

**Rezoning Application: RZ STD 24-0681****Zoning Hearing Master Date:** 06/17/2024**BOCC Land Use Meeting Date:** 08/13/2024**Hillsborough  
County Florida****Development Services Department****1.0 APPLICATION SUMMARY**

**Applicant:** Todd Pressman  
**FLU Category:** R-20, OC-20  
**Service Area:** City of Tampa  
**Site Acreage:** 0.68 acres +/-  
**Community Plan Area:** University  
**Overlay:** None  
**Special District:** None  
**Request:** Rezone from CN to CG-R

**Introduction Summary:**

The applicant is requesting to rezone property from CN (Commercial, Neighborhood) to CG (Commercial, General) with restrictions. The proposed restriction limits the potential uses based on a trip cap due to transportation concerns with the anticipated access to E Fletcher Avenue. A Cell Tower Facility occupies the south end of the property, while the rest is currently vacant.

| Zoning:                |                                                       |                                                  |
|------------------------|-------------------------------------------------------|--------------------------------------------------|
|                        | Existing                                              | Proposed                                         |
| District(s)            | CN                                                    | CG-R                                             |
| Typical General Use(s) | Neighborhood Commercial, Office and Personal Services | General Commercial, Office and Personal Services |
| Acreage                | 0.68 +/-                                              | 0.68 +/-                                         |
| Density/Intensity      | 0.20 FAR                                              | 0.27 FAR                                         |
| Mathematical Maximum*  | 5,924 square feet                                     | 7,997 square feet                                |

\*number represents a pre-development approximation

| Development Standards:           |                                                                              |                                                                              |
|----------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------|
|                                  | Existing                                                                     | Proposed                                                                     |
| District(s)                      | CN                                                                           | CG-R                                                                         |
| Lot Size / Lot Width             | 7,000 sf / 70'                                                               | 10,000 sf / 75'                                                              |
| Setbacks/Buffering and Screening | 30' Front (North)<br>0' Sides (East and West)<br>20' / Type B Buffer (South) | 30' Front (North)<br>0' Sides (East and West)<br>20' / Type B Buffer (South) |
| Height                           | 35'                                                                          | 50'                                                                          |

**Additional Information:**

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

**Planning Commission Recommendation:**  
Consistent

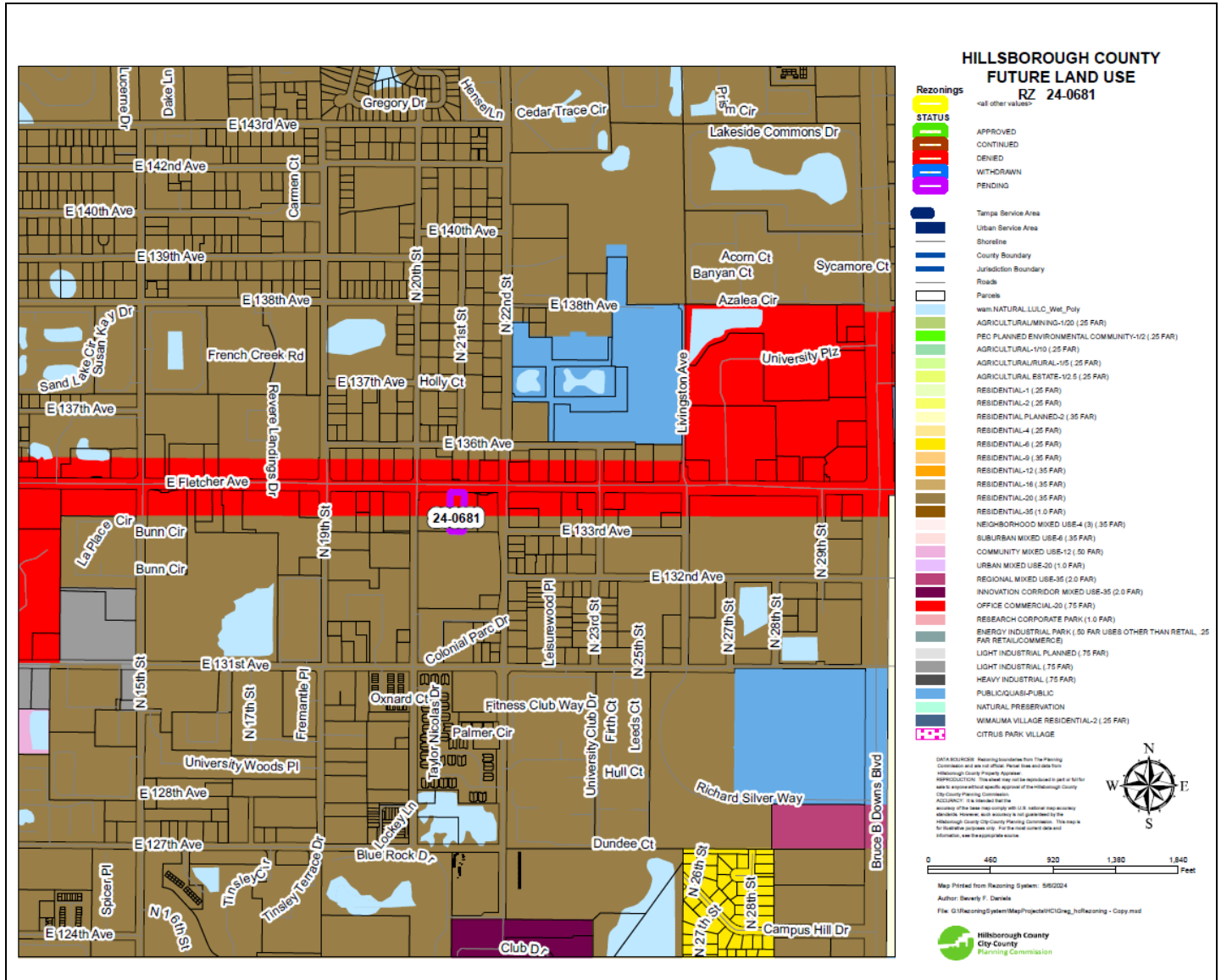
**Development Services Recommendation:**  
Approvable, with Conditions





## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



|                           |                                                                                                                                                                                            |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Future Land Use Category: | R-20 (Residential-20) and OC-20 (Office-Commercial-20)                                                                                                                                     |
| Maximum Density/F.A.R.:   | R-20 and OC-20: 20 DU/GA or 0.75 FAR                                                                                                                                                       |
| Typical Uses:             | R-20: Residential, neighborhood commercial, offices, multi-purpose projects, mixed-use development<br>OC-20: Community commercial, offices, mixed-use developments, compatible residential |



## 2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

APPLICATION NUMBER: RZ-STD 24-0681

ZHM HEARING DATE: June 17<sup>th</sup>, 2024

BOCC LUM MEETING DATE: August 13<sup>th</sup>, 2024

Case Reviewer: Michelle Montalbano

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

| Adjoining Roadways (check if applicable) |                         |                                                                                                                  |                                                                                                                                                                                                                 |
|------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Road Name                                | Classification          | Current Conditions                                                                                               | Select Future Improvements                                                                                                                                                                                      |
| E. Fletcher Ave.                         | County Arterial - Urban | 4 Lanes<br><input checked="" type="checkbox"/> Substandard Road<br><input type="checkbox"/> Sufficient ROW Width | <input checked="" type="checkbox"/> Corridor Preservation Plan<br><input type="checkbox"/> Site Access Improvements<br><input type="checkbox"/> Substandard Road Improvements<br><input type="checkbox"/> Other |

| Project Trip Generation <input type="checkbox"/> Not applicable for this request |                      |                      |                      |
|----------------------------------------------------------------------------------|----------------------|----------------------|----------------------|
|                                                                                  | Average Annual Daily | A.M. Peak Hour Trips | P.M. Peak Hour Trips |
| Existing                                                                         | 2,679                | 256                  | 189                  |
| Proposed w/ Restriction                                                          | 1,646                | 157                  | 116                  |
| Difference (+/-)                                                                 | -1,033               | -99                  | -73                  |

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

| Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request |                |                                |                 |                 |
|---------------------------------------------------------------------------------------------------|----------------|--------------------------------|-----------------|-----------------|
| Project Boundary                                                                                  | Primary Access | Additional Connectivity/Access | Cross Access    | Finding         |
| North                                                                                             |                | Choose an item.                | Choose an item. | Choose an item. |
| South                                                                                             |                | Choose an item.                | Choose an item. | Choose an item. |
| East                                                                                              |                | Choose an item.                | Choose an item. | Choose an item. |
| West                                                                                              |                | Choose an item.                | Choose an item. | Choose an item. |
| Notes:                                                                                            |                |                                |                 |                 |

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

## 4.0 ADDITIONAL SITE INFORMATION &amp; AGENCY COMMENTS SUMMARY

| INFORMATION/REVIEWING AGENCY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                        |                                                                                         |                                                                                                        |                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------|
| Environmental:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Comments Received                                                      | Objections                                                                              | Conditions Requested                                                                                   | Additional Information/Comments      |
| Environmental Protection Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                 |                                      |
| Natural Resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                             | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                            |                                      |
| Conservation & Environ. Lands Mgmt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                 |                                      |
| Check if Applicable:<br><input type="checkbox"/> Wetlands/Other Surface Waters<br><input type="checkbox"/> Use of Environmentally Sensitive Land Credit<br><input type="checkbox"/> Wellhead Protection Area<br><input type="checkbox"/> Surface Water Resource Protection Area<br><input type="checkbox"/> Potable Water Wellfield Protection Area<br><input type="checkbox"/> Significant Wildlife Habitat<br><input type="checkbox"/> Coastal High Hazard Area<br><input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor<br><input type="checkbox"/> Adjacent to ELAPP property<br><input type="checkbox"/> Other _____ |                                                                        |                                                                                         |                                                                                                        |                                      |
| Public Facilities:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Comments Received                                                      | Objections                                                                              | Conditions Requested                                                                                   | Additional Information/Comments      |
| <b>Transportation</b><br><input type="checkbox"/> Design Exc./Adm. Variance Requested<br><input type="checkbox"/> Off-site Improvements Provided<br><input checked="" type="checkbox"/> N/A                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input checked="" type="checkbox"/> N/A | Subject to restrictions. See report. |
| <b>Service Area/ Water &amp; Wastewater</b><br><input type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa<br><input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace                                                                                                                                                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                 |                                      |
| <b>Hillsborough County School Board</b><br>Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A<br>Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                             | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                            |                                      |
| <b>Impact/Mobility Fees</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                        |                                                                                         |                                                                                                        |                                      |
| Comprehensive Plan:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments Received                                                      | Findings                                                                                | Conditions Requested                                                                                   | Additional Information/Comments      |
| <b>Planning Commission</b><br><input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A<br><input type="checkbox"/> Locational Criteria Waiver Requested<br><input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A<br><input type="checkbox"/> Density Bonus Requested                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Inconsistent<br><input checked="" type="checkbox"/> Consistent | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                 |                                      |



5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone the property located at 2007 E Fletcher Avenue, Tampa from CN to CG with Restrictions. The property is approximately 0.68 acres in size. A communications tower with an accessory building occupies the south end of the property, while the rest is currently vacant.

The property is located in a commercial corridor of E Fletcher Avenue in the University Community Plan Area. The majority of the nearby properties off the arterial road are occupied by commercial uses, with the zoning districts CG or CN. The directly adjacent properties to the east and west are zoned CN and are occupied by a shopping center and a restaurant. Abutting to the south is a multi-family residential development zoned UCA-MS (University Community Area Main Street District). This residential use will be buffered from the proposed CG-R uses by the existing cell tower facility, which occupies the rear 90 feet of the property, approximately.


Transportation Review staff requested restrictions to the proposed CG district due to concerns with the anticipated access to E Fletcher Ave. The applicant proposed a restriction which suitably addresses these concerns, as further explained in the Transportation Report.

Due to the above considerations, staff finds the rezoning request approvable. The proposed CG-R zoning district is consistent with the surrounding uses, zoning districts, and development pattern of the surrounding area.

5.2 Recommendation

Staff finds the rezoning request **approvable**, subject to the following restriction:

1. Uses on the site will be limited to those that do not generate more than 80 right turns during the peak hour until shared access to Folio # 35809.0000 is established and the access to E Fletcher Avenue from Folio # 35809.0000 is closed.

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



**APPLICATION NUMBER:** RZ-STD 24-0681

**ZHM HEARING DATE:** June 17<sup>th</sup>, 2024

**BOCC LUM MEETING DATE:** August 13<sup>th</sup>, 2024

Case Reviewer: Michelle Montalbano

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

Not applicable.

## 8.0 PROPOSED SITE PLAN (FULL)

N/A

APPLICATION NUMBER: RZ-STD 24-0681

ZHM HEARING DATE: June 17<sup>th</sup>, 2024

BOCC LUM MEETING DATE: August 13<sup>th</sup>, 2024

Case Reviewer: Michelle Montalbano

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## 9.0 FULL TRANSPORTATION REPORT (see following pages)

## AGENCY REVIEW COMMENT SHEET

**TO:** Zoning Technician, Development Services

**DATE:** 05/23/2024

**REVIEWER:** Alexander Steady, AICP

**AGENCY/DEPT.:** Transportation

**PLANNING AREA/SECTOR:** USF/Northwest

**PETITION NO.:** STD 24-0681

- ☐ This agency has no comments.
- ☒ This agency has no objection.
- ☐ This agency objects for the reason set forth below.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.658 acres from Commercial Neighborhood (CN) to Commercial General – Restricted (CG-R). The applicant proposed the following restriction “The uses on site are limited to those that do not generate more than 80 right turns during the peak hour until shared access to folio 35809.0000 is established and the access to Fletcher from folio 35808.0000 is closed”. The site is located on the south side of E. Fletcher Ave. and approximately +/- 215 feet west of the intersection of N. 22nd St. and E. Fletcher Ave. The Future Land Use designation of the site is Residential-20 (RES-20).

### ***Trip Generation Analysis***

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations with and without the applicant’s proposed restriction, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

### **Approved Zoning:**

| <b>Zoning, Land Use/Size</b>                                                     | <b>24 Hour Two-Way Volume</b> | <b>Total Peak Hour Trips</b> |           |
|----------------------------------------------------------------------------------|-------------------------------|------------------------------|-----------|
| CN, Commercial Neighborhood<br>Fast Food with Drive Thru<br>(ITE Code) 5,733sqft | 2,679                         | <b>AM</b>                    | <b>PM</b> |
|                                                                                  |                               | 256                          | 189       |

### **Proposed Zoning Without Restrictions:**

| <b>Zoning, Land Use/Size</b>                                                     | <b>24 Hour Two-Way Volume</b> | <b>Total Peak Hour Trips</b> |           |
|----------------------------------------------------------------------------------|-------------------------------|------------------------------|-----------|
| CN, Commercial Neighborhood<br>Fast Food with Drive Thru<br>(ITE Code) 7,739sqft | 3,618                         | <b>AM</b>                    | <b>PM</b> |
|                                                                                  |                               | 345                          | 256       |



**Proposed Zoning with Restriction:**

| Zoning, Land Use/Size                                                      | 24 Hour Two-Way Volume | Total Peak Hour Trips |     |
|----------------------------------------------------------------------------|------------------------|-----------------------|-----|
|                                                                            |                        | AM                    | PM  |
|                                                                            |                        |                       |     |
| CN, Commercial Neighborhood Fast Food with Drive Thru (ITE Code) 3,520sqft | 1,646                  | 157                   | 116 |

**Trip Generation Difference:**

| Zoning, Land Use/Size | 24 Hour Two-Way Volume | Total Peak Hour Trips |     |
|-----------------------|------------------------|-----------------------|-----|
|                       |                        | AM                    | PM  |
|                       |                        |                       |     |
| Difference*           | -1,033                 | -99                   | -73 |

\*Calculated using the proposed zoning with restriction.

The proposed rezoning would generally result in a decrease of trips potentially generated by development of the subject site by -7,071 average daily trips, -99 AM peak hour trips, and -73 p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on E. Fletcher Ave. E. Fletcher Ave is a substandard 4-lane, divided, county maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, +/- 4 ft wide bike lanes and +/- 5 ft wide sidewalks on both sides, within +/- 85 ft of the right of way.

**HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN**

E. Fletcher Ave is designated as a future four lane roadway in the Hillsborough County Corridor Preservation Plan.

**SITE ACCESS**

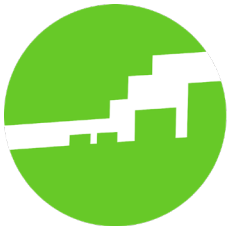
It is anticipated that the site will have access to E. Fletcher Ave. Access spacing on E. Fletcher Avenue does not meet Land Development Code Section 6.04.07 for minimum access spacing for an arterial roadway. When the site goes through the site review process, an Administrative Variance will be required to address substandard spacing. As a part of the Administrative Variance, the applicant will be required to designate their access to Fletcher Ave. as a shared access facility for folio 35809.0000 and 35783.0000. The current right turn lane accessing folio 35809.0000 on Fletcher Ave is substandard and there is not any available space to extend the right turn lane. Staff cannot support the intensification of the subject property that will require a turn lane (more than 80 right turns during peak hour). The applicant proposed a restriction to address this concern that limits the uses to those that generate less than 80 right turn lanes during peak hour until folio 35908.0000 closes their access and utilizes the shared access facility through the subject property. When the access on Fletcher Ave to folio 35809.0000 is closed, additional space will be available to extend a right turn lane to the subject property and the trip cap will no longer be in effect since a compliant right-turn lane will be able to be built on Fletcher Ave for access.

**ROADWAY LEVEL OF SERVICE**

E. Fletcher Ave. roadway level of service is for information purposes only.

| FDOT Generalized Level of Service |              |                        |              |          |
|-----------------------------------|--------------|------------------------|--------------|----------|
| Roadway                           | From         | To                     | LOS Standard | Peak Hr. |
| E. Fletcher Ave.                  | Nebraska Ave | Bruce B<br>Downs Blvd. | E            | C        |

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



**Hillsborough County  
City-County  
Planning Commission**

**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
813 – 272 – 5940  
601 E Kennedy Blvd  
18<sup>th</sup> floor  
Tampa, FL, 33602

| Unincorporated Hillsborough County Rezoning Consistency Review                 |                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Hearing Date:</b> June 5, 2024<br><br><b>Report Prepared:</b> June 17, 2024 | <b>Case Number:</b> RZ 24-0681<br><br><b>Folio(s):</b> 35783.0100<br><br><b>General Location:</b> South of East Fletcher Avenue, east of North 20 <sup>th</sup> Street and west of North 22 <sup>nd</sup> Street |
| <b>Comprehensive Plan Finding</b>                                              | <b>CONSISTENT</b>                                                                                                                                                                                                |
| <b>Adopted Future Land Use</b>                                                 | Residential-20 (20 du/ga; 0.35/0.75 FAR) and Office Commercial-20 (20 du/ga; 0.75 FAR)                                                                                                                           |
| <b>Service Area</b>                                                            | Urban                                                                                                                                                                                                            |
| <b>Community Plan(s)</b>                                                       | University Area                                                                                                                                                                                                  |
| <b>Rezoning Request</b>                                                        | Neighborhood Commercial (CN) to General Commercial (CG)                                                                                                                                                          |
| <b>Parcel Size</b>                                                             | +/- 0.68 acres (29,620.80 sq. ft.)                                                                                                                                                                               |
| <b>Street Functional Classification</b>                                        | Fletcher Avenue – <b>County Arterial</b><br>North 22 <sup>nd</sup> Street – <b>County Collector</b><br>North 20 <sup>th</sup> Street – <b>Local</b>                                                              |
| <b>Commercial Locational Criteria</b>                                          | Meets                                                                                                                                                                                                            |
| <b>Evacuation Area</b>                                                         | N/A                                                                                                                                                                                                              |

| Table 1: COMPARISON OF SURROUNDING PROPERTIES |                                      |        |                          |
|-----------------------------------------------|--------------------------------------|--------|--------------------------|
| Vicinity                                      | Future Land Use Designation          | Zoning | Existing Land Use        |
| Subject Property                              | Residential-20/ Office-Commercial-20 | CN     | Vacant                   |
| North                                         | Office Commercial-20                 | CG     | Light Commercial         |
| South                                         | Residential-20                       | UCA-MS | Multi-Family Residential |
| East                                          | Residential-20/Office Commercial-20  | CN     | Light Commercial         |
| West                                          | Residential-20/Office Commercial-20  | CN     | Light Commercial         |

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

The 0.68 ± acre subject site is located to the east of North 20<sup>th</sup> Street and to the west of North 22<sup>nd</sup> Street on the south side of Fletcher Ave. The subject site is in the Urban Service Area and is located within the limits of the University Area Community Plan. The subject site has a Future Land Use classification of Residential-20 (RES-20) and Office Commercial-20 (OC-20). The applicant is requesting a rezoning from CN to the CG zoning district.

The intent of the OC-20 category is “to recognize existing commercial and office centers and provide for future development opportunities”. OC-20 surrounds the subject site to the north, east and west. The proposed rezoning meets the intent of the OC-20 category, as the requested zoning district allows for uses that may be considered in OC-20.

The intent of the RES-20 category is to designate areas for high density residential development, as well as urban scale neighborhood commercial, office, multi-purpose projects and mixed use developments. The proposed rezoning meets the intent of the RES-20 Future Land Use category, as the requested zoning district allows for uses that may be considered in RES-20. In addition, the site meets Commercial Locational Criteria, as required in RES-20.

The proposal meets the compatibility requirements of Policy 1.4, as the character of the area contains a similar range of surrounding uses. Multi-family residential is located to the south of the site. To the west and east of the site is CN zoning that contains light commercial uses. To the north of the site, across Fletcher Ave is CG zoning, which also contains a light commercial use.



The subject site is approximately 0.68 acres in size and is currently a vacant lot with a cell tower residing in the southern portion of the site. The applicant is seeking a rezoning from CN to CG. The applicant, per their narrative letter uploaded into Optix on May 21, 2024, has stated that they are proposing a restriction to the rezoning that says there will be a limit of uses on site to those that do not generate more than 80 right turns until shared access to folio 35809.0000 is established and the access to Fletcher from folio 35809.0000 is closed. The proposal is consistent with the allowable maximum density and allowable uses under its Future Land Use category of RES-20 and OC-20. To ensure that it is consistent with Objective 8 and Policy 8.5 of the FLUE, with 0.68 acres, up to 22,215 square feet of non-residential uses may be considered at this location.

The proposal meets the intent of the Neighborhood Protection policies that modify Future Land Use (FLUE) Objective 16 that require new development to be compatible to the surrounding neighborhood (FLUE Policies 16.1, 16.2, 16.3 and 16.10). Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is mostly light commercial use, and the proposed general commercial use will complement the surrounding area. In addition, the multi-family residential located to the south of the subject site will be buffered by the existing onsite cell tower. As such, the bulk of the activity of the site will occur closer to Fletcher Avenue, consistent with FLUE Policy 16.5.

Commercial Locational Criterial (CLC) does not apply to the OC-20 Future Land Use Category, but CLC does apply to the RES-20 Future Land Use Category which is located south within the subject property. The closest qualifying intersection is East Fletcher Avenue and North 22<sup>nd</sup> Street, approximately 300 feet away from the subject site, which meets Commercial Locational Criteria (CLC).

The subject site is in the Suburban Character District of the University Area Community Plan. The proposed use meets the intent of the Community Plan which includes providing greater flexibility in land-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced. New development/redevelopment will meet screening and buffering requirements as outlined in the Land Development Code in relation to the multi-family residential to the south.

#### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

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**Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:**

#### **FUTURE LAND USE ELEMENT**

##### ***Urban Service Area***

***Objective 1:*** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of

*this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.*

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

### **Land Use Categories**

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

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

**Policy 8.5:** *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.*

### **Relationship to Land Development Regulations**

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

*consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.*

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

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

### **Neighborhood/Community Development**

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

**Policy 16.2:** *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 16.10:** *Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

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

**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 intersections 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.*

*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.*

## **Community Design Component (CDC)**

### **4.3 COMMERCIAL CHARACTER**

**GOAL 9:** *Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.*

**Policy 9-1.2:** *Avoid “strip development patterns for commercial uses.*

## **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 with the established character of the surrounding neighborhood.*

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

## **7.0 SITE DESIGN**

### **7.1 DEVELOPMENT PATTERN**

**GOAL 17:** *Develop commercial areas in a manner which enhances the County’s character and ambiance.*

**OBJECTIVE 17-1:** *Facilitate patterns of site development that appear purposeful and organized.*

**Policy 17-1.4:** *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*



## LIVABLE COMMUNITIES ELEMENT: UNIVERSITY AREA COMMUNITY PLAN

### **Goal 2-University Area:** *Eliminate Obsolete Land Uses* The community supports:

- *advocating local business and home ownership to promote community stability and reinvestment;*
- *discouraging criminal activity and providing a sense of security for area residents through implementation of CPTED (Crime Prevention through Environmental Design) principles;*
- *working with the Hillsborough County Sheriff's Office and other stakeholders to develop strategies for crime prevention and public safety with the UAC boundary;*
- *maintaining a variety of land-use options and promotion mixed-use developments in the area;*
- *providing greater flexibility in land-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced;*
- *creating unified pedestrian links between land uses by means of community Main Streets and sidewalks;*

