 6-8 ft. berm, 30-foot landscape/screening buffer area, 6 ft. fence at the 30-foot setback/buffer line, and 70-foot-wide stormwater area.

COMPATABILITY MEASURES

Northwest	- Retain existing heavily treed area, approx. 8' foot high berm along 122nd Ave within the required 30' foot buffer area
	- Type B buffer; Note 34, existing trees are of a size and amount greater than the plantings required by Type B buffer and screening regulations and intended to serve as an alternative buffer/screen pursuant to Code Section 6.06.00
	- 6' foot fence placed along the 30' foot setback/buffer line behind vegetation
	- 70′ foot stormwater pond south of the required 30′ foot buffer area and fence combining for 125′ foot development setback/buffer area from existing residences
	- Above design considerations render it unlikely that uses will be visible to the four residences across the ROW to the north
Northeast	- Wetland surveyed and to be delineated; No encroachments and subject to required 30' foot setback
	- Retaining the existing vegetation leaves area undisturbed to serve as protection of the integrity of area and any wildlife that may exist
	- 165 foot building setback
	- Wilderness Conservation Area; Note 23 compatibility plan, subject to approval of the Environmental Lands Management Dept., as a condition to granting a Natural Resources Permit
South/SW	-6' foot fence on the southern property line adjacent to the FDOT northbound on-ramp -85 foot building setback

INTERSTATE 75 CORRIDOR DEVELOPMENT

Objective 34: Plan categories for the Interstate 75 corridor shall permit urban level intensities that will encourage mixed use patterns of development.

Policy 34.3:

Access to high density/intensity development shall be encouraged to be located onto the county arterial and collector system rather than the state highway system in the I-75 Corridor. This will be accomplished through the promotion of clustering of highest intensity uses with access to the county arterial system, through the review of access points by Florida Department Of Transportation (FDOT) and the requirement that new developments provide sufficient right-of-way for a future county parallel arterial system to serve I-75 Corridor development.

75 corridor in order to promote opportunities for all segments of the population to live and work shall be limited in each of the plan categories within one mile (east and west) from the Interstate Objective 36: Employment centers shall be planned throughout the Interstate 75 corridor that will preserve employment opportunities (office and industrial), and residential opportunities within the corridor, regardless of age, sex, race and income.

5904 Hampton Oaks Parkway, Sulfe F Tampa, Florida 33610 www.ghd.com



08 November 2023

Re: Environmental Status - Morris Bridge Landfall, 9031 122" Avenue Landfall, Temple Terrace, Florida

Gins K. Grimer, Esquire Broadey Arant Boult Commings LLP 100 North Tamps Street, Suite 2200 Tampa, FL 33602

Dear Ms. Grimes:

The former Mornis Bridge Laudfill site consists of approximately 15.4 acres of land located in Temple Terrace, Florida. Pertions of the property were utilized as a municipal handfill from 1962 until 1969. The handfill reportedly accepted residential, commercial, and industrial solid waste, as well as construction and demolition debris. Testing Constituants identified in soils included lead, chromium, antimour, vanadum, zinc, pobycyclic aromatic bydrocarbons, and several semi-volatile organic compounds. For groundwater, lead, iron, and vinyl chloride larve of the site has identified soil and groundwater contamination resulting from the use of the site as a landfill

accordance with Rule 1-7.203-Redevelopment of Historic Solid Waste Disposal Areas, a Director's Authorization is required when considering redevelopment of former hadfills or dumps in Hillsborough Comaty.
The Hillsborough County Environmental Protection Commission (EPC or Commission) was established by the State Legislature in 1967 to protect the environment in Hilleborough County and they will review the Director's Authorization application and issue a Director's Authorization, which will specify requirements associated with during and following redevalopment. These components will be considered to evaluate the potential risks associated with spreading contamination, control and management of encountered waster, risks associated with the presence of solid waste during and after redevelopment. As part of the application process, the EPC will be interested in understanding how landfill cover, leachete, landfill generated gas, and groundwater will be managed construction workers, and risks associated with future site occupants.

prefer beavier commercial and industrial uses because these uses generally involve less risks to site faiture users for the following reasons: Although the EPC allows redevelopment of solid waste disposal sites for residential and commercial uses, they In our opinion, this site represents an excellent cambidate for beavy commercial/light industrial redevelopment.

- implementation of common rechamsion techniques such as over-excavation, exreening, re-capture of useable granular meterial for fill, and structural fill mass grading. More realisat structural designs and The serial extent, thickness and composition of landfill materials at this site preclude economic parvement designs used for heavier commercial and industrial uses are best suited for the in-situ variable subsurface conditions at the site, which will also necessitate a regular mainte
- uses due to exposure duration (i.e., residential users may be exposed for longer periods than industrial users). Furthermore, faiture land use consisting of heavy commercial or light industrial will limit Acceptable soil concentrations for commercial/industrial users are higher than thresholds for residential occupancy by customers and other members of the public to the property; thereby reducing potential risks.

→ The Power of Commitment

- more easily maintained at heavy commercial/fight industrial properties. For the site, it is earlicined that most of the property will be covered with pavement and/or structures. As such, minimal greensysce areas are anticipated, thereby reducing potential fature risks associated with controlling waste and/or The Director's Authorization will require Engineering and Institutional Courtels for the property that are
- Risks associated with an accumulation of landfill generated gas in commercial/industrial structures is typically less than within residential dwellings (i.e., more ventilation and higher ceilings). The current plan for the site includes rolling doors and warehouse spaces that by their nature, increase ventilation and reduce the potential for accumulation of landfill generated gas.
- The activities associated with the use of greenspace at heavy commercial/light industrial properties is less intrusive than at residential dwellings or light commercial establishments. The lack of greenspace areas in the current plan reduces the potential risks associated with exposure to impacted soils.
- Required Engineering and Institutional Coutrol inspections can be readily completed at tenance team versus residential commercial/industrial properties with a single management-maintenance team versus resi davellings or light commercial facilities that would require coordination from various occupants.

In our opinion, this site regressent an excellent candidate for beavy commercial light industrial redevelopment. Although residential or light commercial development would be an opion for the property, the Florida Department of Environmental Protection strongly discourages the construction of residential structures over old waste-filled areas and the removal of all of the waste is cost prohibitive and not practical.

Sois 1 line Regards

Brian Moore, P.E. Principal Engineer Brian moore@ebd.com



PARTY OF RECORD

NONE