**Rezoning Application:** RZ STD 24-0681

**Zoning Hearing Master Date:** 06/17/2024 **BOCC Land Use Meeting Date:** 08/13/2024



**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	

<sup>\*</sup>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	30' Front (North)	30' Front (North)
	0' Sides (East and West)	0' Sides (East and West)
Screening	20' / Type B Buffer (South)	20' / Type B Buffer (South)
Height	35′	50′

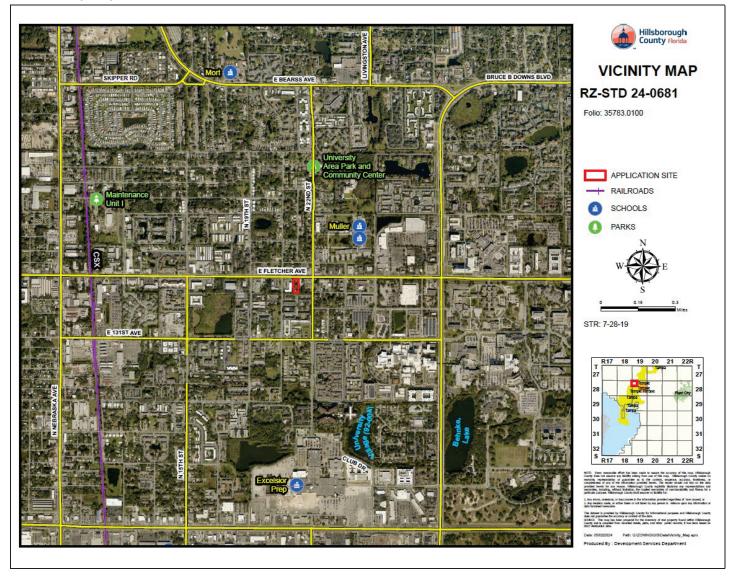
Additional Information:	
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested as part of this application

Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, with Conditions

Case Reviewer: Michelle Montalbano

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.1 Vicinity Map



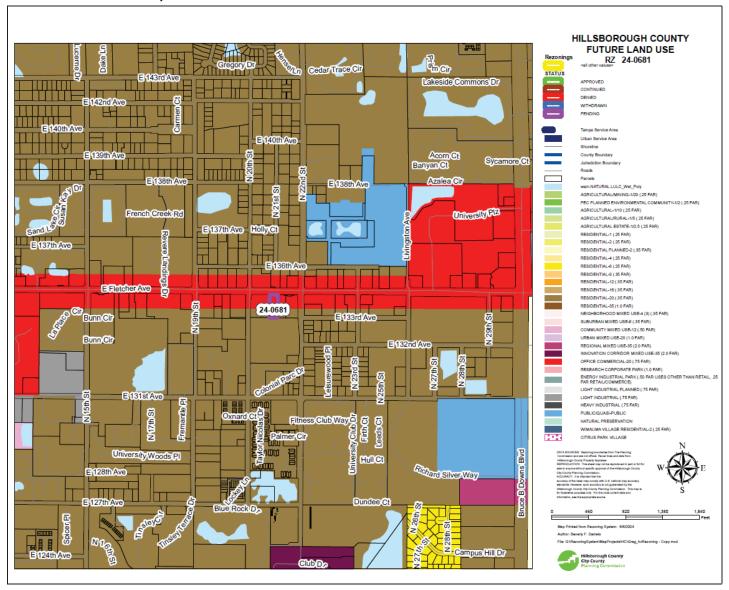
#### **Context of Surrounding Area:**

The property is located along E Fletcher Avenue, a major arterial roadway, in the University Community Plan Area. The University of South Florida campus is around a mile to the east of the site. The surrounding area is composed of mixed uses, including commercial uses, multi-family dwellings, and cultural/institutional uses.

ZHM HEARING DATE: June 17<sup>th</sup>, 2024 BOCC LUM MEETING DATE: August 13<sup>th</sup>, 2024

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.2 Future Land Use Map



Case Reviewer: Michelle Montalbano

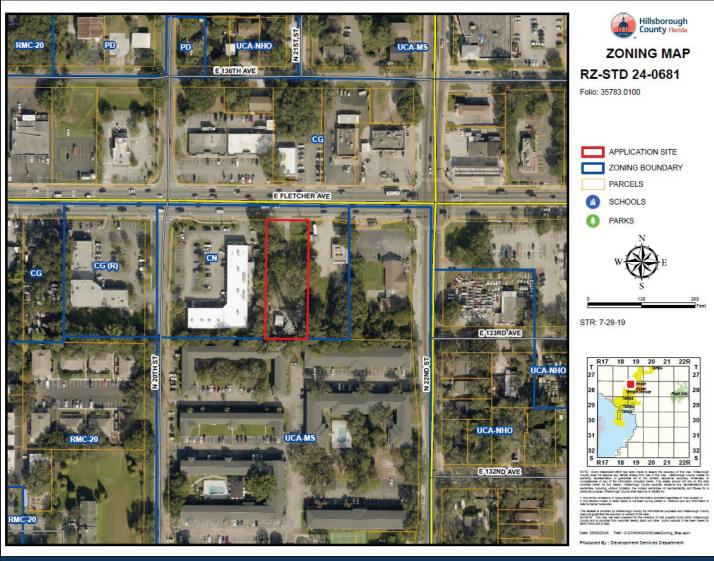
Future Land Use Category:	R-20 (Residential-20) and OC-20 (Office-Commercial-20)
Maximum Density/F.A.R.:	R-20 and OC-20: 20 DU/GA or 0.75 FAR
Typical Uses:	R-20: Residential, neighborhood commercial, offices, multi-purpose projects, mixed-use development OC-20: Community commercial, offices, mixed-use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

ZHM HEARING DATE: June 17<sup>th</sup>, 2024 BOCC LUM MEETING DATE: August 13<sup>th</sup>, 2024

Case Reviewer: Michelle Montalbano

#### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.3 Immediate Area Map



		Adjacent Zo	nings and Uses	
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Medical Office
South	UCA-MS	20 DU / acre or 0.75 FAR	General Commercial (CG) Uses and Multi-Family (RMC-20) uses	Multi-Family Residential Dwellings
East	CN	0.20 FAR	Neighborhood Commercial	Restaurant
West	CN	0.20 FAR	Neighborhood Commercial	Strip Center

APPLICATION NUMBER:	RZ-STD 24-0681	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	June 17 <sup>th</sup> , 2024 August 13 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano
2.0 LAND USE MAP SET	AND SUMMARY DATA	
2.4 Proposed Site Plan	(partial provided below for s	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	<b>Current Conditions</b>	Select Future Improvements	
E. Fletcher Ave.	County Arterial - Urban	4 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	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			

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access [✓] Not applicable for this request					
<b>Project Boundary</b>	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:	•	•			

<b>Design Exception/Administrative Variance</b> ⊠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:				

APPLICATION NUMBER: RZ-STD 24-0681
ZHM HEARING DATE: June 17<sup>th</sup>, 2024

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

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

Case Reviewer: Michelle Montalbano

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

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments	Objections	Conditions	Additional
	Received		Requested	Information/Comments
<b>Environmental Protection Commission</b>	⊠ Yes	☐ Yes ☑ No	□ Yes ⊠ No	
	☐ No ☐ Yes	☐ Yes	□ Yes	
Natural Resources	⊠ No	□ No	□ No	
	⊠ Yes	☐ Yes	☐ Yes	
Conservation & Environ. Lands Mgmt.	□ No	⊠ No	⊠ No	
Check if Applicable:	☐ Potable W	/ater Wellfield Pro	tection Area	I
☐ Wetlands/Other Surface Waters	☐ Significan	t Wildlife Habitat		
☐ Use of Environmentally Sensitive Land	☐ Coastal Hi	igh Hazard Area		
Credit		ourban/Rural Scen	ic Corridor	
☐ Wellhead Protection Area	-	to ELAPP property		
☐ Surface Water Resource Protection Area	☐ Other			
	Comments		Conditions	Additional
Public Facilities:	Received	Objections	Requested	Information/Comments
Transportation			_	
$\square$ Design Exc./Adm. Variance Requested	⊠ Yes	☐ Yes	☐ Yes	Subject to restrictions.
☐ Off-site Improvements Provided	□No	⊠ No	□ No ⊠ N/A	See report.
⊠ N/A			⊠ N/A	
Service Area/ Water & Wastewater				
☐Urban ⊠ City of Tampa	⊠ Yes □ No	☐ Yes ☑ No	☐ Yes ⊠ No	
$\square$ Rural $\square$ City of Temple Terrace				
Hillsborough County School Board				
Adequate □ K-5 □ 6-8 □ 9-12 ⊠ N/A	☐ Yes	☐ Yes	☐ Yes	
Inadequate □ K-5 □6-8 □9-12 ⊠N/A	□No	□ No	□ No	
Impact/Mobility Fees				
impact/wobinty rees				
	l			
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission				
oxtimes Meets Locational Criteria $oxtimes$ N/A				
$\square$ Locational Criteria Waiver Requested	⊠ Yes	☐ Inconsistent	☐ Yes	
		M Consistant	⊠ No	
$\square$ Minimum Density Met $\square$ N/A	□ No		⊠ No	

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

#### **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:** 

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

J. Brian Grady

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.

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

#### 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

ZHM HEARING DATE: BOCC LUM MEETING DATE:	June 17 <sup>th</sup> , 2024 August 13 <sup>th</sup> , 2024	Case Reviewer: Michelle Montalbano
8.0 PROPOSED SITE PLA	N (FULL)	
		N/A

APPLICATION NUMBER:

RZ-STD 24-0681

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

#### 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
PLANNING AREA/SECTOR: USF/Northwest

AGENCY/DEPT.: Transportation
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:**

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

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

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

#### **Proposed Zoning with Restriction:**

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

#### **Trip Generation Difference:**

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

<sup>\*</sup>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	LOS Standard	Peak Hr.				
E. Fletcher Ave.	Nebraska Ave	Bruce B Downs Blvd.	Е	С		

Source: 2020 Hillsborough County Level of Service (LOS) Report

#### **COUNTY OF HILLSBOROUGH**

## RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	RZ STD 24-0681
DATE OF HEARING:	June 17, 2024
APPLICANT:	Todd Pressman
PETITION REQUEST:	The request is to rezone a parcel of land from CN to CG-R
LOCATION:	2007 East Fletcher Ave.
SIZE OF PROPERTY:	0.68 acres m.o.l.
EXISTING ZONING DISTRICT:	CN
FUTURE LAND USE CATEGORY:	OC-20 and RES-20

Urban

**SERVICE AREA:** 

#### **DEVELOPMENT REVIEW STAFF REPORT**

\*Note: Formatting issues prevented the entire Development Services
Department staff report from being copied into the Hearing Master's
Recommendation. Therefore, please refer to the Development Services
Department web site for the complete staff report.

#### 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.

#### 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

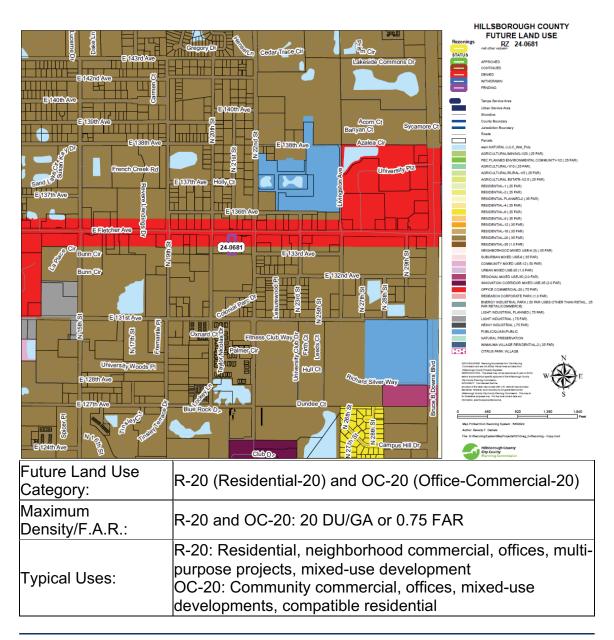
#### 2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



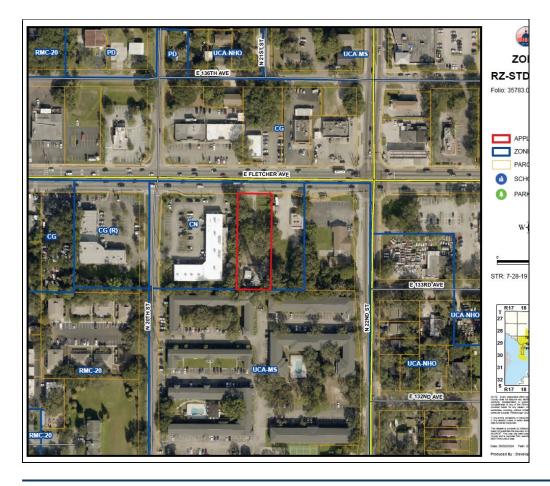
#### **Context of Surrounding Area:**

The property is located along E Fletcher Avenue, a major arterial roadway, in the University Community Plan Area. The University of South Florida campus is around a mile to the east of the site. The surrounding area is composed of mixed uses, including commercial uses, multi-family dwellings, and cultural/institutional uses.

#### 2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



#### 2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



#### 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

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

			[√]Corridor Preservation Plan
E.	County	4 Lanes [√]Substandard	☐ Site Access Improvements
Fletcher	Arterial -	Road □Sufficient ROW	
Ave.	Urban	Width	□ Substandard Road
			Improvements □ Other

#### Design Exception/Administrative Variance ⊠Not applicable for this request

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY							
INFORMATION/RING AGENCY	EVIEWI						
Environmental:	_	nment eived	Objed s	ction	Condit s Reques d	ste	Additional Information/Comme nts
Check if Applicable  ☐ Wetlands/Other		iters					
☐ Use of Environn	nentally Sen	sitive L	_and C	Credit	t		
☐ Wellhead Protect	ction Area						
☐ Surface Water F		otectio	n Area	a			
□ Potable Water V		tection	Area	□ Si	gnifican	t W	ildlife Habitat
<ul><li>□ Coastal High Ha</li><li>□ Urban/Suburbar</li></ul>		nic Cor	ridor F	⊐ Δdi	iacent to	\ FI	ADD property
Orban/Suburbar	i/i (di ai Ocei	110 001	iidoi L	ے ہر ا	jaceni ic	,	-Air property
☐ Other							
Public Facilities:	Comments Received	Objec	PHONE				ditional ormation/Comments
Transportation							
□ Design Exc./Adm.							
Variance	⊠ Yes □	□ Yes	_		es 🗆		bject to restrictions.
Requested □ Off-	No	⊠No		No 🛭	⊠ N/A	Se	e report.
site Improvements							
Provided ⊠ N/A							
Service Area/							
Water &							
Wastewater	⊠ Yes □No	☐ Yes	S	□ Y€	es ⊠No		
□Urban ⊠City of		⊠No		,			
Tampa							

□Rural □ City of Temple Terrace			
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	

#### 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 multifamily 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.

#### SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on June 17, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Mr. Todd Pressman 200 2<sup>nd</sup> Avenue South # 451 St. Petersburg testified on behalf of the applicant. Mr. Pressman showed a PowerPoint presentation and stated that both staffs of the Development Services Department and the Planning Commission support the rezoning request. Mr. Pressman stated that there is a Restriction proposed to limit the uses on site to those that do not generate more than 80 right turns during the peak hour until such time that shared access to folio # 35809.0000 is established and the access to Fletcher Avenue from folio 35809.0000 is closed. He described the surrounding commercial zoning and development pattern and stated that the rear of the property is occupied by a cell tower. Mr. Pressman concluded his presentation by stating that he was not aware of any opposition.

Hearing Master Finch asked Mr. Pressman what was the proposed use. Mr. Pressman replied it will be an automotive brake shop.

Hearing Master Finch asked Mr. Pressman if his client has plans to share access with the parcel to the west. Mr. Pressman replied that they would like to work towards that but that there was nothing definitive at the moment.

Hearing Master Finch asked Mr. Pressman to confirm that the Restriction works for the proposed land use. Mr. Pressman replied yes.

Ms. Michelle Montalbano, Development Services staff, testified regarding the County's staff report. Ms. Montalbano stated that the applicant is requesting a rezoning from CN to CG with Restrictions. Ms. Montalbano described the surrounding properties and stated that the Restriction was requested by the County's Transportation section and pertain to access. Ms. Montalbano stated that staff finds the rezoning compatible with the development pattern and finds the request approvable.

Hearing Master Finch asked Mr. Perez of the County's Transportation section about their agency comments which stated that the proposed zoning is CN with a

fast food with drive-thru as the worst case scenario however the requested zoning is CG and whether the fast food use was still the worst case scenario in terms of the trip generation analysis. Mr. Perez replied that the CN is a typographical error. He detailed the maximum square footage permitted and that fast food with drive through at 3,520 square feet is the worst case scenario with the Restriction that limits the right-turns to a maximum of 80 turns.

Ms. Alexis Myers, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Myers stated that the subject property is within the Residential-20 and Office Commercial-20 Future Land Use classification, the Urban Service Area and the University Area Community Plan. She stated that the request meets the compatibility requirements found in Policy 1.4. Ms. Myers listed other policies which the request complies with and stated that staff found that the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked for members of the audience in support of the application. No one replied.

Hearing Master Finch asked for members of the audience in opposition to the application. No one replied.

County staff and Mr. Pressman did not have additional comments.

The hearing was then concluded.

#### **EVIDENCE SUBMITTED**

Mr. Pressman submitted a copy of his PowerPoint presentation into the record.

#### **PREFACE**

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

#### FINDINGS OF FACT

1. The subject property is 0.68 acres in size and is currently Commercial Neighborhood (CN) and is designated Office Commercial-20 (OC-20) and Residential-20 (RES-20) by the Comprehensive Plan. The property is located within the Urban Service Area and the University Community Planning Area.

- 2. The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district. The applicant stated that the proposed use is an automotive brake shop.
- 3. The proposed Restriction limits the use of the site to uses 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 East Fletcher Avenue from Folio 35809.0000 is closed.
- 4. The applicant's representative confirmed at the Zoning Hearing Master hearing that the proposed use as an automotive brake shop is consistent with the Restriction.
- 5. The site is partially developed with a cell tower on the south side of the parcel. The remainder of the property is vacant.
- 6. The Planning Commission staff supports the rezoning request. Staff found the request consistent with numerous policies and compatible with the surrounding area. The Planning Commission found the application to be consistent with the Comprehensive Plan.
- 7. No testimony in opposition was provided at the Zoning Hearing Master hearing.
- 8. The surrounding area is developed with medical office to the north, multi-family residential to the south, a restaurant to the east and a commercial strip center to the west.
- 9. The proposed rezoning to CG-R is compatible with the surrounding area and development pattern. The request is consistent with the Land Development Code and the Comprehensive Plan.

### FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

The rezoning request is in compliance with and does further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

#### **CONCLUSIONS OF LAW**

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested rezoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

#### SUMMARY

The applicant is requesting a rezoning to the CG-R zoning district. The property is 0.68 acres in size and is currently zoned CN and designated OC-20 and RES-20 by the Comprehensive Plan. The parcel is located within the Urban Service Area and the University Community Planning Area. The site is partially developed with a cell tower on the southern portion of the parcel. The remainder of the site is vacant.

The applicant is requesting a rezoning to the Commercial General-Restricted (CG-R) zoning district. The applicant stated that the intended use is an automotive brake shop. The proposed Restriction limits the use of the site to uses 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 East Fletcher Avenue from Folio 35809.0000 is closed.

The Planning Commission supports the rezoning request and stated numerous policies that support the application. The Planning Commission found that the application to be consistent with the Comprehensive Plan.

The proposed rezoning to CG-R is compatible with the surrounding area and development pattern. The request is consistent with the Land Development Code and the Comprehensive Plan.

#### RECOMMENDATION

Based on the foregoing, this recommendation is for <u>APPROVAL</u> of the CG-R rezoning request with the Restriction prepared by the Development Services Department as indicated by the Findings of Fact and Conclusions of Law stated above.

July 10, 2024

Susan M. Finch, AICP Land Use Hearing Officer

Sum M. Fine

**Date** 



Plan Hillsborough planhillsborough.org planner@plancom.org 813 - 272 - 5940 601 E Kennedy Blvd 18<sup>th</sup> floor Tampa, FL, 33602

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

RZ 24-0681

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*.

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;

# HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ 24-0681

CONTINUED

Tampa Service Area WITHDRAWN PENDING DENIED

Urban Service Area County Boundary Jurisdiction Boundary

AGRICULTURAL/MINING-1/20 (.25 FAR) wam.NATURAL.LULC\_Wet\_Poly

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR) RESIDENTIAL-1 (.25 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR)

RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-12 (.35 FAR)

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

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

REGIONAL MIXED USE-35 (2.0 FAR) URBAN MIXED USE-20 (1.0 FAR)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR) OFFICE COMMERCIAL-20 (.75 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE) RESEARCH CORPORATE PARK (1.0 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



920

460

Map Printed from Rezoning System: 5/6/2024 Author: Beverly F. Daniels

File: G:\RezoningSystem\Map

## AGENCY COMMNENTS

#### **AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services DATE: 05/23/2024

REVIEWER: Alexander Steady, AICP
PLANNING AREA/SECTOR: USF/Northwest

AGENCY/DEPT.: Transportation
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:**

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

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

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

#### **Proposed Zoning with Restriction:**

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

#### **Trip Generation Difference:**

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

<sup>\*</sup>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	То	LOS Standard	Peak Hr.
E. Fletcher Ave.	Nebraska Ave	Bruce B Downs Blvd.	Е	С

Source: 2020 Hillsborough County Level of Service (LOS) Report

### Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements	
E. Fletcher Ave.	County Arterial - Urban	4 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	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	

<sup>\*</sup>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		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:				

<b>Design Exception/Administrative Variance</b> ⊠Not applicable for this request		
Road Name/Nature of Request Type Finding		Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additiona Information/Comments
<ul><li>□ Design Exception/Adm. Variance Requested</li><li>□ Off-Site Improvements Provided</li><li>[✓] N/A</li></ul>	☐ Yes ☐N/A [✓]No	☐ Yes [ ✓] N/A ☐ No	Subject to restrictions, see report.

### **COMMISSION**

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



### **DIRECTORS**

Janet D. Lorton EXECUTIVE DIRECTOR Elaine S. DeLeeuw ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Diana M. Lee, P.E. AIR DIVISION Michael Lynch WETLANDS DIVISION Rick Muratti, Esq. LEGAL DEPT Steffanie L. Wickham WASTE DIVISION

### **AGENCY COMMENT SHEET**

REZONING		
HEARING DATE: 6/17/2024	COMMENT DATE: 5/23/2024	
PETITION NO.: 24-0681	<b>PROPERTY ADDRESS:</b> 2007 E Fletcher Ave, Tampa, FL 33612	
EPC REVIEWER: Melissa Yanez	•	
<b>CONTACT INFORMATION:</b> (813) 627-2600 X 1360	FOLIO #: 0357830100	
EMAIL: yanezm@epchc.org	STR: 07-28S-19E	

**REQUESTED ZONING:** From CN to CG

FINDINGS		
WETLANDS PRESENT	NO	
SITE INSPECTION DATE	NA	
WETLAND LINE VALIDITY	NA	
WETLANDS VERIFICATION (AERIAL PHOTO,	Desktop review - Aerials, soil survey and EPC file	
SOILS SURVEY, EPC FILES)	search	

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.

### **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.

EPC staff reviewed the above referenced parcel in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite/ within the proposed construction boundaries.

Please be advised this wetland determination is informal and non-binding. A formal wetland
delineation may be applied for by submitting a "WDR30 - Delineation Request Application".
Once approved, the formal wetland delineation would be binding for five years.

My/cb

ec: Todd Pressman - Todd@pressmaninc.com

Discomfort Propco 2007 Fletcher 0003, LLC - tgandeel@beaconcivil.com

Environmental Excellence in a Changing World

### **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: 4/29/2024

**REVIEWER:** Kim Cruz, Environmental Supervisor **REVIEW DATE:** 5/13/2024

PROPERTY OWNER: Discomfort Propco 2007 Fletcher 000, PID: 24-0681

LLC

**APPLICANT:** Todd Pressman

**LOCATION:** 2007 Fletcher Ave. Tampa, FL 33612

**FOLIO NO.:** 35783.0100

### **AGENCY REVIEW COMMENTS:**

According to the Hillsborough County BOCC approved maps adopted in the Comprehensive Plan at this time, the site does not appear to be located within a Wellhead Resource Protection Area (WRPA), Potable Water Wellfield Protection Area (PWWPA), and/or Surface Water Resource Protection Area (SWRPA), as defined in Part 3.05.00 of the Hillsborough County Land Development Code (LDC).

Hillsborough County EVSD has no objection.

### AGENCY REVIEW COMMENT SHEET

10: Z	ONING TECHNICIAN, Planning Growth Mana	igement	1	<b>DATE:</b> 2 May 2024
REVIE	WER: Bernard W. Kaiser, Conservation and I	Environment	tal Lands	Management
APPLI	CANT: Todd Pressman	PETITION	NO: <u>RZ</u>	STD 24-0681
LOCA	TION: 2007 E. Fletcher Ave., Tampa, FL 33612			
FOLIO	NO: <u>35783.0100</u>	<b>SEC:</b> <u>07</u>	ΓWN: <u>28</u>	<b>RNG:</b> <u>19</u>
⊠ T	Γhis agency has no comments.			
	This agency has no comments.			
_				
П	This agency has no objection.			
□ т	This agency has no objection, subject to listed	or attached	condition	S.
□ т	Γhis agency objects, based on the listed or atta	ched condit	tions.	
0014145	-NTO			
COMMENTS:				

### WATER RESOURCE SERVICES REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETIT	TION NO.: <u>RZ-PD 24-0681</u> <b>REVIEWED BY:</b> <u>Clay Walker, E.I.</u> <b>DATE:</b> <u>4/29/2024</u>
FOLIC	O NO.: 35783.0100
	WATER
$\boxtimes$	The property lies within the <u>City of Tampa</u> Water Service Area. The applicant should contact the provider to determine the availability of water service.
	A inch water main exists _ (adjacent to the site), _ (approximately feet from the site) This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
	Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.
	WASTEWATER
$\boxtimes$	The property lies within the <u>City of Tampa</u> Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
	A inch wastewater force main exists _ (adjacent to the site), _ (approximately _ feet from the site) This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
	Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include and will need to be completed by the prior to issuance of any building permits that will create additional demand on the system.
COMN	MENTS:

## VERBATIM TRANSCRIPT

```
1
 2
                      HILLSBOROUGH COUNTY, FLORIDA
                     Board of County Commissioners
 3
 4
    IN RE:
 5
    ZONE HEARING MASTER
    HEARINGS
 8
 9
                      ZONING HEARING MASTER HEARING
                TRANSCRIPT OF TESTIMONY AND PROCEEDINGS
10
                              Susan Finch
11
              BEFORE:
                              Land Use Hearing Master
12
                              Monday, June 17, 2024
13
              DATE:
              TIME:
14
                              Commencing at 6:00 p.m.
                              Concluding at 7:39 p.m.
15
16
                  LOCATION:
                               Hillsborough County BOCC
                               601 East Kennedy Boulevard
                               Second Floor Boardroom
17
                               Tampa, Florida 33601
18
19
20
21
22
23
    Reported by:
    Diane DeMarsh, AAERT No. 1654
24
    Digital Reporter
25
```

1

2

3

5

6

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MS. HEINRICH: Our first item is Item C.1, Standard Rezoning 24-0681. The applicant is requesting to rezone property from CN to CGR. Michelle Montalbano with Development Services will provide Staff findings after the applicant's presentation. HEARING MASTER: All right. Good evening. MR. PRESSMAN: Good evening, Hearing Officer. Todd Pressman, 200 2nd Avenue South, number 451 in Saint Petersburg. I have a PowerPoint for you. This is our RZ Standard 24-0681. Development Service and Planning Commission both support the request. There is a restriction which reads is limiting the uses on the site to those that do not generate more than 80 right turns during the peak hour until share access to folio 35809.0000 is established in the access to Fletcher from folio 35809.0000 is closed. The site is in the university area. This is as the property appraiser has it on Fletcher Avenue. It is obviously a very strong commercial corridor along Fletcher. On one side is the shopping center. The other side is a restaurant. And the corridor is primarily C -- CG zoned with a little bit of CN, as you can see, which in -- it is in the vicinity of our area here as well. DSD notes the property is located in a commercial corridor, major of the nearby property's off the Otero Road occupied by commercial uses. Zone district CG/CN. Future land

use category along the corridors OC-20. 1 Planning Commission notes that it meets the commit --2 compatibility requirements, meets locational criteria and meets 3 the intent of the community plan. Importantly, the rear of the parcel is occupied by a cell tower. It's the approximate 90 feet rear of the property, which I've highlighted here and highlighted on the aerial so you get perspective. So it provides a really good buffering from the use. That's another 8 aerial view of it. And that's from the street, as you can see 9 from Fletcher, which is also providing very good buffering and 10 11 screening to the rear, which remains in that 90 feet. And this is the rear of the site. As you can see, the screening and 12 13 buffing does a very good job in that respect. 14 So with that, we appreciate your consideration. 15 to answer any questions you might have. I did check this evening just before the hearing and there have -- there are no 16 17 emails or communications in the record of opposition. 18 HEARING MASTER: I did see that. I -- I just have a 19 couple of questions. Regarding the proposed restriction, do 20 you -- first, do you know, if you know, what is the proposed use 21 under the CG? 22 MR. PRESSMAN: The proposed use is a brake shop. 23 HEARING MASTER: Is a brake shop? MR. PRESSMAN: For automobiles and vehicles. 2.4

HEARING MASTER:

25

Okay. Thank you. And do you -- does

```
your client have plans to share access with the parcel to the
 1
           Is that anticipated?
    west?
              MR. PRESSMAN:
                             They'd like to -- like to work towards
 3
    it, but there's nothing definitive of that at the moment.
              HEARING MASTER: Okay. And given that you know the
    user, I assume that works with the restriction, the access and
    the prohibition on the terms.
 8
              MR. PRESSMAN: Yes, specifically. Yes.
 9
             HEARING MASTER:
                              Okay.
10
              MR. PRESSMAN: Correct.
11
             HEARING MASTER: Okay. All right. Thank you so much.
12
                             Sure.
              MR. PRESSMAN:
13
              HEARING MASTER:
                               I appreciate it. If you could please
14
    sign in.
15
              MR. PRESSMAN:
                             Thank you.
16
                               Development Services. Good evening.
              HEARING MASTER:
17
              MS. MONTALBANO:
                               Good evening. Michelle Montalbano,
18
    Development Services. The applicant is requesting to rezone a
19
    property of approximately 0.68 acres from CN to CG with
20
    restriction. The property located in the New -- university
21
    community area along east Fletcher Avenue. The surrounding uses
22
    are majority commercial with CG or CN zoning designation.
23
              The abutting parcel to the south is occupied by
    multi-family dwellings zoned UCAMS. The dwellings will be
24
25
    buffered in the proposed commercial use by the existing cell
```

```
tower facility on site, which occupies approximately the rear
 1
    90 feet of the property. The proposed restrictions are due to
 2
    (indiscernible) Staff's concerns with the anticipated access
    point to East Fletcher Road, which the applicant -- applicant
    adequately addressed in the proposed condition. Through the --
    through the above considerations and the proposed conditions,
    Staff finds the request approvable.
 8
              The proposal is consistent with the surrounding uses,
    zoning districts and development pattern in the area.
 9
10
    you.
11
              HEARING MASTER: Thank you so much. I just had a
    question not of you, but of transportation. Is there someone
12
    available online?
13
14
              MS. HEINRICH: There should be somebody available
15
    online --
16
              HEARING MASTER: Okay. Is that Mr. Perez, I believe.
17
              MR. PEREZ: Good evening. Yes. Madam Zoning Hearing
18
    Master, Richard Perez for the record.
19
              HEARING MASTER: Good evening. I have a quick
    question on the agent -- the transportation agency review
20
21
    comments. It -- it -- analysis -- the analysis on the trip
22
    generation. It compares the approved zoning, I -- I get that as
23
    the worst case scenario being fast food with drive-thru.
    the proposed zoning, it identifies it as CN. And this
24
    application is going to CG. And it's still the fast food with
25
```

1

3

4

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

2.4

25

drive-thru. I just wanted to ensure that that continues to be the worst case scenario or is there another use under CG that would increase those number of trips per day? MR. PEREZ: I -- I see what you're referring to in the There does appear to be a typo. It should say, proposed CG consistent with the application is requesting. trip gen analysis erroneously says CN commercial neighborhood. Regardless of what that analysis states, the trip generation is based on the square footage, which is calculated through the FAR, Florida Area Ratio for commercial general. I believe that is consistent with what the applicant is requesting. The square footage I'll note analyzed the proposed zoning without the restrictions for the maximum worse case scenario utilizing the fast food with drive-thru. And then we also calculated the trip generation with the restriction, the maximum of 80 right turns into the subject property. And that's how we arrived at the square footage that we used in our analysis. So as proposed with the restriction, since this is standard zoning and they're not limited to just one use, under the scenario that we included in our report, that would be the worst case scenario the -- the 3,520 square foot fast food with drive-thru that they could construct without exceeding that 80 right turn restriction. HEARING MASTER: Yeah, I understand how the -- the

square footage is calculated through the FAR. I just was trying

```
to confirm that in the proposed analysis that the fast food with
 1
    drive-thru was the worst case scenario, that that -- that was
 3
    the absolute worst in terms of the increased square footage they
    could get under CG.
              MR. PEREZ: That is correct.
              HEARING MASTER:
                               Okay.
              MR. PEREZ: That's the worst case scenario.
 8
              HEARING MASTER: That's all I needed. All right.
 9
    Thank you so much. I appreciate it.
10
              We'll go to the Planning Commission.
11
              MS. MYERS: Thank you, ma'am. Alexis Myers, Planning
12
    Commission. The subject property is located in the -- the
13
    Residential-20 and office commercial 20 Future Land Use
    categories. The site is in the urban service area and within
14
15
    the limits of the university area of community plan.
    proposal meets the compatibility requirements of Policy 1.4, as
16
17
    the character of the area contains a similar range of
18
    surrounding uses. Multi-family residential is located to the
    south of the site. To the west and east of the site is CN
19
20
    zoning that contains light commercial uses. To the north of the
21
    site across Fletcher Avenue is CG zoning, which also contains
22
    light commercial uses.
23
              The applicant stated in the request that they are
    proposing a restriction of the rezoning that says that they will
24
    limit -- that there will be a limit of uses on site to those
25
```

that do not generate more than 80 right turns until shared access to folio 35809-0000 is established in the access of Fletcher from that folio is closed.

The proposal is consistent with the allowable maximum density and allowable uses under its future land use category of RES-20 and Office-20, I'm sorry, Office Commercial-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 nonresidential uses may be considered at this location. The proposal meets the intent of the neighborhood protection policies that modify FLUE Objective 16 that require new developments to be compatible to the surrounding neighborhood.

Goal 12 and Objective 12-1 of the community design component of the FLUE requiring new developments to recognize the existing community 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 proposed general commercial use will complement the surrounding area.

In addition, the multi-family residential located to the south of the 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. 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 a greater
 1
    flexibility and land use and density for a future development
    while ensuring that neighborhood screening, I'm sorry,
    neighborhood buffers and urban amenities are enhanced.
    development and redevelopment will meet screening and
    buffering -- buffering requirements as outlined in Land
    Development Code in relation to the multi-family residential to
    the south.
 9
              Based upon these -- those considerations, Planning
10
    Commission Staff finds the proposed rezoning consistent with the
11
    Unincorporated Hillsborough County Comprehensive Plan.
12
              HEARING MASTER: Thank you so much. I appreciate it.
13
              All right. We'll call for anyone who would like to
14
    speak in support. Anyone in favor. I see no one.
15
              Anyone in opposition to this request? No one.
16
              Ms. Heinrich, anything further?
17
              MS. HEINRICH: No, ma'am.
18
              HEARING MASTER: Mr. Pressman. All good. All right.
    Perfect.
19
              Then with that, we'll close Rezoning 24-0681 and go to
20
2.1
    the next case.
22
23
2.4
25
```

# EXHIBITS SUBMITTED DURING THE ZHM HEARING

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

DATE/TIME: 6/17/24 6:000 HEARING MASTER: Susan Finch.

	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	PLEASE PRINT AND THE SUITE OF T
RZ 24-0681	MAILING ADDRESS JOO JA Ave 5#45
17 - 1	CITY STATE ZIP ZIP PHONE SOL
	the (160)
APPLICATION #	NAME Kami Corkett
RZ 24-0044	MAILING ADDRESS 101 CKemydy Bhul Ste 3700
	CITY NA STATE ZIP3602 PHONE 13-2278421
A DDI ICA TICAY	DI FASE DDIN'T
APPLICATION #	NAME Tsabelle Ollbert
RZ 24-0044	MAILING ADDRESS 1000 W. ashley Dr.
	CITY Tampa STATE & ZIP 33629HONE 813-331 0976
	20
APPLICATION #	PLEASE PRINT
APPLICATION #	NAME CONTROL (1990)
	1-14 411 1 1 1 1 1 -2 - 1
RZ 24-0141	NAME COULD RESULTED TO THE STATE OF THE STAT
	MAILING ADDRESS DO DA TOUS TOURS OF STATE T ZIP PHONE SOY
	MAILING ADDRESS DO DA FOR STATE TO STAT
RZ 24-0141  APPLICATION#	MAILING ADDRESS 326 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
RZ 24-0141	MAILING ADDRESS DO DE STATE ZIPTO PHONE SOY  PLEASE PRINT NAME Mollay  ON THE PROPERTY OF THE
RZ 24-0141  APPLICATION#  RZ 24-0239	MAILING ADDRESS OF STATE T ZIP PHONE SOY  PLEASE PRINT MONTH MONTH STATE T ZIP PHONE  CITY Town STATE T ZIP PHONE  PLEASE PRINT STATE T ZIP 37 PHONE
RZ 24-0141  APPLICATION#	MAILING ADDRESS OF STATE TO STATE PHONE  PLEASE PRINT NAME  STATE TO STATE PHONE  CITY To STATE TO ZIP 34 PHONE  PLEASE PRINT NAME  PLEASE PRINT NAME  PLEASE PRINT NAME  To abelle Olbert
RZ 24-0141  APPLICATION#  RZ 24-0239	MAILING ADDRESS OF STATE T ZIP PHONE SOY  PLEASE PRINT MONTH MONTH STATE T ZIP 34 PHONE  CITY Town STATE ZIP 34 PHONE  PLEASE PRINT STATE ZIP 34 PHONE

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

PAGE  $\underline{2}$  of  $\underline{3}$ 

DATE/TIME: 6/17/24 6:00pm HEARING MASTER: SUSAN Finch

PLEASE <b>PRINT CLE</b>	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME AVA RUSSO
KZ 24-0393	MAILING ADDRESS 10009 Gallant Lane
US	CITY Tampa STATE FL ZIP 33625 PHONE 609-513-7501
APPLICATION #	PLEASE PRINT NAME Michael Hoffman
RZ 24-0393	MAILING ADDRESS 1009 Gallant Lane
VS	CITY TUMPA STATE FL ZIP33625PHONE321-794-6465
APPLICATION #	PLEASE PRINT NAME Maria Elena D'Amico
RZ 24-0393	MAILING ADDRESS 16105 Daniell Rd
7,20,00	CITY Lutz STATE @ ZIP 33545PHONE 813.230.4091
APPLICATION #	NAME RENNETH A. Tinkler Continfields (Tinkler)
MM 24-0758	MAILING ADDRESS 420 W Boy Scat Blod
111101-0130	CITY This STATE TO ZIP 77607 PHONE 8132737000
APPLICATION #	PLEASE PRINT She) by Frent
mm 24-0758	MAILING ADDRESS TTO SHAVBOY 15, and Blyd
	CITY Tampy STATE FL ZIP 33102 PHONE 727 4209197
APPLICATION #	PLEASE PRINT WOOD WEIGHT
Su 24-0257	MAILING ADDRESS JOB DA TOU S. F. (S)
JC( 0   CO)	CITY STATE ZIP PHONE SCY-

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

PAGE 3 OF 3

DATE/TIME: 617134 61009 HEARING MASTER: 505an Finch

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME Chelma Frias (Thelma Frias)
5(124-0257	MAILING ADDRESS 1 07 WHY 92 LOT 1
34 01 00-1	CITY Seffret STATE 1 ZIP 3358 HONE 813 360 3736
APPLICATION #	NAME (Stevens)
50 24-0257	MAILING ADDRESS P. & BOUZ 37
	CITY STATE EL ZIP SPHONE 3344324
APPLICATION #	NAME PEGGY WILLIAMS
5474-0757	MAILING ADDRESS 3011 LEMON TERRACE DR
	CITYWWAUMA STATE ZIP33598 PHONE 608-332-7778
APPLICATION #	PLEASE PRINT NAME
	MAILING ADDRESS
	CITYSTATE ZIPPHONE
APPLICATION #	PLEASE PRINT NAME
	MAILING ADDRESS
	CITYSTATEZIPPHONE
APPLICATION #	PLEASE PRINT NAME
	MAILING ADDRESS
	CITYSTATEZIPPHONE

HEARING TYPE: ZHM PHM, VRH, LUHO DATE: 06/17/2024

HEARING MASTER: Susan Finch PAGE: 1 of 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 24-0681	Todd Pressman	1. Applicant Presentation Packet – thumb drive	No
RZ 24-0044	Isabelle Albert	Applicant Presentation Packet	No
RZ 24-0141	Rosa Timoteo	1. Revised Staff Report – email	Yes (Copy)
RZ 24-0141	Todd Pressman	2. Applicant Presentation Packet – thumb drive	No
RZ 24-0239	Alexis Myers	1. Planning Commission Revised Staff Report	Yes (Copy)
RZ 24-0239	Isabelle Albert	2. Applicant Presentation Packet	No
RZ 24-0393	Rosa Timoteo	1. Revised Staff Report – email	Yes (Copy)
MM 24-0758	Rosa Timoteo	1. Revised Staff Report - email	Yes (Copy)
MM 24-0758	Kenneth Tinkler	2. Applicant - Resume	No
SU 24-0257	Todd Pressman	1. Applicant Presentation Packet – thumb drive	No
SU 24-0257	Lee Stevens	2. Applicant Letters of Support	No

### JUNE 17, 2024 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, June 17, 2024, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

Susan Finch, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduction.

### A. WITHDRAWALS AND CONTINUANCES

- Michelle Heinrich, Development Services (DS), reviewed the changes/withdrawls/continuances.
- Susan Finch, ZHM, overview of ZHM process.
- Senior Assistant County Attorney Mary Dorman, overview of evidence/ZHM/BOCC Land Use process.
- Susan Finch, ZHM, Oath.
- B. REMANDS None.
- C. REZONING STANDARD (RZ-STD):

### C.1. RZ 24-0681

- Michelle Heinrich, DS, called RZ 24-0681.
- Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0681.
- D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

### D.1. MM 23-0904

Michelle Heinrich, DS, called MM 23-0904, withdrawn application.

### D.2. RZ 24-0044

- Michelle Heinrich, DS, called RZ 24-0044.
- ► Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0044.

### D.3. RZ 24-0141

- Michelle Heinrich, DS, called RZ 24-0141.
- ► Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0141.

### D.4. RZ 24-0239

- Michelle Heinrich, DS, called RZ 24-0239.
- ► Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0239.

### D.5. RZ 24-0393

- Michelle Heinrich, DS, called RZ 24-0393.
- ► Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0393.

### D.6. MM 24-0758

- Michelle Heinrich, DS, called MM 24-0758.
- ► Testimony provided.
- Susan Finch, ZHM, closed MM 24-0758.
- E. ZHM SPECIAL USE (SU)

### E.1. (SU) 24-0257

- Michelle Heinrich, DS, called SU 24-0257.
- ► Testimony provided.
- Susan Finch, ZHM, closed SU 24-0257.

### ADJOURNMENT

Susan Finch, ZHM, adjourned the meeting at 7:39 p.m.

# **RZ-STD 24-0681**

CN to CG-R

With Restriction



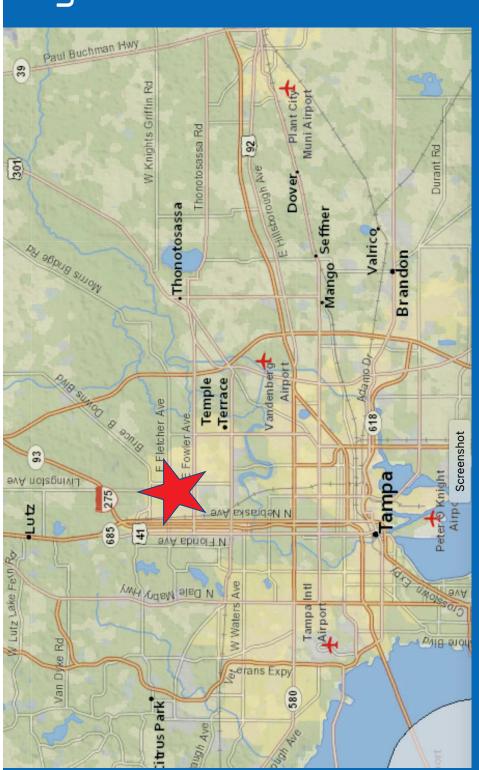
Entered at Public Hearing: ZHM Exhibit #1 Application No. RZ 24-0681 Name: Todd Pressman Date: 6/17/2024



.68 acres

# DSD & Planning Commission Both Support

RESTRICTION: limit the uses on site 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 35809.0000 is closed.







DSD: "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".

# E 136th Ave N 23rd St OC-20 E 133rd Ave R-20 N 22nd St N 20th St N 20th St 18 4102 N Stonehenge Apartments E 136th Ave 18 4161 N

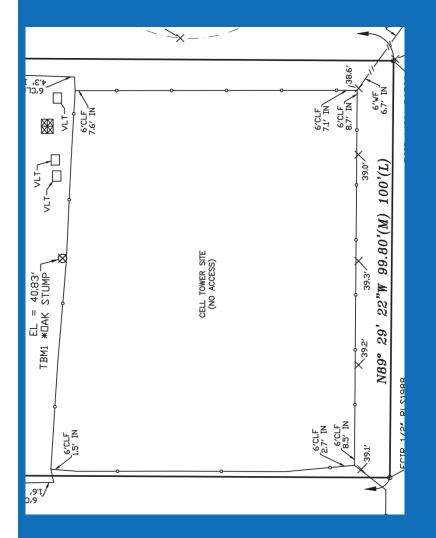
# Future Land Use Categories

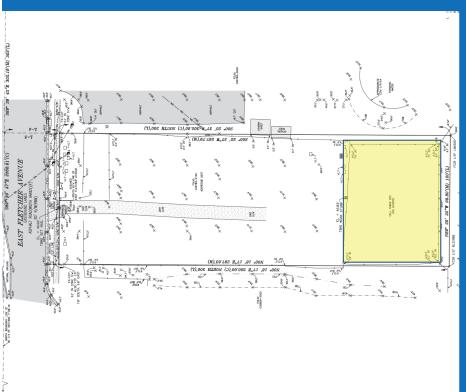
# Planning Commission:

"The proposal meets the compatibility requirements of Policy 1.4, as the character of the area contains a similar range of surrounding uses.

Meets Commercial Locational Criteria (CLC).

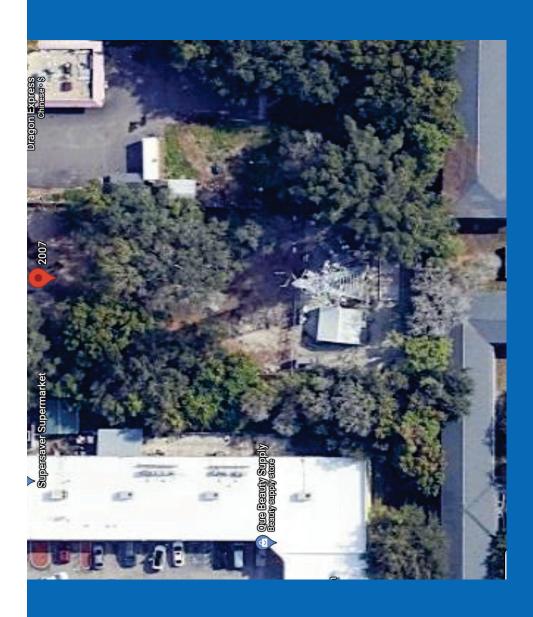
The proposed use meets the intent of the Community Plan which includes providing greater flexibility inland-use and density for future development while ensuring that neighborhood buffers and urban amenities are enhanced".

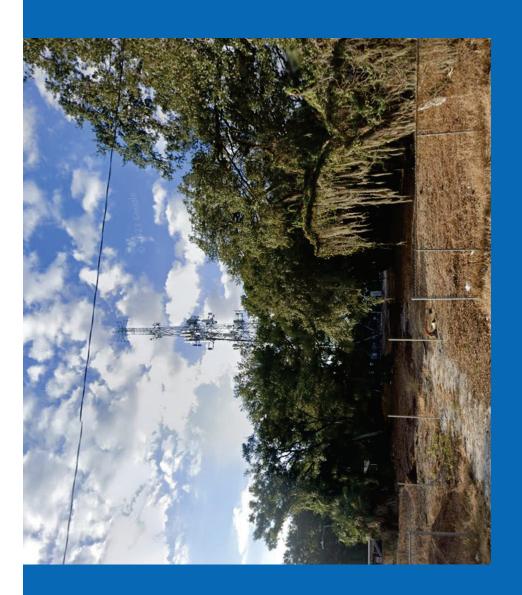


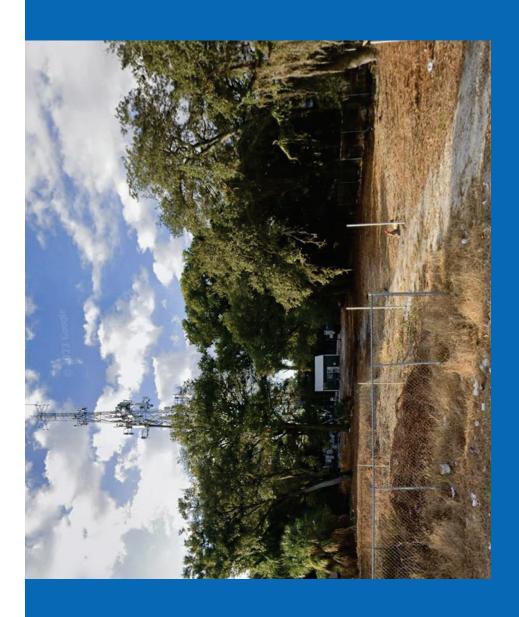


### Approx. 90' deep mol

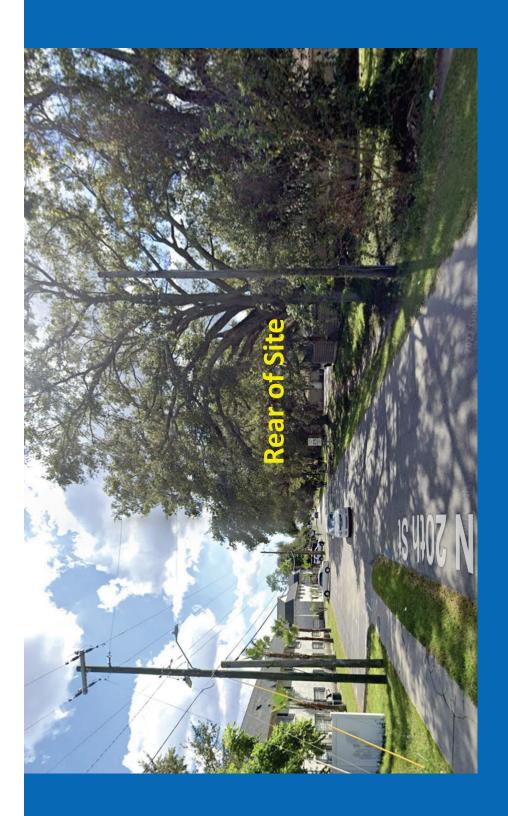








# Very good Buffering and Screening Remains



# PARTY OF RECORD

### **NONE**