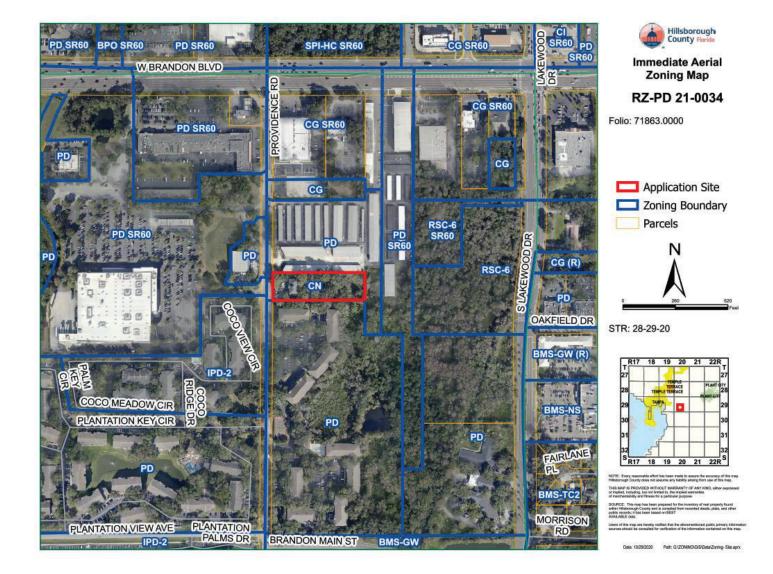


#### **STAFF REPORT**

SUBJECT:	PD 21-0034 BR/C	PLANNING AREA:	Brandon
<b>REQUEST:</b>	Rezone to Planned Development	SECTOR	Central
APPLICANT: Central Site Development, LLC			
Existing Zoning: Commercial Neighborhood (CN)		Comp Plan Category:	RES-20



#### **Application Review Summary and Recommendation**

#### 1.0 Summary

#### **1.1 Project Narrative**

The applicant seeks to rezone a parcel, currently zoned Commercial Neighborhood (CN) to Planned Development. The request for a PD is to allow Commercial General Uses, with restrictions. The site is located on the south east side of Providence Road, 1,000 feet south of Brandon Boulevard in Brandon. The site has a FLU designation of RES-20. Total acreage of the project is 1.44.



Figure 1 –Subject Site

#### CASE REVIEWER: Israel Monsanto

Surrounding zoning and uses are:

LOCATION	ZONING	USE / APPROVED FOR
North	- PD 97-0311	Commercial-Miniwarehouse
South	- PD 84-0368	Multifamily apartments
East	- PD 97-0311	Commercial-Miniwarehouse
West	- PD 84-0327	Commercial, Retail

The subject property has an existing two-story building with 5,392 SF (FAR = 0.08) and two parking areas for commercial and office uses.

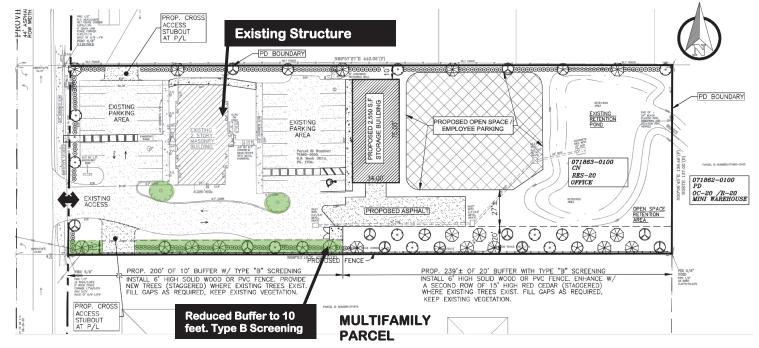
The applicant intends to develop the site with a contractor's office without open storage, a permitted use in the CG zoning district. The request is also seeking to permit CG uses with restrictions to the following: banquet & reception hall, carwash, taverns, bars, lounge, nightclub, dance halls, funeral homes & mortuary, liquor stores, motor vehicle repair, sexually oriented business, hospitals, and recyclable material recovery facilities.

The PD district would retain the existing building and parking areas and add a storage building and additional parking behind it. The site would consist of:

a) 5,392 sq. ft. two-story building for office (existing structure),

b) 2,550 SF one-story building 35' max. height for contractor material and equipment storage, and c) Additional parking for employees.

The total building square footage will be 7,942 SF or FAR = 0.12 which is below the FAR = 0.20 allowed for the current CN zoning district.



Cross access is proposed to the north and south for future connectivity.

Figure 2 – Proposed PD Plan

Access to the site will remain in its current location/configuration from the west, off Providence Rd.

#### 1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested variations from the general site development requirements found in Parts 6.05.00, Parking and Loading or 6.07.00, Fences and Walls of the Land Development Code. A variation request from LDC Part 6.06.00, Landscaping, Irrigation and Buffering Requirements is being requested. Additionally, the applicant is requesting a variation to LDC Section 5.03.05.C Transportation Information Required in all Planned Development Plans.

#### PD Variation from LDC Sec. 6.06.06.A - Buffers Between Incompatible Land Uses

The request is to reduce the required 20-foot buffer along portions of the south parcel line adjacent to Multifamily residential uses. The applicant proposes a reduction of 10 feet of landscaped buffer. The reduction of this buffer is limited to the westernmost 200 feet along the south of the parcel.

The applicant states that the variation to reduce the buffer is necessary because of the existing driveway, which was built in 1990, and the two large live oaks on the parking terminal islands. The large oak trees make it impossible to relocate the existing driveway without killing these oak trees. Without the variation, the current LDC regulations would not accommodate the proposed development. According to the narrative, the variation is mitigated through the proposed landscaping design features such as Type "B" screening and installation of 6' high solid wood fence or PVC fence. Trees would be staggered in between the existing vegetation to fill in any gaps. The proposed Type "B" screening is an enhancement for the residential zoned parcel on the south side of the subject parcel.



Figure 3 – Existing Parking Lot/Site Conditions. Terminal Islands with Oak trees

Staff has reviewed the justification statement submitted by the applicant for the variations and finds they meet the criteria for approval, per LDC Section 5.03.06.C.6. The hearing master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval.

**CASE REVIEWER: Israel Monsanto** 

#### **1.3 Evaluation of Existing and Planned Public Facilities**

#### Public Utilities

This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

#### Transportation

Providence Rd. is a publicly maintained, 2-lane, undivided, substandard collector roadway characterized by +/- 10-foot wide travel lanes in average condition. The roadway lies within a +/- 55-foot wide rightof-way along the project's frontage. There are no bicycle facilities present on Providence Rd. in the vicinity of the proposed project. There are +/- 4 and 5-foot wide sidewalks along portions of the east and west sides of Providence Rd. in the vicinity of the proposed project.

#### Site access and connectivity

The project is proposing one full access (1) connection to Providence Rd. The developer is proposing vehicular cross access stubouts to the northern and southern boundaries as required by Section 6.04.03.Q. of the LDC.

#### Requested administrative variance

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated February 25, 2021) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve Providence Rd. (between the project access and nearest roadway meeting County standards, i.e. SR 60) to current County standards for a TS-4 collector roadway. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 2, 2021. If the rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request, upon which the developer will not be required to make improvements to the roadway.

#### ROADWAY LEVEL OF SERVICE (LOS)

The segment of Providence Rd. from which the project takes access is not included within the Hillsborough County 2019 LOS Report. As such, staff has provided information for the next closest segment of roadway.

Roadway	From To		LOS Standard	Peak Hour Directional LOS	
Providence Rd.	Lumsden Rd.	Brandon Pkwy.	D	С	

Source: Hillsborough County 2019 Level of Service Report.

*Impact Fees* <u>Estimated Fees:</u> Warehouse 2,550 square feet Mobility: \$877 \* 2.55 = \$2,236.35 Fire: \$34 \* 2.55 = \$86.70 Total: \$2,323.05

#### Project Summary/Description:

Urban Mobility, Central Fire - warehouse 2,550 s.f. (contractor office and storage)

#### **1.4 Natural Resources/Environmental**

The Environmental Protection Commission, EPC, reviewed the application and has indicated that the proposed zoning plan is adequate to move forward with the rezoning permit. All required reviews and approvals by the EPC will be conducted at the Site Development Plan review process.

#### **1.5 Comprehensive Plan Consistency**

The Planning Commission staff finds the proposed re-zoning **consistent** with the <u>Future of Hillsborough</u> Comprehensive Plan.

#### 1.6 Compatibility

Zoning districts in the immediate area of the subject site consist of Multifamily residential and commercial uses. The adjacent PD to the north and east is approved for self-storage. Other PD zonings to the west, in the vicinity, are approved for Commercial General uses.

The proposed PD would allow uses compatible with nearby sites and the restrictions to the use would maintain the area with medium scale commercial uses.

The site will maintain its existing buffer and screening. The applicant, however, will stagger the landscaping in areas where the space allows it and existing vegetation would be maintained, subject to Natural Resources review and approval. The Type B screening minimum requirements will be provided.

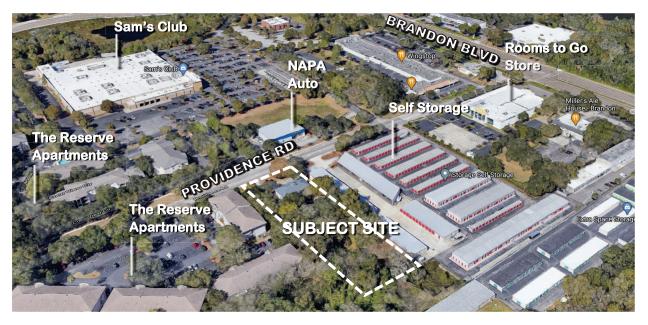


Figure 4 – Nearby Development Pattern

Per the proposed General Site Plan, buildings would be placed closer to the north PD boundary, away from the residential uses to the south. The new storage building will be placed behind the existing structure, as well as new parking areas, therefore, new improvements will have minimal visual impacts.

CASE REVIEWER: Israel Monsanto

Development standards will be those of the CG zoning, consistent with nearby commercial projects.

Staff finds that the project with the proposed development standards, scale and restrictions is compatible with the area. The proposed intensity is comparable with nearby non-residential uses and serves as a proper transition between high density residential uses to the south, to more intense commercial uses along the Brandon Blvd commercial corridor to the north. Therefore, based on these considerations, staff recommends approval, with conditions.

#### **1.7 Agency Comments**

No objections were received.

#### 1.8 Exhibits

Exhibit 1: General Aerial Map Exhibit 2: Immediate Aerial Map Exhibit 3: Future Land Use Map Exhibit 4: Proposed Site Plan PD 21-0034

#### 2.0 Recommendation

Staff recommends approval, subject to the following conditions.

#### **CONDITIONS:**

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

• Delineate the general location of the parking area separate from the open space behind the storage building.

#### 2.1 Recommended Conditions of Approval

**APPROVAL** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted February 23, 2021.

1. The project shall permit a Contractor's office without Open Storage. Additionally, Commercial General (CG) uses as regulated by the Land Development Code Section 2.02.02 are permitted, with the following exceptions:

Banquet & reception halls, Carwash, Taverns, bars, lounge, nightclubs, or dance halls, Funeral homes & mortuary, Liquor stores, Motor vehicle repair, Sexually oriented business, Hospitals, Recyclable material recovery facilities.

2. Development standards shall be those of the CG Zoning District, unless otherwise specified herein.

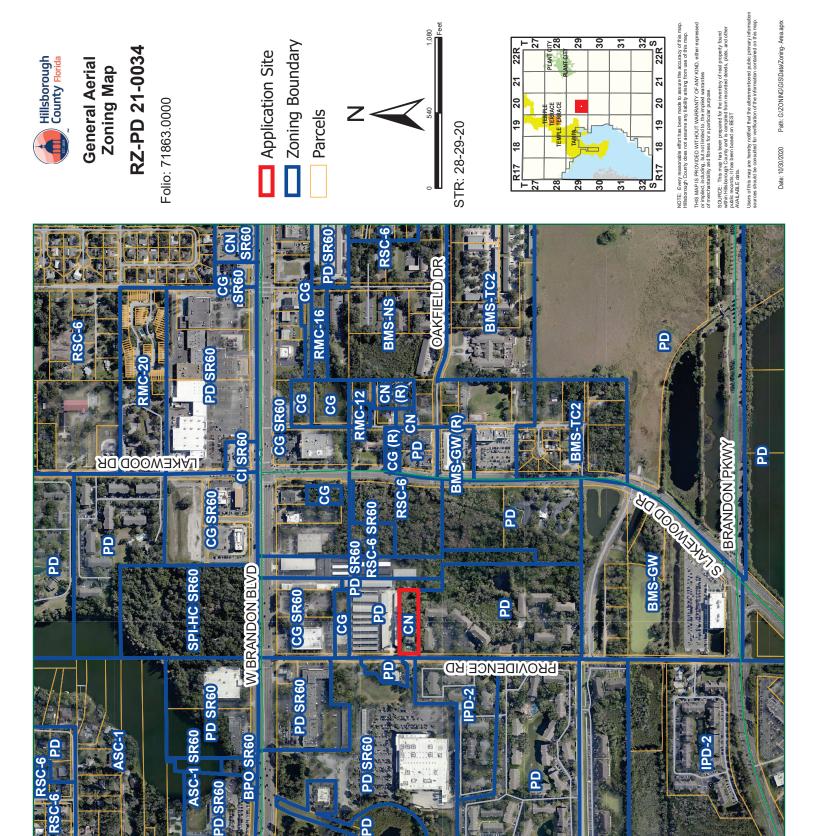
- 2.1 Maximum building space shall be 5,392 sq. ft. for the existing structure, and 2,550 sq. ft. for storage. Maximum height for the storage building shall be one-story or 35 feet.
- 2.2 Location of the buildings and parking areas shall be as generally depicted on the General Site Plan. The storage building shall maintain 45 feet from the southern PD boundary.
- 3. Parking requirements for new development shall be in accordance with the Land Development Code (LDC) Section 6.05.00.
- 4. Buffer and screening shall be in accordance with the LDC, Part 6.06.00, unless otherwise specified herein
  - 4.1 A 10-foot buffer shall be permitted in the westernmost 200 feet of the southern PD boundary. Type B screening shall be provided along the entire south property line. Additional landscaping shall be permitted to be staggered if the minimum requirement of the Type B screening is maintained. Existing vegetation may be used in lieu of the landscaping, subject to Natural Resources review and approval.
- 5. The developer shall screen service areas, trash receptacles, dumpsters, etc., from view from public places and neighboring properties through the use of features, such as walls, fences, false facades, and landscaping.
- 6. Notwithstanding anything on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 7. If PD 21-0034 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 25, 2021) which was found approvable by the County Engineer (on March 2, 2021). Approval of this Administrative Variance will waive the Providence Rd. substandard road improvements required by Section 6.04.03.L. of the LDC.
- 8. Concurrent with each plat/site/construction plan submittal, the developer shall submit a trip generation and site access analysis to Hillsborough county. Such analysis will be utilized to determine whether auxiliary (turn) lanes are warranted pursuant to Section 6.04.04.D. of the LDC. The developer shall construct all turn lanes meeting warrants.
- 9. Notwithstanding anything on the PD site plan to the contrary, the developer shall be required to all applicable standards and regulations as found within the Hillsborough County Land Development Code (LDC), Transportation Technical Manual (TTM), Florida Accessibility Code, and the United States Department of Justice's 2010 Americans with Disability Act (ADA) Standards for Accessible Design.
- 10. The developer shall construct cross access stubouts to the northern and southern property boundaries.
- 11. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary

CASE REVIEWER: Israel Monsanto

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

- 12. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 13. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- 14. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 15. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 16. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

Staff's Recommendation: Approval, subject to conditions
Zoning
Administrator
J.Brian Grady Sign=off: Thu Mar 4 2021 16:32:43
Sign-Off: Thu Mar 4 2021 16:32:43



20

SR60 PD

CN SR60

PD

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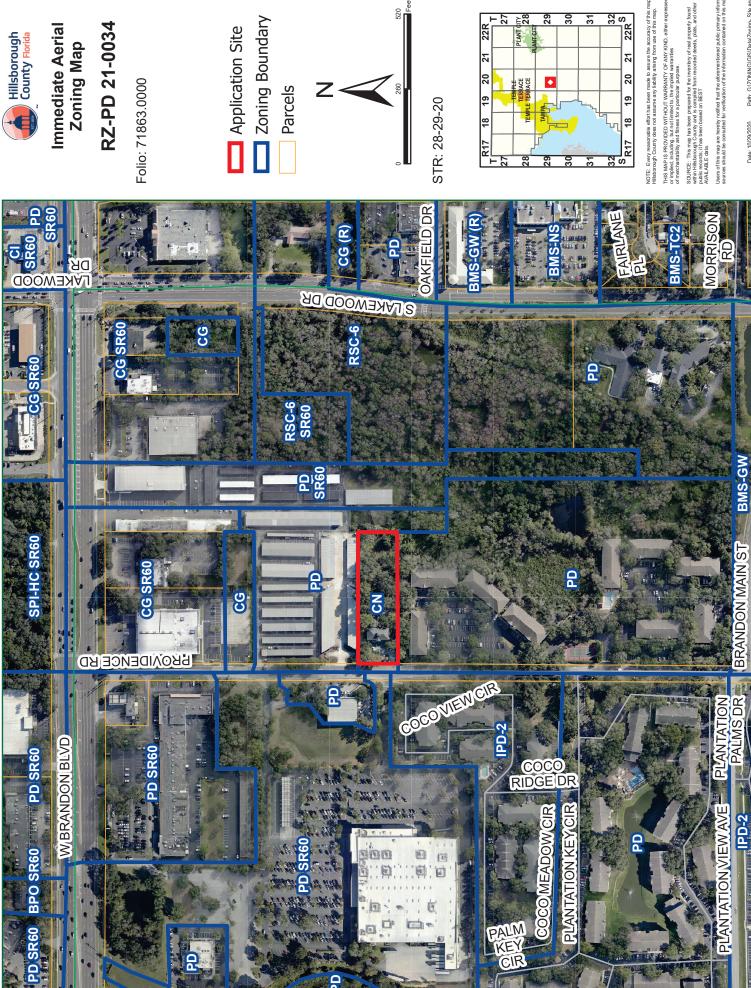
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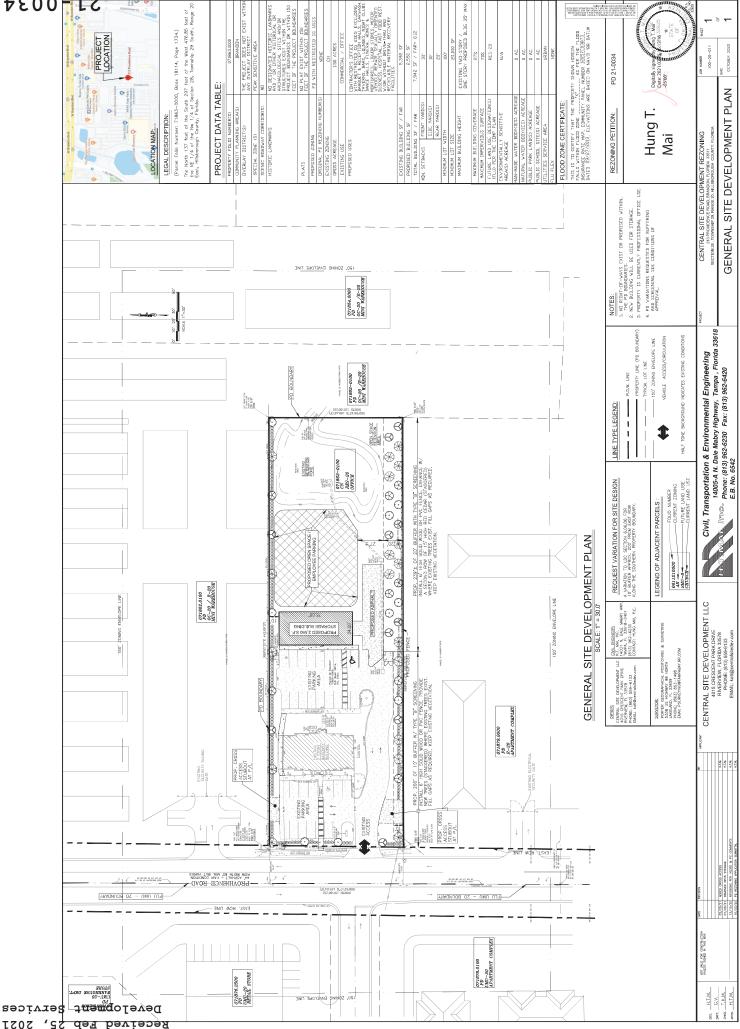
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#### COUNTY OF HILLSBOROUGH

# RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	RZ PD 21-0034
DATE OF HEARING:	March 15, 2021
APPLICANT:	Central Site Development, LLC
PETITION REQUEST:	A request to rezone property from CN to PD to permit up to 7,942 square feet of CG uses with restrictions
LOCATION:	213 Providence Road
SIZE OF PROPERTY:	1.44 acres, m.o.l.
EXISTING ZONING DISTRICT:	CN
FUTURE LAND USE CATEGORY:	RES-20
SERVICE AREA:	Urban
COMMUNITY PLAN:	Brandon

#### DEVELOPMENT REVIEW STAFF REPORT

#### 1.0 Summary

#### **1.1 Project Narrative**

The applicant seeks to rezone a parcel, currently zoned Commercial Neighborhood (CN) to Planned Development. The request for a PD is to allow Commercial General Uses, with restrictions. The site is located on the south east side of Providence Road, 1,000 feet south of Brandon Boulevard in Brandon. The site has a FLU designation of RES-20. Total acreage of the project is 1.44.

Surrounding zoning and uses are:

The subject property has an existing two-story building with 5,392 SF (FAR = 0.08) and two parking areas for commercial and office uses.

The applicant intends to develop the site with a contractor's office without open storage, a permitted use in the CG zoning district. The request is also seeking to permit CG uses with restrictions to the following: banquet & reception hall, carwash, taverns, bars, lounge, nightclub, dance halls, funeral homes & mortuary, liquor stores, motor vehicle repair, sexually oriented business, hospitals, and recyclable material recovery facilities.

The PD district would retain the existing building and parking areas and add a storage building and additional parking behind it. The site would consist of:

a) 5,392 sq. ft. two-story building for office (existing structure),
b) 2,550 SF one-story building 35' max. height for contractor material and equipment storage, and c) Additional parking for employees.

The total building square footage will be 7,942 SF or FAR = 0.12 which is below the FAR = 0.20 allowed for the current CN zoning district.

LOCATION		USE / APPROVED FOR
North	- PD 97-0311	Commercial-Mini warehouse
South	- PD 84-0368	Multifamily apartments
East	- PD 97-0311	Commercial-Mini warehouse
West	- PD 84-0327	Commercial, Retail

Cross access is proposed to the north and south for future connectivity.

Access to the site will remain in its current location/configuration from the west, off Providence Rd.

## 1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested variations from the general site development requirements found in Parts 6.05.00, Parking and Loading or 6.07.00, Fences and Walls of the Land Development Code. A variation request from LDC Part 6.06.00, Landscaping, Irrigation and Buffering Requirements is being requested. Additionally, the applicant is requesting a variation to LDC Section 5.03.05.C Transportation Information Required in all Planned Development Plans.

PD Variation from LDC Sec. 6.06.06.A - Buffers Between Incompatible Land Uses

The request is to reduce the required 20-foot buffer along portions of the south parcel line adjacent to Multifamily residential uses. The applicant proposes a reduction of 10 feet of landscaped buffer. The reduction of this buffer is limited to the westernmost 200 feet along the south of the parcel.

The applicant states that the variation to reduce the buffer is necessary because of the existing driveway, which was built in 1990, and the two large live oaks on the parking terminal islands. The large oak trees make it impossible to relocate the existing driveway without killing these oak trees. Without the variation, the current LDC regulations would not accommodate the proposed development. According to the narrative, the variation is mitigated through the proposed landscaping design features such as Type "B" screening and installation of 6' high solid wood fence or PVC fence. Trees would be staggered in between the existing vegetation to fill in any gaps. The proposed Type "B" screening is an enhancement for the residential zoned parcel on the south side of the subject parcel.

#### Figure 3 – Existing Parking Lot/Site Conditions. Terminal Islands with Oak trees

Staff has reviewed the justification statement submitted by the applicant for the variations and finds they meet the criteria for approval, per LDC Section 5.03.06.C.6. The hearing master's recommendation for this application is required to include a finding on whether the requested variations meet the criteria for approval.

#### 1.3 Evaluation of Existing and Planned Public Facilities

#### Public Utilities

This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

#### Transportation

Providence Rd. is a publicly maintained, 2-lane, undivided, substandard collector roadway characterized by +/- 10-foot wide travel lanes in average condition. The roadway lies within a +/- 55-foot wide right of- way along the project's frontage. There are no bicycle facilities present on Providence Rd. in the vicinity of the proposed project. There are +/- 4 and 5-foot wide sidewalks along portions of the east and west sides of Providence Rd. in the vicinity of the proposed project.

#### Site access and connectivity

The project is proposing one full access (1) connection to Providence Rd. The developer is proposing vehicular cross access stub outs to the northern and southern boundaries as required by Section 6.04.03.Q. of the LDC.

#### Requested administrative variance

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated February 25, 2021) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve Providence Rd. (between the project access and nearest roadway meeting County standards, i.e. SR 60) to current County standards for a TS-4 collector roadway. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 2, 2021. If the rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request, upon which the developer will not be required to make improvements to the roadway.

#### Impact Fees

Estimated Fees: Warehouse 2,550 square feet Mobility: \$877 \* 2.55 = \$2,236.35 Fire: \$34 \* 2.55 = \$86.70 Total: \$2,323.05

#### ROADWAY LEVEL OF SERVICE (LOS)

The segment of Providence Rd. from which the project takes access is not included within the Hillsborough County 2019 LOS Report. As such, staff has provided information for the next closest segment of roadway.

Roadway	From To		LOS Standard	Peak Hour Directional LOS	
Providence Rd.	Lumsden Rd.	Brandon Pkwy.	D	С	

Source: Hillsborough County 2019 Level of Service Report.

Project Summary/Description:

Urban Mobility, Central Fire - warehouse 2,550 s.f. (contractor office and storage)

#### 1.4 Natural Resources/Environmental

The Environmental Protection Commission, EPC, reviewed the application and has indicated that the proposed zoning plan is adequate to move forward with the rezoning permit. All required reviews and approvals by the EPC will be conducted at the Site Development Plan review process.

#### **1.5 Comprehensive Plan Consistency**

The Planning Commission staff finds the proposed re-zoning **consistent** with the *Future of Hillsborough* Comprehensive Plan.

#### 1.6 Compatibility

Zoning districts in the immediate area of the subject site consist of Multifamily residential and commercial uses. The adjacent PD to the north and east is approved for self-storage. Other PD zonings to the west, in the vicinity, are approved for Commercial General uses.

The proposed PD would allow uses compatible with nearby sites and the restrictions to the use would maintain the area with medium scale commercial uses.

The site will maintain its existing buffer and screening. The applicant, however, will stagger the landscaping in areas where the space allows it and existing vegetation would be maintained, subject to Natural Resources review and approval. The Type B screening minimum requirements will be provided.

Per the proposed General Site Plan, buildings would be placed closer to the north PD boundary, away from the residential uses to the south. The new storage building will be placed behind the existing structure, as well as new parking areas, therefore, new improvements will have minimal visual impacts. Development standards will be those of the CG zoning, consistent with nearby commercial projects.

Staff finds that the project with the proposed development standards, scale and restrictions is compatible with the area. The proposed intensity is comparable with nearby non-residential uses and serves as a proper transition between high density residential uses to the south, to more intense commercial uses along the Brandon Blvd commercial corridor to the north. Therefore, based on these considerations, staff recommends approval, with conditions.

#### 1.7 Agency Comments

No objections were received.

#### 1.8 Exhibits

Exhibit 1: General Aerial Map Exhibit 2: Immediate Aerial Map Exhibit 3: Future Land Use Map Exhibit 4: Proposed Site Plan PD 21-0034

#### 2.0 Recommendation

Staff recommends approval, subject to the conditions.

Zoning conditions, which were presented Zoning Hearing Master hearing, were reviewed and are incorporated by reference as a part of the Zoning Hearing Master recommendation.

#### SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on March 15, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Ms. Tu Mai testified on behalf of the applicant regarding the requested rezoning from CN to PD to permit Commercial General uses with a number of restrictions. Ms. Mai listed the restrictions and stated that the use is proposed to be a contractors office without open storage. The existing building would remain and an additional storage building and parking area for employees will be added. Ms. Mai testified that cross access will be provided to the north and south for future connectivity. An administrative variance request was submitted to waive improvements to Providence Road. The County Engineer found the waiver to be approvable. She concluded her presentation by stating that the applicant concurs with the staff report and requested approval.

Hearing Master Finch asked Ms. Mai about a document in the County record that appeared to request CI uses. Ms. Mai replied that the request is for CG uses.

Mr. Israel Monsanto Development Services Department testified regarding the County's staff report. Mr. Monsanto stated that the request is from Commercial Neighborhood to Planned Development to allow commercial uses with restrictions. He discussed the location of the property and the applicable land use category of RES-20. Mr. Monsanto testified that the proposed use is a contractors office without open storage which is a permitted use in the CG zoning district. Restrictions are proposed to ensure compatibility with the multi-family uses to the south and southwest. The PD will retain the existing 5.382 square foot building and add a storage building and parking area behind the building to the east. A new 2,550 square foot building will be one story in height and used for the storage of contractors materials and equipment. A PD variation is requested regarding the required 20 foot buffer along portions of the property to the south adjacent to the multi-family use. The applicant proposes a buffer of 10 feet as the existing driveway configuration and two large oak trees prevent the 20 foot buffer. Landscaping design features such as Type B screening with a 6-foot fence and trees to be installed with the existing vegetation mitigate the variation. Mr. Monsanto stated that staff support the request. He concluded his presentation by describing the administrative transportation variance and that staff support the rezoning request.

Ms. Yeneka Mills of the Planning Commission staff testified that the property is within the Residential-20 Future Land Use category and located in the Urban Service Area and the Brandon Community Planning Area. She testified that the request is for far less than what could be considered on the property under the land use category. The project is consistent with the surrounding area but does not meet commercial locational criteria. Staff supports the requested locational criteria waiver because the request is well under the maximum intensity and the overall compatibility with the surrounding area. The request is also consistent with Policies 16.2 and 16.3 of the Future Land Use Element regarding the gradual transition of uses with site planning, screening and buffering. She concluded her remarks by stating that the rezoning request is consistent with the Brandon Community Plan and the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application. None replied.

County staff and Ms. Mai did not have additional comments.

The hearing was then concluded.

#### **EVIDENCE SUBMITTED**

No documents were submitted 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**

- The subject site is 1.44 acres in size and is zoned Commercial Neighborhood (CN). The property is designated RES-20 by the Comprehensive Plan and located in the Urban Service Area and the Brandon Community Planning Area.
- 2. The request to rezone from CN to Planned Development (PD) is to permit up to 7,942 square feet of Commercial General uses with restrictions. The proposed use is a contractor's office without open storage.
- 3. A Planned Development variation is requested regarding the required 20 foot buffer along a portion of the southern boundary adjacent to the multi-family residential development. The applicant justified the request due to the existing driveway and oak trees which would need to be removed to comply with the requirements. The applicant proposes to mitigate the reduction in buffer by providing additional screening. A Type B buffer with a 6-foot fence with trees planted in addition to the existing vegetation to fill in any gaps is proposed.

The PD variation request complies with Land Development Code Section 5.03.06.C(B) as existing features including a driveway and two oak trees prevent compliance with the required buffer. Mitigation of the standard is proposed through the use of increased screening. The mitigation is in harmony with the intent of the buffering standard and will not impact adjacent property owners.

- 4. An administrative variance regarding improvements to Providence Road is supported by the County Engineer if the rezoning application is approved.
- 5. The Planning Commission found the request to be consistent with the Brandon Community Plan. The property does not meet commercial locational criteria. A waiver is supported by the Planning Commission as the requested square footage is well under the maximum that could be requested and that the proposed use is compatible with the surrounding area. The request is

also consistent with Policies 16.2 and 16.3 of the Future Land Use Element regarding the gradual transition of uses with site planning, screening and buffering. The Planning Commission determined that the request is consistent with the Comprehensive Plan and supports the rezoning request.

- 6. The surrounding area is developed with properties primarily developed with multi-family residential and commercial land uses. These properties are zoned PD and approved for self-storage and commercial general uses.
- 7. The proposed 7,7,942 square foot contractor's office without open storage is compatible with the surrounding area.
- 8. Approval of the Planned Development zoning with the conditions proposed by the Development Services Department serves to provide a compatible land use in the area.

#### 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 Planned Development 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 request is to rezone 1.44 acres from CN to PD to permit up to 7,942 square feet of Commercial General land uses with restrictions. The proposed use is a contractor's office without open storage.

The Planning Commission found the request to be consistent with the Brandon Community Plan. The property does not meet commercial locational criteria however, a waiver is supported by the Planning Commission as the request is well under the maximum intensity that could be requested under the RES-20 Future Land Use category and that the proposed use is compatible with the surrounding area. The proposed use complies with Policies 16.2 and 16.3 of the Future Land Use Element regarding the gradual transition of uses with site planning, screening and buffering. The Planning Commission determined that the request is consistent with the Comprehensive Plan and supports the rezoning request.

The request is compatible with the character of the area and is consistent with the intent of the Land Development Code and Comprehensive Plan.

#### RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Planned Development rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.

Sum M. Fine

Susan M. Finch, AICP Land Use Hearing Officer

April 5, 2021

Date



### Hillsborough County City-County Planning Commission

Unincorporated Hillsborough County Rezoning				
Hearing Date: March 15, 2021 Report Prepared: March 2, 2021	Petition: 21-0034 213 Providence Road South of State Route 60, on the east side of Providence Road			
Summary Data:				
Comprehensive Plan Finding:	CONSISTENT			
Adopted Future Land Use:	Residential-20 (20du/ga;0.75 FAR)			
Service Area:	Urban			
Community Plan:	Brandon			
Requested Zoning:	Commercial Neighborhood (CN) to a Planned Development (PD) to allow for a Contractor's Office with 7,942 sq. ft with enclosed storage			
Parcel Size (Approx.):	1.5+/- acres (65,340 square feet)			
Street Functional Classification:	State Route 60 West – <b>State Principal Arterial</b> Providence Road – <b>Collector</b>			
Locational Criteria	Does not meet Locational Criteria, a waiver has been submitted.			
Evacuation Zone	The subject property not in an evacuation zone.			



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

#### **Context**

- The approximately 1.5+/- acre subject property is located south of State Road 60, on the east side of Providence Road. The site is currently developed with an approximately 5,392± square foot building. The subject property is within Urban Service Area (USA) and located within the Urban Center District of the Brandon Community Planning Area.
- The subject site's Future Land Use designation is Residential-20 (RES-20). Typical allowable uses in this Future Land Use Category include residential, neighborhood commercial, office uses, multi-purpose projects and mixed use developments. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Directly north, south, and east is also designated as Residenital-20 (RES-20). Further north of the site is designated Office Commercial-20 (OC-20), on the west side of Providence is designated Urban Mixed Use-20 (UMU-20).
- The subject property is zoned Commercial Neighborhood (CN). The property to the north and east is designated Planned Development (PD) and is developed with mini warehouse. There is also a PD located south of the site, which is developed with multi-family residential. To the west across Providence Road is a PD developed with commercial uses.
- The applicant is requesting to rezone the site from CN to a PD to allow for a 7,942 sq. ft Contractor's Office with enclosed storage.

#### **Compliance with Comprehensive Plan:**

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

#### Future Land Use Element

#### Urban Service Area (USA)

**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.

#### Relationship to the Future Land Use Map

**Objective 7:** The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.

**Policy 7.1:** The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential

densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text.

#### 5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

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

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

**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.

#### *Neighborhood/Community Development*

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

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

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

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

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

#### Commercial-Locational Criteria

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

**Policy 22.2:** The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The

locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.

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

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

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

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

#### Livable Communities Element: Brandon Community Plan

**Goal 6:** Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.

- 5. General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.
  - a. **Urban Center** -- This area contains the most intense land uses and includes regional shopping areas and the State Road 60 Overlay District. Commercial and mixed-use developments will be encouraged with varying building heights between 3-10 stories.

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

The applicant is requesting to rezone the site from Commercial Neighborhood (CN) to a Planned Development (PD) to allow for the development of a 7,942 square foot Contractor's Office with enclosed storage. With a 1.50-acre site, the development could be considered for up to 32,670 sq ft of non-residential uses. (1.50 acres X 43,560 square feet X .50 FAR =32,670 sq. ft.). The applicant is requesting far less than what can be considered on the site.

The subject property is in a unique area with residential and intensive Future Land Use classifications. The development pattern along the eastern side of Providence Road consists of commercial uses, industrial uses abut the northern boundary of the site and multi-family residential abuts the southern boundary of the site. Objective 16 and its accompanying policies 16.2 and 16.3 provide direction on achieving compatibility with surrounding land uses through various transitions, buffering and site planning techniques. The applicant has provided several buffering and screening measures to mitigate for any adverse effects on the surrounding area. Policy 1.4 states that "compatibility does not mean "the same as". Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." Because the applicant has enclosed all of the storage materials within a building, this mitigates any impacts to the adjacent multi-family to the south, which is in keeping with the character of the area.

The applicant has submitted a Commercial Locational Criteria waiver as required by Objective 22 and Policy 22.2. The waiver states that the development is well under the maximum intensity allowed on site and would not negatively impact the surrounding area. Planning Commission supports the applicant's request for a waiver to Commercial Locational Criteria based on compatibility and recommends that the BOCC grant the waiver to Locational Criteria.

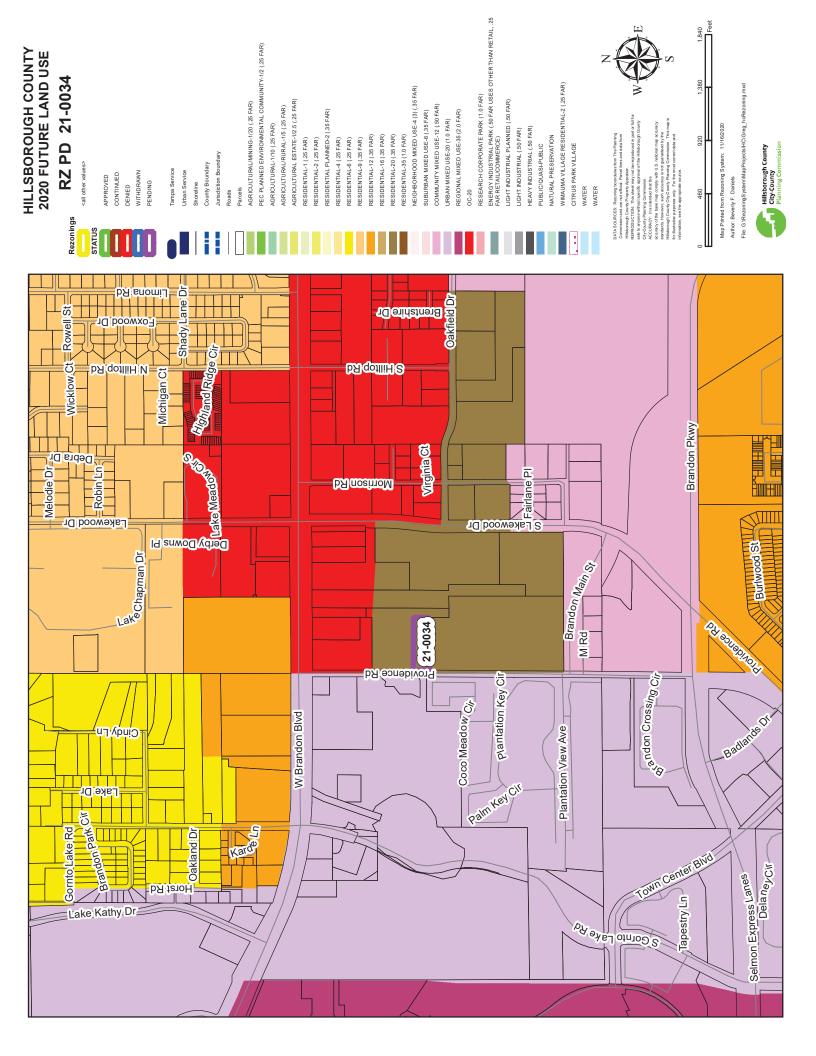
The site is located within the Urban Center Character District, as outlined in Brandon Community Plan. The Urban Center District contains the most intense land uses and includes regional shopping areas and the State Road 60 Overlay District. Commercial and mixed-use developments will be encouraged with varying building heights between 3-10 stories. The applicant is proposing a non-residential use which would support the vision of the Brandon Community Plan.

Overall, the proposed Planned Development is consistent with the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated* 

## *Hillsborough County*, and is compatible with the existing and planned development pattern found in the surrounding area.

#### **Recommendation**

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



# GENERAL SITE PLAN FOR CERTIFICATION



**DEVELOPMENT SERVICES** PO Box 1110, Tampa, FL 33601-1110

#### HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

#### **GENERAL SITE PLAN REVIEW/CERTIFICATION**

BOARD OF COUNTY COMMISSIONERS Harry Cohen Ken Hagan Pat Kemp Gwendolyn "Gwen" Myers Kimberly Overman Mariella Smith Stacy R. White COUNTY ADMINISTRATOR Bonnie M. Wise COUNTY ATTORNEY Christine M. Beck INTERNAL AUDITOR Peggy Caskey

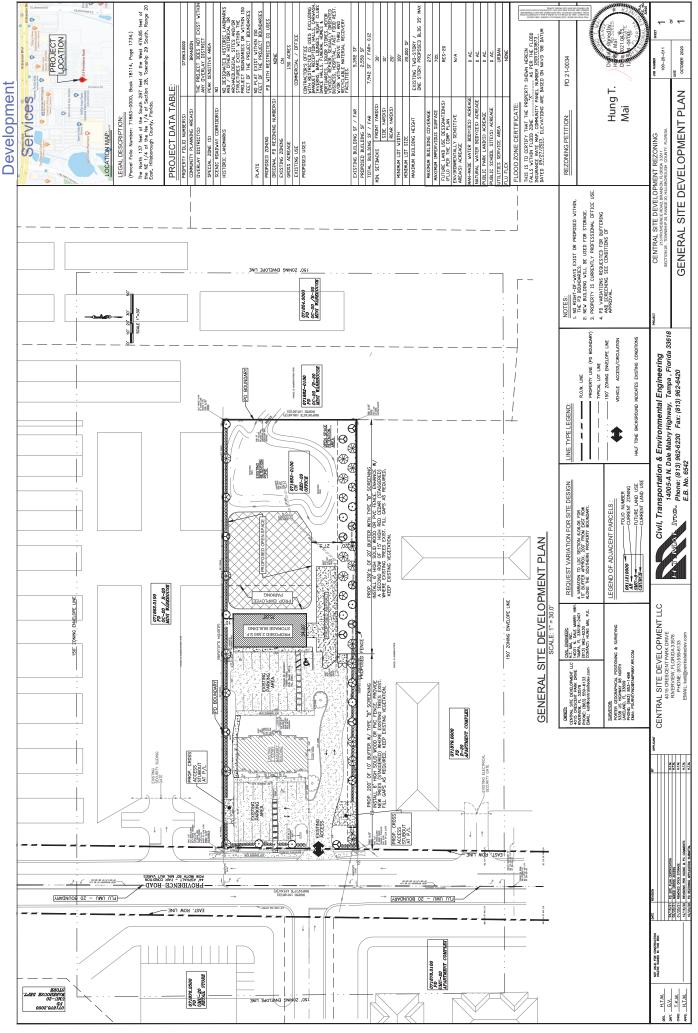
#### DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name: Central Site development Rezoning	
Zoning File: PD 21-0034 Modification:	
Atlas Page: N/A Submitted: 04-15-21	
To Planner for Review: 04-15-21 Date Due: 04-26-21	
Contact Person: Hung T. Mai Phone: (813) 962-6230/ htmai@aol.com	
Right-Of-Way or Land Required for Dedication: Yes No	
( The Development Services Department HAS NO OBJECTION to this General Site Plan.	
() The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Pla following reasons:	an for the
Reviewed by Israel Monsanto Date: 4-23-21	

Date Agent/Owner notified of Disapproval:

# 21-0034



April 15, 2021

Received

2./Company Files/PROJECTS/100 CATEGORY/2020/011 - PROVIDENCE ROAD PD REZONING/DRAWING/1 PD REZONING PLAN.dwg. 4/15/2021 12.09:39 PM, DWG To PDF, p

# AGENCY COMMNENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 3/08/2021

REVIEWER: James Ratliff, AICP, PTP

PLANNING AREA/SECTOR: BR/ Central

AGENCY/DEPT: Transportation PETITION NO: RZ 21-0034

conditions.

	This agency has no comments.
	This agency has no objection.
Х	This agency has no objection, subject to the listed or attached

This agency objects for the reasons set forth below.

#### **REPORT SUMMARY AND CONCLUSIONS**

- The proposed project is anticipated to decrease the maximum trip generation potential of the subject property at building (by 5,116 average daily trips, 205 a.m. peak hour trips, and 100 p.m. peak hour trips).
- Vehicular access to the site will be to/from Providence Rd. The developer is required to construct cross access stubouts to its northern and property boundaries.
- Providence Rd. is a substandard collector roadway. The applicant requested a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L. requirement to improve the substandard roadway, which was found approvable by the County Engineer. If the rezoning is approved, the County Engineer will approve the Administrative Variance, upon which the developer will not be required to make improvements to Providence Rd.
- The trip generation and site access analysis provided by the applicant was insufficient. Based on the wide variety of uses and size of the proposed project, it is impossible to make a definitive determination whether auxiliary (turn) lanes will be warranted pursuant to Section 6.04.04.D of the LDC until the actual uses to be developed have been identified. As such, staff has proposed a condition requiring incremental analysis of project traffic with each increment of (re)development. The developer will be required to construct any turn lanes found to be warranted.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

#### **CONDITIONS OF APPROVAL**

- 1. Notwithstanding anything on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 2. If PD 21-0034 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated February 25, 2021) which was found approvable by the County Engineer (on March 2, 2021). Approval of this Administrative Variance will waive the Providence Rd. substandard road improvements required by Section 6.04.03.L. of the LDC.
- 3. Concurrent with each plat/site/construction plan submittal, the developer shall submit a trip generation and site access analysis to Hillsborough county. Such analysis will be utilized to

determine whether auxiliary (turn) lanes are warranted pursuant to Section 6.04.04.D. of the LDC. The developer shall construct all turn lanes meeting warrants.

- 4. Notwithstanding anything on the PD site plan to the contrary, the developer shall be required to all applicable standards and regulations as found within the Hillsborough County Land Development Code (LDC), Transportation Technical Manual (TTM), Florida Accessibility Code, and the United States Department of Justice's 2010 Americans with Disability Act (ADA) Standards for Accessible Design.
- 5. The developer shall construct cross access stubouts to the northern and southern property boundaries.

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 1.44 ac. parcel from Commercial Neighborhood (CN) to Planned Development (PD). The applicant is entitlements which would allow up to 7,942 s.f. of contractor's office and certain CG uses (excluding banquet and reception halls, carwashes, taverns, bars, lounges, night blubs, dance halls, funeral homes, mortuaries, liquor stores, motor vehicle repair, sexually oriented businesses, hospitals, fast food restaurants (with or without drive thoughts) and recyclable material recovery facilities.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis; however, the applicant's analysis did not examine the worst-case scenario. As such, staff cannot utilize the study to determine whether Section 6.04.04.D. auxiliary (turn) lane warrants have been met until the actual uses to be constructed have been identified. As such, staff has proposed a condition requiring incremental analysis of project traffic with each increment of (re)development. The developer will be required to construct any turn lanes found to be warranted.

Transportation Review Section staff has prepared a comparison of the potential trips generated by development permitted, based upon the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, under the existing and proposed zoning designations utilizing a generalized worst-case scenario.

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
CN, 12,545 s.f. Fast-Food with Drive-Through (ITE LUC 945)	5,910	504	410
Less Internal Capture:	Not Available	-0	-0
Less Pass-By Trips:	Not Available	-246	-204
Net External Trips:	5,910	258	206

#### Existing Zoning:

#### Proposed Zoning:

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
PD, 7,942 s.f. Bank with Drive-Through Uses (ITE Code 220)	794	75	162
Less Internal Capture:	Not Available	-0	-0
Less Pass-By Trips:	Not Available	-22	-56
Net External Trips:	794	53	106

Trip Generation Difference:

Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(-) 5,116	(-) 205	(-) 100

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Providence Rd. is a publicly maintained, 2-lane, undivided, substandard collector roadway characterized by +/- 10-foot wide travel lanes in average condition. The roadway lies within a +/- 55-foot wide right-of-way along the project's frontage. There are no bicycle facilities present on Providence Rd. in the vicinity of the proposed project. There are +/- 4 and 5-foot wide sidewalks along portions of the east and west sides of Providence Rd. in the vicinity of the proposed project.

#### SITE ACCESS AND CONNECTIVITY

The project is proposing one full access (1) connection to Providence Rd.

The developer is proposing vehicular cross access stubouts to the northern and southern boundaries as required by Section 6.04.03.Q. of the LDC.

#### **REQUESTED ADMINISTRATIVE VARIANCE**

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated February 25, 2021) from the Section 6.04.03.L. LDC requirement, whereby the developer is required to improve Providence Rd. (between the project access and nearest roadway meeting County standards, i.e. SR 60) to current County standards for a TS-4 collector roadway. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 2, 2021. If the rezoning is approved, the County Engineer will approve the above referenced Administrative Variance Request, upon which the developer will not be required to make improvements to the roadway.

#### **ROADWAY LEVEL OF SERVICE (LOS)**

The segment of Providence Rd. from which the project takes access is not included within the Hillsborough County 2019 LOS Report. As such, staff has provided information for the next closest segment of roadway.

Roadway	From	То	LOS Standard	Peak Hour Directional LOS
Providence Rd.	Lumsden Rd.	Brandon Pkwy.	D	С

Source: Hillsborough County 2019 Level of Service Report.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG]
Sent: Tuesday, March 2, 2021 8:38 PM
To: htmai@aol.com
CC: Tu Mai [tkmai@aol.com]; Tirado, Sheida [TiradoS@hillsboroughcounty.org]; Ratliff, James [RatliffJa@hillsboroughcounty.org]; Garantiva, Sofia
[GarantivaS@hillsboroughcounty.org]; Monsanto, Israel [MonsantoI@hillsboroughcounty.org]
Subject: FW: RE: RZ-PD 21-0034
Attachments: 21-0034 02-25-21.pdf

Hung,

The Administrative Variance for substandard road dated February 25, 2021 is APPROVABLE.

Mike

From: Rome, Ashley <RomeA@hillsboroughcounty.org>

Sent: Friday, February 26, 2021 8:57 AM

To: Ackett, Kelli <AckettK@hillsboroughcounty.org>; Albert Marrero <marreroa@plancom.org>; Alvarez, Alicia <AlvarezA@hillsboroughcounty.org>; Amanda Shaw <ashaw@hcso.tampa.fl.us>; Amber Dickerson <amber.dickerson@sdhc.k12.fl.us>; Andrea Papandrew <papandrewa@plancom.org>; Ayesha Brinkley <ayesha.brinkley@sdhc.k12.fl.us>; Blinck, Jim <BlinckJ@HillsboroughCounty.ORG>; Brown, Gregory <BrownGr@hillsboroughcounty.org>; Cabrera, Richard <CabreraR@HillsboroughCounty.ORG>; Castro, Jason <CastroJR@HillsboroughCounty.ORG>; Danny Santos <Daniel.Santos@dot.state.fl.us>; David Skrelunas <David.Skrelunas@dot.state.fl.us>; Dickerson, Ross <DickersonR@HillsboroughCounty.ORG>; Ellen Morrison <ellen.morrison@swfwmd.state.fl.us>; Franklin, Deborah

<FranklinDS@hillsboroughcounty.org>; Greg Colangelo <colangeg@plancom.org>; Holman, Emily - PUD <HolmanE@HillsboroughCounty.ORG>; Hudkins, Michael <HudkinsM@hillsboroughcounty.org>; Hummel, Christina <HummelC@hillsboroughcounty.org>; Impact Fees

<ImpactFees@hillsboroughcounty.org>; Ivana Kajtezovic <Ikajtezovic@tampabaywater.org>; James Hamilton <jkhamilton@tecoenergy.com>; Jessica Rohr <jrohr@hcso.tampa.fl.us>; Jiwuan Haley <haleyj@plancom.org>; Kaiser, Bernard <KAISERB@HillsboroughCounty.ORG>; Katz, Jonah <KatzJ@hillsboroughcounty.org>; Kelly O'Connor <kelly.oconnor@myfwc.com>; Mineer, Lindsey <Lindsey.Mineer@dot.state.fl.us>; Lindstrom, Eric <LindstromE@hillsboroughcounty.org>; Mackenzie, Jason <MackenzieJ@hillsboroughcounty.org>; Matthew Pleasant <matthew.pleasant@hcps.net>; McGuire, Kevin <McGuireK@HillsboroughCounty.ORG>; Melanie Ganas <mxganas@tecoenergy.com>; Melissa Lienhard <lienhardm@plancom.org>; Martin, Monica <MartinMo@hillsboroughcounty.org>; Petrovic, Jaksa <PetrovicJ@HillsboroughCounty.ORG>; Pezone, Kathleen

<PezoneK@hillsboroughcounty.org>; Ratliff, James <RatliffJa@hillsboroughcounty.org>; Hessinger, Rebecca <HessingerR@hillsboroughcounty.org>; Carroll, Richard <CarrollR@HillsboroughCounty.ORG>; Rochelle, Randy <RochelleR@HillsboroughCounty.ORG>; Rodriguez, Dan <RodriguezD@gohart.org>; Sanchez, Silvia <sanchezs@epchc.org>; Schipfer, Andy <Schipfer@epchc.org>; Shelton, Carla <SheltonC@HillsboroughCounty.ORG>; Garantiva, Sofia <GarantivaS@hillsboroughcounty.org>; Tapley, Kimberly <tapleyk@epchc.org>; Thompson, Mike <Thompson@epchc.org>; Tony Mantegna <tmantegna@tampaairport.com>; Salisbury, Troy <SalisburyT@hillsboroughcounty.org>; Turbiville, John (Forest) <TurbivilleJ@HillsboroughCounty.ORG>; Valdez, Rick <ValdezR@HillsboroughCounty.ORG>; Will Augustine <august@plancom.org>; Yeneka Mills <millsy@plancom.org> **Cc:** Grady, Brian <GradyB@HillsboroughCounty.ORG>; Monsanto, Israel <Monsantol@hillsboroughcounty.org>; Timoteo, Rosalina <TimoteoR@HillsboroughCounty.ORG>; Garantiva, Sofia <GarantivaS@hillsboroughcounty.org>; Padron, Ingrid <Padronl@hillsboroughcounty.org>; Williams, Michael <WilliamsM@HillsboroughCounty.ORG> **Subject:** RE: RZ-PD 21-0034

Good Day All,

Please be advised, we have received and uploaded to Optix **revised documents/plans** for the above mentioned application. Please review and comment.

For further information regarding the change/update please contact the assigned planner.

Planner assigned: Planner: Israel Monsanto Contact: <u>monsantoi@hillsboroughcounty.org</u>

Thank you,

Ashley Rome Planning & Zoning Technician Development Services Dept.

P: (813) 272-5595 E: <u>romea@hillsboroughcounty.org</u> W: <u>HCFLGov.net</u>

Hillsborough County 601 E. Kennedy Blvd., Tampa, FL 33602

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

#### Additional / Revised Information Sheet Hillsborough County Planning and Growth Management Department Zoning Administration Division Date Stamp Here Applicant's Name: <u>Central Site Development, LLC</u> Application Number: \_21-0034 Israel Monsanto **Reviewing Planner's Name:** 03/15/2021 **Current Hearing Date:** Application Type: [Select One:] Please check ( $\checkmark$ ) all appropriate changes / additions: X Revised Plans or Request information: # of Plans Submitted: \_\_\_\_\_ Large \_\_\_\_\_ Small Changes to Requested Uses Acreage (Added / Removed) # of Acres: Revised Building or Lot Layout Revised Square Footage (FAR) Info X Access Point(s) - ( Added / Deleted / Moved) Detail added Changes to Requested Number of Units ( - Increase, - Decrease, - Reallocation) X Other: Revised Project Narrative, Administrative Variance Request **Other Additions:** X Traffic Analysis Revised/Corrected Legal Description Additional Fees – Receipt # Party of Record Letter(s) or Petition Letter Requesting a Continuance / Remand / Withdrawal Other: FOR OFFICE USE ONLY □ Notification E-Mail Sent □ Scanned into OPTIX Planner Reviewed Transmittal Completed In-Take Completed by: Transmit to: (check $(\checkmark)$ all that apply) ⊠ BOCC Records ☐ HARTLine Sheriff's Department SWFWMD Planning Commission Parks & Recreation Transportation Community Planning Water – Reclaimed Community Improvement Natural Resources Water Utilities $\square$ EPC □ PGM Project Review Water – Wastewater School Board Fire Department **FDOT** City of Plant City Polk County City of Tampa – Sewer Hazard Mitigation Public Works – Traffic City of Tampa – Water Public Works – Roadway H.C. Aviation Authority City of Temple Terrace H.C Health Department Real Estate Federal Aviation Admin MacDill Air Base Tampa Bay Water FDA University Dev Corp Pasco County FL Dept of Envir. Prot. Pinellas County USF Area Civic Assoc Other:

#### **Rome, Ashley**

From:	Tu Mai <tkmai@aol.com></tkmai@aol.com>
Sent:	Thursday, February 25, 2021 4:26 PM
То:	Zoning Intake-DSD
Cc:	Timoteo, Rosalina; Monsanto, Israel; Ratliff, James
Subject:	RESUB: PD 21-0034 (ZHM 03-15-21)
Attachments:	3rd RESUB_PD 21-0034_ZHM 2-15-21.zip

[External]

Good afternoon,

Please find the following attachments submitted for review for PD 21-0034 (ZHM 03-15-21):

- 1. Additional Information Sheet
- 2. Site Plan
- 3. Request for Administrative Variance
- 4. Waiver for Locational Criteria
- 5. Project Narrative & Variations Criteria for Review
- 5. Transporation Analysis

Please confirm receipt of these attachments.

Thank you, Tu

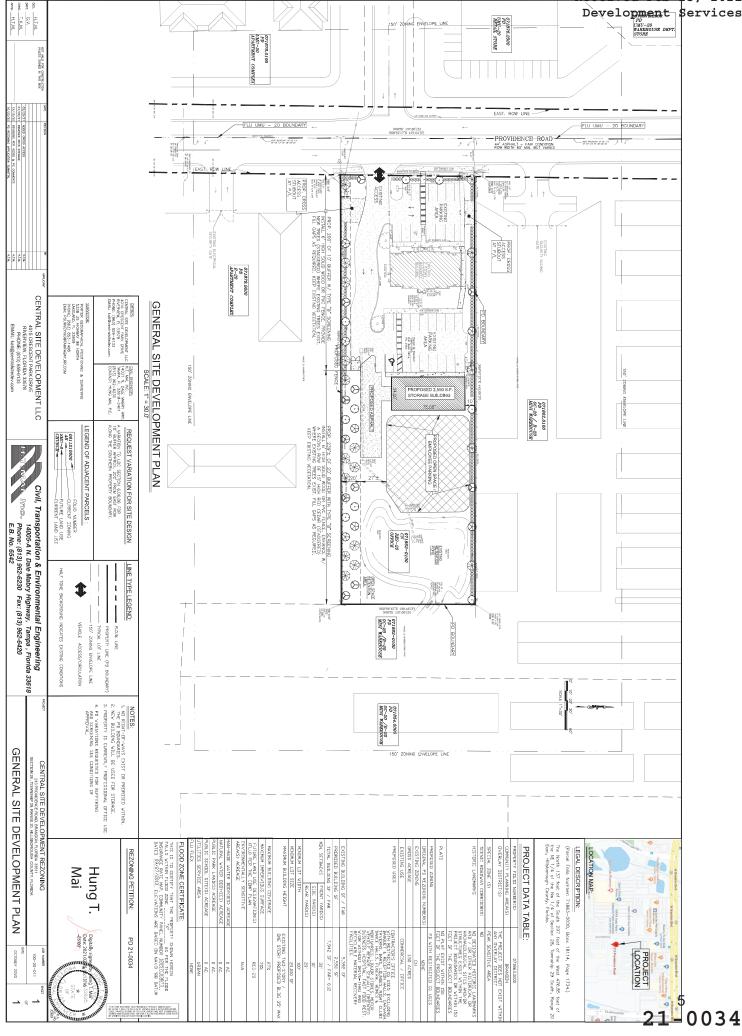
H.T. MAI, INC. *civil engineering & real estate consulting* 14031 N. Dale Mabry Highway Tampa, FL 33618-2401

 PHONE:
 (813) 962-6230

 FAX:
 (813) 962-6420

 EMAIL:
 tkmai@aol.com

This email is from an **EXTERNAL** source and did not originate from a Hillsborough County email address. Use caution when clicking on links and attachments from outside sources.



Received Feb 25, 2021

H.T. MAI, INC. Civil-Environmental-Transportation-Water Resource Engineering & Real Estate Development Consulting 14031 N. DALE MABRY HIGHWAY, TAMPA, FL 33618 \* PHONE: (813) 962-6230 \* FAX: (813) 962-6420 E-MAIL: htmai@aol.com CERTIFICATE OF AUTHORIZATION NO. 6542

February 25, 2021

Mr. Michael J. Williams, P.E. c/o Mr. Benjamin Kniesly, P.E. Hillsborough County Public Works Department 601 E. Kennedy Blvd., 22nd Floor Tampa, FL 33602

ATTN.: Michael J. Williams, P.E. - Hillsborough County Engineer

RE:	ADMINISTRATIVE VARIANCE
Project Name:	CENTRAL SITE DEVELOPMENT REZONING – PD 21-0034
Folio No.:	071863.0000
HTM Proj. No.:	100-20-011

Dear Mr. Williams:

This variance request is being sought in conjunction with the submission of a Planned Development Rezoning application (PD 21-0034) from CN to PD with CG restricted uses for a contractor's office without outside storage. The subject property is located at 213 Providence Road, Brandon, FL 33511 between Brandon Main Street and W. Brandon Blvd. Since 1990, the current use of the subject site is commercial/professional office with a two-story office building totaling 5,392 SF with two parking areas and a full access onto Providence Road.

We received a memo from Mr. James Ratliff identifying that Providence Road is a substandard collector roadway. On behalf of client, we are requesting an administrative variance per Sec.6.04.02.B to waive the substandard roadway requirement of Providence Road from the project's entrance to W. Brandon Blvd as it currently exists.

The variance request criteria outlined in Section 6.04.02.B.3 of the County LDC are as follows:

#### (a) There is unreasonable burden on the applicant.

- The subject project has an existing full access on Providence Road since 1990. Providence Road, in front of the project, is a two-lane undivided urban collector road with 12-foot lanes with a center turn lane and dedicated southbound to westbound turn lane. The roadway lies within 80' wide varied right-of-way which is greater than 64' min. requirement ROW per TTM TS-4. There are no bike lanes; however, there are sidewalks with curbs and gutters on both sides of the subject site and general vicinity. This segment of Providence Road does not appear on the HC Corridor Preservation Plan nor the Scenic Corridor. Therefore, no preservation is required. The roadway LOS is not listed under HC 2019 LOS Report. County Count Station #340029 indicated 8,188 AADT in 2015.
- From the existing driveway of the subject site to W. Brandon Blvd. (SR 60) is approximately 970'+. There is no residential land use on both sides of Providence Road to consider a bike lane.
- Existing type F curb, sidewalk, mature oaks, and power transmission poles and utility poles exist on both sides of Providence Road. Therefore, there is no opportunity to widen the roadway to accommodate for a 7' bike lane on both sides.
- It would not be financially feasible for the project to convert from commercial office to a contractor's office with roadway improvements. The applicant is a small business owner who cannot afford to bear the financial burden of widening the roadway.

#### (b) The variance would be detrimental to the public health, safety, and welfare.

The subject section of Providence Road is an average of 44<u>+</u> feet in width of asphalt pavement which is sufficient for an urban collector roadway.
 S:\Company Files\PROJECTS\100 CATEGORY\2020\011 - PROVIDENCE ROAD PD REZONING\CORRESPONDENCE\Request for Administrative Variance.docx

- There is sufficient type F curb, green strip and sidewalk to provide a clear zone for vehicles and for pedestrians. .
- The project site is located approximately 970+ feet from W. Brandon Blvd. (SR 60) which is an arterial roadway. With a short distance from a major highway to the subject site, it is a reasonable distance without a bike lane.
- HCSO has no record of accidents on this small segment of Providence Road from Brandon Main St. to SR 60.
- (c) Without the variance, reasonable access cannot be provided. In evaluation of the variance request, the issuing authority shall be valid consideration to the land use plans, policies and local traffic circulation/operation of the site and adjacent areas.
- The owner/applicant agrees that the variance, if approved, is for used for a contractor office/business and employee parking . Only. There are no other uses proposed in the future.
- Providence Road is needed to provide reasonable access for the project. This access currently exists.

We respectfully request your review and approval of the variance request. A copy of Exhibit A is attached for your review and approval. If you should have any questions, or if we can be of further assistance, please feel free to call us at (813) 962-6230.

Best regards,

H. T. MAI, INC. Digitally signed by Hung # 32625 2/25/21 T. Mai Hung T. Mai Date: 2021.02.25 16:10:46 -05'00' Hung T. Mai, P.E. T. MA rida

EOR Florida P.E. No. 32625

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

Disapproved

Approved

If there are any questions or you need clarification, please contact Benjamin Kniesly, P.E. at (813) 307-1758.

Sincerely,

Michael J. Williams, P.E. Hillsborough County Engineer

Cc: Richard Cabrera, P.E. Development Services, Development Review Director Benjamin Kniesly, P.E., Public Works Engineering Technical Services Charles White, AICP, PTP - Transportation Development Program Manager

NOTICE: Consistent with Section 6.04.02.B.8 of the LDC, the result of this variance application may be appealed, as further described in Section 10.05.01 of the LDC, to the Land Use Hearing Officer within 30 calendar days of the date of the above action.

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7 21 - 0034

## REQUEST A WAIVER TO THE INTERSECTION CRITERIA FOR THE LOCATION OF COMMERCIAL USES REZONING PETITION NO.: PD 21-0034

On behalf of our client, we are requesting a waiver of locational criteria for FLUE Policy 22.2 based on the distance from qualifying intersection of Brandon Blvd./Providence Rd.

*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.* 

- The subject site has been zoned CN and used as a commercial office since 1990 and is currently occupied by an attorney's office.
- The proposed project is not a strip commercial development even though it is located approximately 970<u>+</u> ft. from Brandon Blvd. On both sides of the subject site are parcels zoned in the PD zoning district for commercial uses.
- Directly to the west of the subject property is a NAPA Auto Parts and adjacent to NAPA is a Walmart, Sam's Club.
- Adjacent to the north of NAPA Auto Parts is Sam's Club gas station.
- Further up north up Providence Road (heading towards Brandon Blvd.) is a shopping center with a Chili's Grill and Bar and a Circle K convenience store/gas station.
- Directly north of the subject site (on the same side) is an iStorage Self Storage facility.
- North of iStorage travelling north toward Brandon Blvd. is Extra Space Storage.
- North of Extra Space Storage is Rooms To Go, Miller's Ale House and Tibby's New Orleans Kitchen.
- By listing all the above commercial development pattern from a major intersection (Brandon Blvd./Providence Rd.), we illustrate that commercial/retail uses already exists well passed the subject site. Therefore, it is consistent with the character of the surrounding area.
- Public facilities (water, sewer, fire, police, etc.) are available to serve the subject site and the area.
- The Brandon population supports such existing commercial development and continues to support future developments such as this project in the surrounding area.
- The proposed use is a contractor office which is consistent with the existing development pattern in the area.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses is 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.* 

• The proposed PD rezoning with CG restricted uses is appropriate for commercial use serving the neighborhood while still maintaining FLU of R-20.

Establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character.

• The applicant seeks a PD rezoning with CG restricted uses to allow for a contractor's office. They recognize the residential parcel to the south. Therefore, adequate screening and buffering are proposed. In addition to restricting the following uses:

Banquet & reception hall, car wash, tavern, bar, lounge, nightclub, dance hall, funeral home & mortuary, liquor store, motor vehicle repair, sexually oriented business, hospital, fast food restaurant with or without drive-thru, and recyclable material recovery facility.

Establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

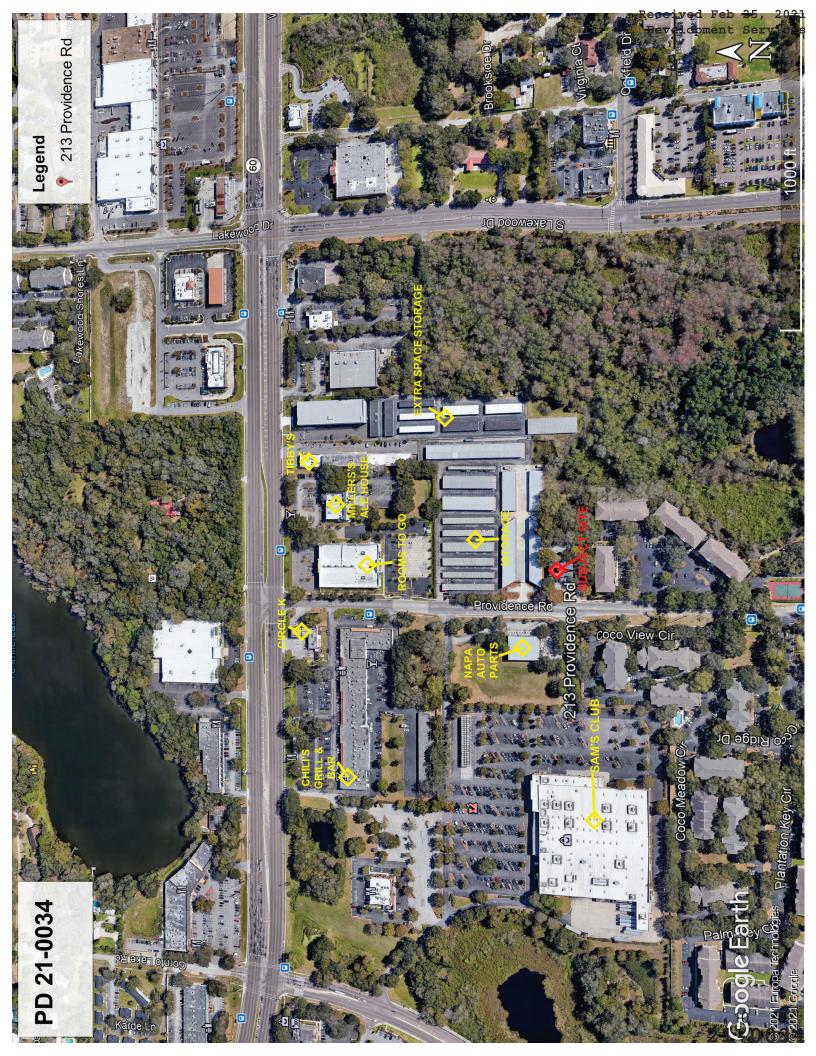
• The parcel has adequate frontage on Providence Road to provide a safe ingress/egress to the project. Since 1990, An existing driveway serving the project.

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

• The applicant does not seek to maximize the allowable FAR for CG. In fact, the urban scale distance for R-20 is 1,000 ft for 2-lane/4-lane allowing up to 120,000 SF. In this case, the subject site's total building is 7,942 SF with a FAR = 0.12. Therefore, the building square footage is much less than the allowable FAR for CG (27%).

Respectfully submitted,

Digitally signed by Hung T. Hung T. Mai Date: 2021.02.25 16:15:02 Hung T. Mai, P.E.



Application Number: 21-0034

### **PROJECT NARRATIVE**

In the space below indicate why a Planned Development zoning is being proposed in lieu of a standard zoning district. The narrative must including detailed information regarding proposed development entitlements (i.e., number of dwelling units; square footage, intensity /density). If additional space is needed, please attach extra pages to this application.

The applicant is seeking to rezone the subject property from Commercial Neighborhood (CN) to Planned Development

(PD) with restricted CG uses such as a contractor's office excluding banquet & reception hall, car wash, tavern, bar,

lounge, nightclub, dance hall, funeral home, mortuary, liquor store, motor vehicle repair, sexually oriented business,

hospital, fast food restaurant with or without drive-thru, and recyclable material recovery facility. The subject property

has an existing two-story building having 5,392 SF (FAR= 0.08) and two parking areas for commercial use. The applicant

proposed the following: (a) 2,550 SF one story building with 35' max. height for contractor material and equipment storage

and (b) open space/employee parking. The total building square footage with be 7,942 SF or FAR = 0.12 which is far

below the FAR = 0.27 allowed for the CG zoning district. The subject site having Folio No. 071863.0000 is located at

213 Providence Road, Brandon, FL 33511 (approx. 970' south of Brandon Blvd. or SR 60) with a FLU of R-20. The

total land area is 1.50 ac. or 65,340 SF in S28/T29S/R20E in unincorporated Hillsborough County. The subject site

is in the Urban Service Area and has existing water and wastewater provided by Hillsborough County PUD. Cross

access stub-out to the north and south of adjacent property are provided.

Please see attached page for a continuation of Project Narrative.

## **VARIATIONS FOR SITE DESIGN**

Non-district LDC regulations that may be considered for variation as part of a Planned Development request include Part 6.05.00 (Parking/Loading), Part 6.06.00 (Landscaping/Buffering), and Part 6.07.00 (Fences/Walls). Does the request include a variation from non-district regulations? No <u>Yes</u> <u>×</u> If yes, indicate each variation being requested in the space below. *(example: A variation to Section 6.06.06 to allow a 10-foot buffer where a 20-foot buffer is required)* 

• A variation to Section 6.06.06 to allow a 10-foot buffer in lieu of 20' for approximately 200' measured from the

east ROW of Providence Road along the southern property boundary. The remainder will be 20-foot buffer.

#### PROJECT NARRATIVE (CONTINUED)

The subject site compatibility is shown below:

DESCRIPTION	NORTH	SOUTH	EAST	WEST
CURRENT ZONING	PD	PD	PD	PD
FUTURE LAND USE	OC-20 & R-20	R-20	OC-20 & R-20	UMU-20
CURRENT USES	MINI- WAREHOUSE	RESIDENTIAL APARTMENT	MINI- WAREHOUSE	RETAIL & WAREHOUSE DEPARTMENT STORE

The subject parcel has an existing Commercial Neighborhood zoning district and existing commercial office use since 1990. Therefore, the proposed PD rezoning with restricted CG uses for a contractor's office/principal use would be compatible with the residential use to the south because sufficient buffer and screening are provided.

The existing vegetation coupled with the applicant's proposed enhanced buffer and screening provides for an appropriate mitigation between multi-family residential use and subject site to be used for a contractor's office.

Application Number: 21-0034

### VARIATIONS – CRITERIA FOR REVIEW

For each variation being requested, you must provide a detailed response to each of the following criteria. If additional space is needed, please attach extra pages to this application.

1. Explain how the variation is necessary to achieve creative, innovative, and/or mixed use development that could not be accommodated by strict adherence to current regulations.

The variation to reduce the buffer along the southern property line is necessary because of the existing driveway which was built in 1990 and the two large live oaks on the parking terminal island. The large oak trees make it impossible to relocate the existing driveway without killing these oak trees. Without the variation, the current LDC regulations would not accommodate the proposed development. The variation is only a proposed 200' of 10' buffer with Type "B" screening in lieu of 20' buffer with Type "B" screening.

2. Describe how the variation is mitigated through enhanced design features. Design features must be clearly indicated on the site plan and the applicant must demonstrate how the feature is proportionate to the degree of variation being requested.

The variation is mitigated through the proposed landscaping design features such as Type "B" screening and

installation of 6' high solid wood fence or PVC fence. Buffer trees would be staggered in between the existing trees/veg. to fill in any gaps. The proposed Type "B" screening is an enhancement for the residential zoned parcel on the south side of the subject parcel. The subject site was built prior to the adjacent development to the south.

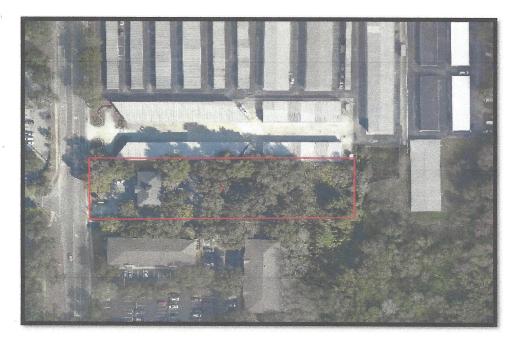
3. Explain how the variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

The variation is in harmony with the purpose and intent of the LDC because it is providing ample buffer and screening as well as using existing vegetation to enhance the proposed development and compliment the existing adjacent properties.

4. Explain how the variation will not substantially interfere with or injure the rights of adjacent property owners. The variation will not substantially interfere with or injure the rights of adjacent property owners. The variation requested is to enhance the proposed development with Type "B" screening. Per LDC, the strict regulations would deprive the property owner of rights that are enjoyed by other property owners. The subject site was development prior to the adjacent development to the south. Thus, this variation is to enhance the residential development to the south.

## **TRANSPORTATION ANALYSIS**

#### 213 PROVIDENCE ROAD, BRANDON, FLORIDA 33511



PREPARED FOR

#### CENTRAL SITE DEVELOPMENT, LLC 4915 CRESCENT PARK DRIVE RIVERVIEW, FLORIDA 33578

PREPARED BY

H.T. MAI, INC. CIVIL, TRANSPORTATION, WATER RESOURCES & ENVIRONMENTAL ENGINEERING 14031 N. DALE MABRY HIGHWAY TAMPA, FL 33618

February 25, 2021

Hung T. Mai Digitally signed by Hung T. Mai Date: 2021.02.25 16:14:10 -05'00'

2/25/21

H.T.MALINC

#### A. INTRODUCTON

Central Site Development, LLC (CSD) is proposing to rezone a 1.5 +/- acres property currently zoned CN to Planned Development (PD) for restricted CG uses to operate a contractor's office/storage/small truck/equipment parking to support their operation. The property is located at 213 Providence Road, Brandon, FL 33511 (approximately 970 feet south of Brandon Blvd.)

The subject site is currently used as a commercial/professional office with an existing two-story building having 5,392 SF with two parking areas and a full access onto Providence Road. The total building square footage will be 7,942 SF.

The applicant is proposing to add 2,550 SF for storage to the east of the existing building and open space area/employee immediately east of the proposed storage building.

#### B. TRIP GENERATION ANALYSIS

Per the pre-application meeting on September 30, 2020, Transportation staff indicated the proposed trip generation must be BPO use (worse case scenario) based on the ITE Trip Generation Manual, 10<sup>th</sup> Edition. However, because proposed use excludes fast food restaurants with or without drive-thru, the worse case scenario would be a sit down restaurant (LUC 931).

Given the property size and shape, along with the LDC requirements for parking, landscape, open space, stormwater retention/detention, setback and buffer, it is impossible to fit a 7,942 SF sit down restaurant on this site. The parking spaces required by LDC is 119 spaces which will take up 1.0 acre of land. Realistically, it can only fit approximately 4,000 SF (or 0.09 ac.) sit down restaurant that requires 60 parking spaces (or 0.48 ac.) along with 20% retention (or 0.03 ac.), landscape/green area, buffer (0.45 ac.). For worse case scenario, we use the same existing building square footage for a conservative traffic generation.

#### Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak	Hour Trips
		AM	PM
CN: 5,392 SF (ITE Code 820)	205	5	20

#### Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips		ps	
		AN	Λ	PN	Л
PD with CG(R): 5,392 SF (ITE Code 931)	420	2 entering	2 exiting	19 entering	16 exiting
Total Number of Trips		4 35		5	

#### Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak	Hour Trips
		AM	PM
Difference	(+)215	(-)1	(+)15

• The proposed rezoning would result in a decrease of trips potentially generated by development of the subject parcel by 215 average daily trips, (-)1 trip in the a.m. peak hour, and 15 trips in the p.m. peak hour.

#### C. TRANSPORTATION INFRASTRUCTURE ANAYSIS

The subject project has an existing full access on Providence Road. Providence Road, in front of the project, is a two-lane undivided urban collector road with 12-foot lanes and a center turn lane. The roadway lies within 80' wide varied right-of-way which is greater than 64' min. required ROW per TTM TS-4. There are no bike lanes; however, there are sidewalks with curbs and gutters on both sides in the vicinity of the subject site. This segment of Providence Road does not appear on the HC Corridor Preservation Plan nor the Scenic Corridor. Therefore, no preservation is required. The roadway LOS is not listed under HC 2019 LOS Report. County Count Station #340029 indicated 8,188 AADT in 2015.

#### D. SITE ACCESS ANALYSIS & CONNECTIVITY

Access to the site is an existing driveway connection on Providence Road. Assuming 50% trip distribution of trips are coming north and another 50% coming from the south, the highest number of trips during the peak hour will be 10 right turn lanes in the a.m. entering the site on Providence Road which does not trigger the LDC threshold for a right turn lane. No turn lane thresholds are met to warrant turn lanes on Providence Road.

#### COMMISSION

Mariella Smith CHAIR Pat Kemp VICE-CHAIR Ken Hagan Lesley "Les" Miller, Jr. Sandra L. Murman Kimberly Overman Stacy White



#### DIRECTORS Janet L. Dougherty EXECUTIVE DIRECTOR

Hooshang Boostani, P.E. WASTE DIVISION Elaine S. DeLeeuw, ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Rick Muratti, Esq. LEGAL DEPT Andy Schipfer, P.E. WETLANDS DIVISION Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZONING		
HEARING DATE: January 19, 2021	COMMENT DATE: November 17, 2020	
<b>PETITION NO.:</b> 21-0034	<b>PROPERTY ADDRESS:</b> 213 Providence Rd., Brandon, FL 33511	
EPC REVIEWER: Jackie Perry Cahanin		
<b>CONTACT INFORMATION:</b> (813) 627-2600 X 1241	FOLIO #: 071863.0000	
	<b>STR:</b> 28-29S-20E	
EMAIL: <u>cahaninj@epchc.org</u>		

#### **REQUESTED ZONING: From CN to PD**

FINDINGS		
WETLANDS PRESENT	YES	
SITE INSPECTION DATE	11/17/2020	
WETLAND LINE VALIDITY	NO	
WETLANDS VERIFICATION (AERIAL PHOTO,	Pond located in eastern portion of property.	
SOILS SURVEY, EPC FILES)		

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

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

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

#### INFORMATIONAL COMMENTS:

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

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

Jpc/mst

cc: <u>kati@centralsitedev.com</u>



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

TO:	Zoning Review, Development Services	DATE: 01/14/2021
<b>REVIEWER:</b>	Ron Barnes, Impact & Mobility Fee Coordinator	
APPLICANT:	Central Site Development, LLC	PETITION NO: 21-0034
LOCATION:	213 Providence Rd	
FOLIO NO:	071863.0000	

#### **Estimated Fees:**

Warehouse 2,550 square feet Mobility: \$877 \* 2.55 = \$2,236.35 Fire: \$34 \* 2.55 = \$86.70 Total: \$2,323.05

#### **Project Summary/Description:**

Urban Mobility, Central Fire - warehouse 2,550 s.f. (contractor office and storage)

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

PETIT	FION NO.: PD21-0034REVIEWED BY: Randy RochelleDATE: 12/4/2020
FOLI	0 NO.:71863.0000
$\square$	This agency would $\Box$ (support), $oxed{black}$ (conditionally support) the proposal.
	WATER
	The property lies within the <u>Hillsborough County</u> Water Service Area. The applicant should contact the provider to determine the availability of water service.
	No Hillsborough County water line of adequate capacity is presently available.
	A <u>8</u> inch water main exists [] (adjacent to the site), [] (approximately <u>55</u> feet from the site) <u>and is located within the west Right-of-Way Providence Road</u> .
	Water distribution improvements may be needed prior to connection to the County's water system.
	No CIP water line is planned that may provide service to the proposed development.
	The nearest CIP water main ( inches), will be located 🗌 (adjacent to the site), 🗌 (feet from the site at). Expected completion date is
	WASTEWATER
$\square$	The property lies within the <u>Hillsborough County</u> Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
	No Hillsborough County wastewater line of adequate capacity is presently available.
$\square$	A <u>8</u> inch wastewater force main exists $\boxtimes$ (adjacent to the site), $\square$ (approximately feet from the site) and is located within the east Right-of-Way of Providence Road.
	Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
	No CIP wastewater line is planned that may provide service to the proposed development.
	The nearest CIP wastewater main ( inches), will be located 🗌 (adjacent to the site), 🔲 (feet from the site at). Expected completion date is
COMN	MENTS: This site is located within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.

## VERBATIM TRANSCRIPT

X IN RE: ZONE HEARING MASTER HEARINGS X ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, March 15, 2021 TIME: Commencing at 6:00 p.m. Concluding at 10:35 p.m. PLACE: Webex Videoconference Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740		P HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS	age :
HEARINGS ) ) X ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, March 15, 2021 TIME: Commencing at 6:00 p.m. Concluding at 10:35 p.m. PLACE: Webex Videoconference Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	IN RE:	) ) )	
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Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	PLACE:	Webex Videoconference	
Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762		Reported By:	
	13	Executive Reporting Service Ulmerton Business Center 3555 Automobile Blvd., Suite 100 Clearwater, FL 33762	

	Page 227
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	ZONING HEARING MASTER HEARINGS
3	March 15, 2021 ZONING HEARING MASTER: SUSAN FINCH
4	ZONING MEAKING MASIER. SUSAN FINCH
5	
6	D7: Application Number: RZ-PD <mark>21-0034</mark>
7	Applicant:Central Site Development, LLCLocation:213 Providence Rd.
8	Folio Number:071863.0000Acreage:1.44 acres, more or less
9	Comprehensive Plan: R-20
	Existing Zoning: CN
10	Request: Rezone to Planned Development
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Page 228 1 MR. GRADY: The next item is agenda item 2 D-7, Rezoning PD 21-0034. The applicant is Central 3 Site Development, LLC. The request is to rezone from Commercial Neighborhood to a Planned 4 5 Development. Israel Monsanto will provide staff 6 7 recommendation after presentation by the applicant. HEARING MASTER FINCH: Is the applicant 8 here? 9 Good evening. Tu Mai. 10 MS. MAI: Am I okay? 11 MR. LAMPE: Yes, you are. 12 MS. MAI: PD 21-0034 is a request to rezone 13 folio 071863.0000 from CN to PD with -- from CN to PD to allow for Commercial General uses with the 14 15 following restrictions: Banquet, reception halls, 16 car wash, taverns, bars, lounges, nightclubs or 17 dance halls, funeral homes, mortuary, liquor 18 stores, most vehicle repair, sexually oriented 19 business, hospitals, and recyclable material 20 recovery facilities. 21 The proposed development is for a contractor's office without open storage. It would 22 23 retain the existing building and parking areas and 24 add a storage building and additional parking for 25 employees.

Page 229 1 Cross access is proposed to north and south 2 for future connectivity. We did submit 3 administrative variance request to waive the Providence Road substandard road improvements. 4 5 The county engineer found the administrative variance approvable on March the 2nd. We received 6 7 no objections from review agency. The Planning 8 Commission finds it consistent with the Comprehensive Plan. We concur with staff's report 9 and request your approval. Thank you to staff for 10 their review. 11 12 HEARING MASTER FINCH: Ms. Mai, I just have 13 one question. In reading the backup for your case, 14 in the County's online Optix system, it looks like 15 back in January of this year, you submitted a 16 revised request into the record. And the request 17 stated that you were asking for a restricted CI 18 uses. 19 MS. MAI: No. It was for -- yes, it's for 20 CG. 21 HEARING MASTER FINCH: Okay. I just wanted 22 to clarify because that was -- that is currently in 23 the backup to this item. So it is restricted CG 24 uses? 25 MS. MAI: Yes, ma'am.

Page 230 HEARING MASTER FINCH: Okay. That was my 1 only question. Thank you so much. 2 3 Development Services, please. 4 MR. MONSANTO: Good evening. Israel 5 Monsanto, Development Services. 6 I will share my screen just for an aerial. 7 MR. LAMPE: Can you bring your mike down? 8 MR. MONSANTO: Can you hear me better? 9 MR. LAMPE: Yes. 10 MR. MONSANTO: Okay. If I need to swap it, 11 pretty much sure I do. Can you see that? 12 MR. LAMPE: Yes, we can. 13 MR. MONSANTO: The applicant seeks to rezone 14 a parcel currently Commercial Neighborhood to 15 Planned Development to allow commercial uses with 16 restrictions. 17 The site is located on the east side of 18 Providence Road, a thousand feet south of Brandon 19 Boulevard, which is on the north. The site is in 20 Brandon and has a Future Land Use designation of RES-20 and is 1.44 acres in size. 21 22 The applicant intends to develop the site 23 with a contractor's office without open storage, 24 which is a permitted use in the CG zoning 25 districts. The request is also seeking to permit

Page 231 CG uses with restrictions as noted before to 1 2 prohibit intense commercial uses from the area for 3 compatibility purposes with multifamily residential uses to the south and southwest. 4 5 The PD will retain existing building 5,382 square feet, which is along the west of the 6 7 site close to the road. And also, it will add a storage building and parking area behind the 8 building, which will be placed into the east. 9 The new project side will add 2,550 square 10 11 feet of building area; will be a single story for 12 the contractor's material and equipment storage. 13 Also it will have additional parking for employees 14 placed behind the existing building. 15 Proposed FAR will be below .20, which is the 16 allowed intensity for current CN zoning districts, 17 Commercial Neighborhood zoning districts. Cross 18 access is proposed to the north and south for future connectivity, and access to the site will 19 20 remain in its current location of Providence Road 21 in this location right here. 22 PD variation request from section of the 23 Code 6.06.00, landscaping and buffering 24 requirements is being requested to reduce a 25 required 20-foot buffer along portions of the south

parcel line adjacent to the multifamily residential uses. The applicant proposes a reduction of 10 feet for the buffer, and this reduction of the buffer is limited to the (unintelligible) 200 feet along the south of the parcel. 200 feet from the road internal to the side, that's the area where the buffer is being reduced to 10 feet.

The remaining south portion along that area 8 adjacent to multifamily will remain as the required 9 buffer of 20 feet. According to the applicant, the 10 reduction of the buffer is necessary because of 11 12 existing driveway configuration and two large Live 13 Oaks on the parking terminal island. Enlarging the 14 buffer would require moving the driveway and, 15 therefore, removing the trees to accommodate the 16 driveway location.

The applicant states the variation is mitigated through the proposed landscaping design features, such as Type B screening and installation of sites 6-foot-high solid wood fence or PVC fence in addition to trees staggered in between existing vegetation to fill in any gaps.

23 Staff has reviewed the certification of 24 statements submitted by the applicant and finds 25 they meet the criteria of approval per section of

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Page 232

Page 233 the Code 5.03.06. Your recommendation, Hearing 1 2 Officer, is for this application is required to 3 have a finding on whether the requested variation meets that criteria for approval. 4 5 The applicant originally requested another variation from Section 5.03.05.C, transportation 6 7 information required in Planned Development plans, but this request was withdrawn, and now the PD plan 8 shows gross access when required. 9 The applicant submitted an administrative 10 11 variance request as stated from Code requirements 12 to improve the road to county standards. And based 13 on factors presented in the request, the county 14 engineer found them -- found it approvable. And if 15 this rezoning is approved, the county engineer will 16 approve the administrative variance request upon 17 which the developer will not be required to make 18 improvements to the roadway. 19 Zoning districts in the immediate area of 20 the subject site consists of multifamily 21 residential and also commercial uses. The adjacent 22 PD to the north and east is approved for a sales 23 storage facility. Other PDs to the west in the 24 vicinity are approved for commercial uses. 25 Apartment complexes currently exist

#### Page 234

southwest and south of the project. The proposed PD would allow uses compatible with nearby sites and the restrictions to the use would maintain the area with medium scale commercial uses.

The site will maintain an existing buffer and screening. The applicant, however, will stagger the last 15 areas where the space allows it. And existing vegetation will be maintained subject to Natural Resources review and approval.

Building will be placed closer to the north PD boundary away from residential uses to the south. The new storage building will be placed behind existing structure as well as new parking areas. Therefore, new improvements will have minimal additional impact.

16 Staff finds the project with a proposed 17 development standards, a scale and restrictions compatible with the area. Therefore, based on this 18 19 consideration, the staff recommends approval with 20 conditions. No objections were received by other 21 reviewing agencies. I'm available if you have any 22 questions. 23 HEARING MASTER FINCH: I don't have any at

this time, but thank you so much.

Planning Commission, please.

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Page 235 MS. MILLS: Yeneka Mills, Planning 1 2 Commission staff. 3 The subject property is located within the Residential-20 Future Land Use classification, the 4 5 Urban Service Area, and the Brandon Community Planning area. 6 7 The proposed request is consistent with the residential Future Land Use classification with a 8 1.5-acre site. The development could be considered 9 for up to 30,000 -- 32,000, excuse me, square feet 10 of nonresidential uses. 11 12 However, the applicant is requesting far 13 less than what can be considered on the site. The 14 subject property is within a unique area with residential and intensive Future Land Use 15 16 classifications. 17 The development pattern along the eastern side of Providence Road consists of commercial 18 19 uses. Industrial uses abut the northern boundary 20 of the site and multifamily abuts the southern 21 boundary of the site. 22 Objective 16 and its accompanying policies 23 16.2 and 16.3 provide direction on achieving 24 compatibility with surrounding land uses through 25 various transitions, buffering and site planning

Page 236

techniques.

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2 The applicant has provided several buffering 3 and screening measures to mitigate for adverse effects on the surrounding area. The site does not 4 meet commercial locational criteria. 5 The applicant has submitted a commercial 6 7 locational criteria waiver as required by Objectives 22 and Policy 22.2. The waiver states 8 that the development is well under the maximum 9 intensity allowed on the site and would not 10 11 negatively impact the surrounding area. 12 The Planning Commission supports the 13 applicant's request for a waiver to locational 14 criteria based on compatibility and recommends that 15 the Board of County Commissioners grant the waiver 16 to locational criteria. The site is located within the urban center 17 18 character district of the Brandon Community Plan. 19 The urban center character district contains the 20 most intense land uses and includes regional 21 shopping areas and the State Road 60 overlay 22 district. 23 Commercial and mixed-use developments will 24 be encouraged with varying building heights between 25 three and ten stories. The applicant is proposing

Page 237 a nonresidential use which would support the vision 1 2 of the Brandon Community Plan. 3 And based on those considerations, Planning 4 Commission staff finds the proposed rezoning 5 consistent with the Future of Hillsborough Comprehensive Plan subject to conditions proposed 6 7 by Development Services Department. Thank you. 8 HEARING MASTER FINCH: Thank you. I 9 appreciate it. All right. We'll call for anyone either in 10 the room or virtually that would like to speak 11 either in favor? 12 13 Seeing no one, or against the application. 14 Seeing no one. 15 All right. Mr. Grady, anything else? 16 MR. GRADY: Nothing further. 17 HEARING MASTER FINCH: All right. Ms. Mai, any further comments before we close the agenda 18 19 item? 20 MS. MAI: No, ma'am. Thank you. 21 HEARING MASTER FINCH: Thank you for your time and testimony. 22 23 We'll close Rezoning 21-0034 and go to the 24 last case. 25

	Page LSBOROUGH COUNTY, FLORIDA ARD OF COUNTY COMMISSIONERS
IN RE: ZONE HEARING MAS HEARINGS	X ) ) ) STER ) ) )
	NING HEARING MASTER HEARING PT OF TESTIMONY AND PROCEEDINGS
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master
DATE:	Monday, February 15, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 11:35 p.m.
PLACE:	Appeared via Cisco Webex Videoconference
	Reported By:
Ŭ	Christina M. Walsh, RPR secutive Reporting Service Ulmerton Business Center 6 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

Executive Reporting Service

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Page 10 being continued to the March 15th, 2021, Zoning 1 2 Hearing Master Hearing. 3 Item A-16, Rezoning-PD 20-1270. This application is out of order to be heard and is 4 5 being continued to the March 15th, 2021, Zoning 6 Hearing Master Hearing. 7 Item A-17, Rezoning 20-1377. This 8 application is out of order to be heard and is being continued to the April 19, 2021, Zoning 9 Hearing Master Hearing. 10 11 I'll note for the record that the -- again, 12 the statement that was in the backup that outlined 13 this continuance had the wrong hearing date and we 14 submitted the corrected statement into the record. 15 A-18, Major Mod 21-0024. This application is 16 being continued by the applicant to the March 15, 17 2021, Zoning Hearing Master Hearing. 18 Item A-19, Rezoning 21-0034. This 19 application is continued by staff to the 20 March 15th, 2021, Zoning Hearing Master Hearing. 21 Item A-20, Major Mod 21-0036. This 22 application is out of order to be heard and is 23 being continued to the April 19, 2021, Zoning 24 Hearing Master Hearing. 25 Item A-21, Major Mod 21-0038. This

	Page 1 SBOROUGH COUNTY, FLORIDA O OF COUNTY COMMISSIONERS
IN RE: ZONE HEARING MASTE HEARINGS	) ) )
	IG HEARING MASTER HEARING T OF TESTIMONY AND PROCEEDINGS
BEFORE:	DWIGHT WELLS Land Use Hearing Master
DATE:	Tuesday, January 19, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 6:08 p.m.
PLACE:	Appeared via Webex Videoconference
	Reported By:
Exec Ulm 13555 A	nristina M. Walsh, RPR cutive Reporting Service merton Business Center Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

Page 11 application is out of order to be heard and is 1 2 being continued to the February 15th, 2021, Zoning Hearing Master Hearing beginning at 6:00 p.m. 3 Item A-22, Rezoning-Standard 20-1279. This 4 5 application is being continued by staff to the February 15th, 2021, Zoning Hearing Master Hearing 6 7 beginning at 6:00 p.m. 8 Item A-23, Rezoning-Standard 20-1282. This application is out of order to be heard and is 9 10 being continued to the February 15th, 2021, Zoning Hearing Master Hearing beginning at 6:00 p.m. 11 12 Item A-24, Rezoning-PD 20-1377. This 13 application is out of order to be heard and is 14 being continued to the February 15th, 2021, Zoning 15 Hearing Master Hearing beginning at 6:00 p.m. 16 Item A-25, Major Mod Application 21-0024. 17 This application is being continued by the applicant to the February 15th, 2021, Zoning 18 19 Hearing Master Hearing beginning at 6:00 p.m. 20 Item A-26, Rezoning-PD 20-0034 (sic). This 21 application is being continued by the applicant to 22 the February 15th, 2021, Zoning Hearing Master 23 Hearing beginning at 6:00 p.m. 24 Item A-27, Major Mod Application 21-0036. 25 This application is out of order to be heard and is

## EXHIBITS SUBMITTED DURING THE ZHM HEARING



# PARTY OF RECORD

