



Hillsborough County Florida

SM STAFF REPORT

SUBJECT:	PD 21-0319	PLANNING AREA:	Riverview
REQUEST:	Rezoning to a Planned Development	SECTOR	South
APPLICANT:	Brickleymer Law Group, PL		
Existing Zoning:	ASC-1	Comp Plan Category:	SMU-6



Application Review Summary and Recommendation

1.0 Summary

1.1 Project Narrative

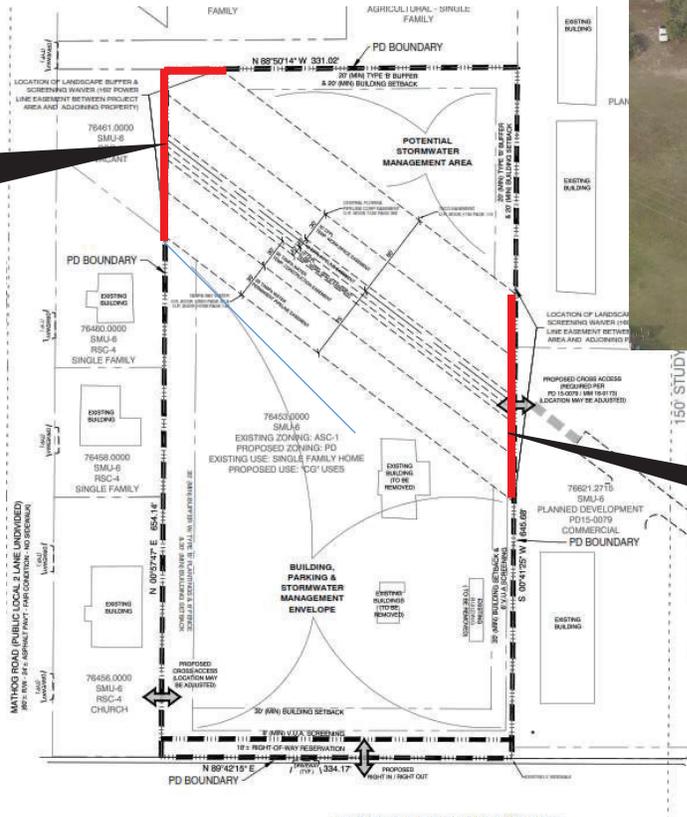
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The site is located in the SMU-6 FLU (Future Land Use) category, an area planned for urban/suburban densities and intensities. The maximum intensity possible is a 0.25 FAR (Floor Area Ratio), or 54,014 square feet. The project proposes an FAR of 0.11, or 25,000 square feet.

1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant requests a variation to Land Development Code Part 6.06.00 (Landscaping/Buffering) with specific portions of the western/northwestern and eastern PD boundaries (see Figure 1). The applicant has provided variance criteria response for review. Per the responses, the terms of the easement state that the area is to remain undeveloped. Additionally, the development activity has been situated along the south of the end of the parcel, where buffering and screening will be provided. The easement area will not contain any buildings or parking areas; thereby remaining an inactive area. Property to the west/northwest of the easement area is vacant and owned by the applicant. Property to the east of the easement area is developed with a townhome project. Townhomes appear to be located approximately 40 feet from the common property line. A perimeter fence around the townhome project is present. Staff does not object to the PD variation request.

Western/North western PD Variation Area



Eastern PD Variation Area

Figure 1: PD Variation Locations

1.3 Evaluation of Existing and Planned Public Facilities

The project area is located in the Urban Service Area. An 18-inch water main and 4-inch wastewater main are within the northern right of way of Gibsonton Drive.

Estimated impact and mobility fees are:

Estimated Fees:

(Various use types allowed. Estimates are a sample of potential development)

Industrial (Per 1,000 s.f.) Mobility: \$2,727.00 Fire: \$57.00	Retail - Shopping Center (50k s.f. or less) (Per 1,000 s.f.) Mobility: \$8,580.00 Fire: \$313.00	Warehouse (Per 1,000 s.f.) Mobility: \$877.00 Fire: \$34.00
Retail - Conv Mkt. w/Gas Mobility: \$29,658.00 (Per fueling position) Fire: \$313.00 (Per 1,000 s.f.)	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$65,382.00 Fire: \$313.00	

Project Summary/Description:

Urban Mobility, South Fire - Commercial General - non-specific

The site is located on the north side of Gibsonton Drive – a 4-lane, divided, arterial roadway in average condition. The right of way is 117 feet in width with 12 foot wide travel lanes. Sidewalks are present on both the north and south sides of the roadway. One access on Gibsonton Drive is proposed, which will be a right-in/right-out. Due to the anticipated traffic generation of the project, a right turn lane is warranted. Cross access is proposed to the west (for eventual connection to Mathog Road if the intervening parcel is redeveloped) to the east (for access to Alafia Trace Boulevard). The eastern cross access will occur through the TECO easement, which is not objected to by TECO.

Transportation staff has no objections, subject to proposed condition that require the construction of a turn lane and cross access points.

1.4 Natural Resources/Environmental

The Environmental Protection Commission has reviewed the application and finds that no wetlands are present on the site. Therefore, EPC staff has no objections and no proposed conditions.

The site is not located within a Wellhead Resource Protection Area Zone, a Surface Water Resource Protection Area Zone, a Potable Water Wellfield Protection Zone, a Significant Wildlife Habitat or within the Coastal High Hazard Area. Additionally, the site is not within or adjacent to any ELAPP property.

Gibsonton Drive is a County designated Urban Scenic Corridor.

1.5 Comprehensive Plan Consistency

The project is located within the SMU-6 Future Land Use (FLU) category and within the Riverview Community Plan area. The site is subject to the locational criteria policies of the Comprehensive Plan and waiver has been requested. To address policies that seek to avoid strip commercial development, a condition is proposed to limit the frontage of the building or buildings that will be developed on the site. Planning Commission staff has found the proposed rezoning, with the proposed conditions of approval, to be **CONSISTENT** with the *Future of Hillsborough* Comprehensive Plan.

1.6 Compatibility

The site is located along the northside of the Gibsonton Drive corridor, which is developed with both residential and non-residential uses. Development activity is proposed to be located along the southern portion of the site along Gibsonton Drive.

- Property to the north zoned is ASC-1 and developed with larger-lot single-family residential. The project's stormwater pond facilities are proposed within the northern area of the project. The project will locate all building and parking areas south of the diagonal 160-foot wide TECO easement within the subject site, providing a distance of 170-300 feet from the common property boundary.
- Properties to the south are separated from the site by Gibsonton Drive. Areas to the south are zoned PD and developed with commercial uses.
- Property to the west is zoned RSC-4 and oriented towards Mathog Road. Developed uses include a church and single-family residential. A 30-foot wide buffer with Type B screening is proposed, which exceeds the minimum LDC required buffer width of 20 feet. The area to the east that is adjacent to the TECO property and is proposed for no buffering and screening is vacant and owned by the applicant.
- Property to the east is zoned PD. The southernmost portion of the PD, which is adjacent to the

development area of the subject PD, is approved for and developed with commercial. The remaining areas of the adjacent PD are developed with townhomes and are separated from the subject development area by a 160-foot wide TECO easement, as well as buffering and screening along the property line.

Staff has not identified any compatibility issues associated with this proposal.

1.7 Agency Comments

The following agencies have reviewed the application and offer no objections:

- Transportation
- Impact & Mobility Fees
- Environmental Protection Commission
- Water Resource Services
- Conservation & Environmental Lands Management Department

1.8 Exhibits

Exhibit 1: Future Land Use Map

Exhibit 2: Aerial/Zoning Map – General Area

Exhibit 3: Aerial/Zoning Map – Immediate Area

Exhibit 4: Proposed Site Plan (PD 21-0319)

Requirements for Certification:

1. Remove “20’ building setback” notation within the Potential Stormwater Management Area to the north of the TECO easement. No buildings will be permitted in this area of the site.

2.0 Recommendation

Approvable, subject to the following conditions:

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 31, 2021.

1. The project shall be permitted for a maximum of 25,000 CG (Commercial-General) zoning district uses; however, mini-warehouse facilities shall not be permitted. The existing use of one single-family residence shall be permitted as an interim use until the site is redeveloped.
2. Buildings shall maintain a minimum 30 foot setback from the southern PD boundary (Gibson Drive), a minimum 30 foot setback from the western PD boundary and a minimum 20 foot setback from the eastern PD boundary. Building shall provide a minimum 0 foot setback from the southern boundary of the TECO/Tampa Bay Water easement. No buildings or parking areas shall be located north of the TECO/Tampa Bay Water easement.
3. Buildings, parking and stormwater areas shall be located where generally depicted on the site plan.
4. Building height shall be limited to 50 feet with an additional setback of 2 feet for every 1 foot over 20 feet of building height to be added to minimum side yard setbacks.

- 5. Building facades oriented towards Gibsonton Drive shall not exceed 140 feet in width. Oriented towards shall mean those facades that are parallel to Gibsonton Drive, despite the presence or absence of a building entrance along that façade.
- ~~7~~6. A 30-foot wide buffer with Type B screening shall be provided along the western PD boundary where delineated on the site plan. Buffering and screening within the TECO/Tampa Bay Water easement is not required.
- ~~8~~7. A 20-foot wide buffer with Type B screening shall be provided along the eastern and northern PD boundaries where delineated on the site plan. Buffering and screening within the TECO/Tampa Bay Water easement is not required.
- ~~9~~8. The project's stormwater facilities shall be designed to prohibit the drainage of water into the TECO/Tampa Bay Water easement in a manner that would impede access to or maintenance of the area by TECO.
- ~~10~~9. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
- ~~11~~10. The developer shall construct a westbound to northbound right turn lane on Gibsonton Dr. into the project driveway concurrent with the initial increment of development.
- ~~12~~11. The developer shall construct a vehicular and pedestrian cross access connection, such that the facilities connect to Alafia Trace Blvd. The developer shall also construct a vehicular and pedestrian cross access stubout along its western project boundary.
- ~~13~~12. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

Staff's Recommendation: Approvable, subject to conditions	
Zoning Administrator Sign-off:	 J. Brian Grady Fri May 21 2021 09:54:38

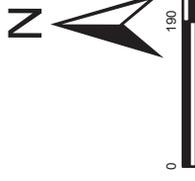


Immediate Aerial Zoning Map

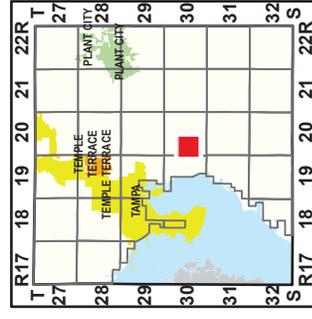
RZ-PD 21-0319

Folio: 76453.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 20-30-20

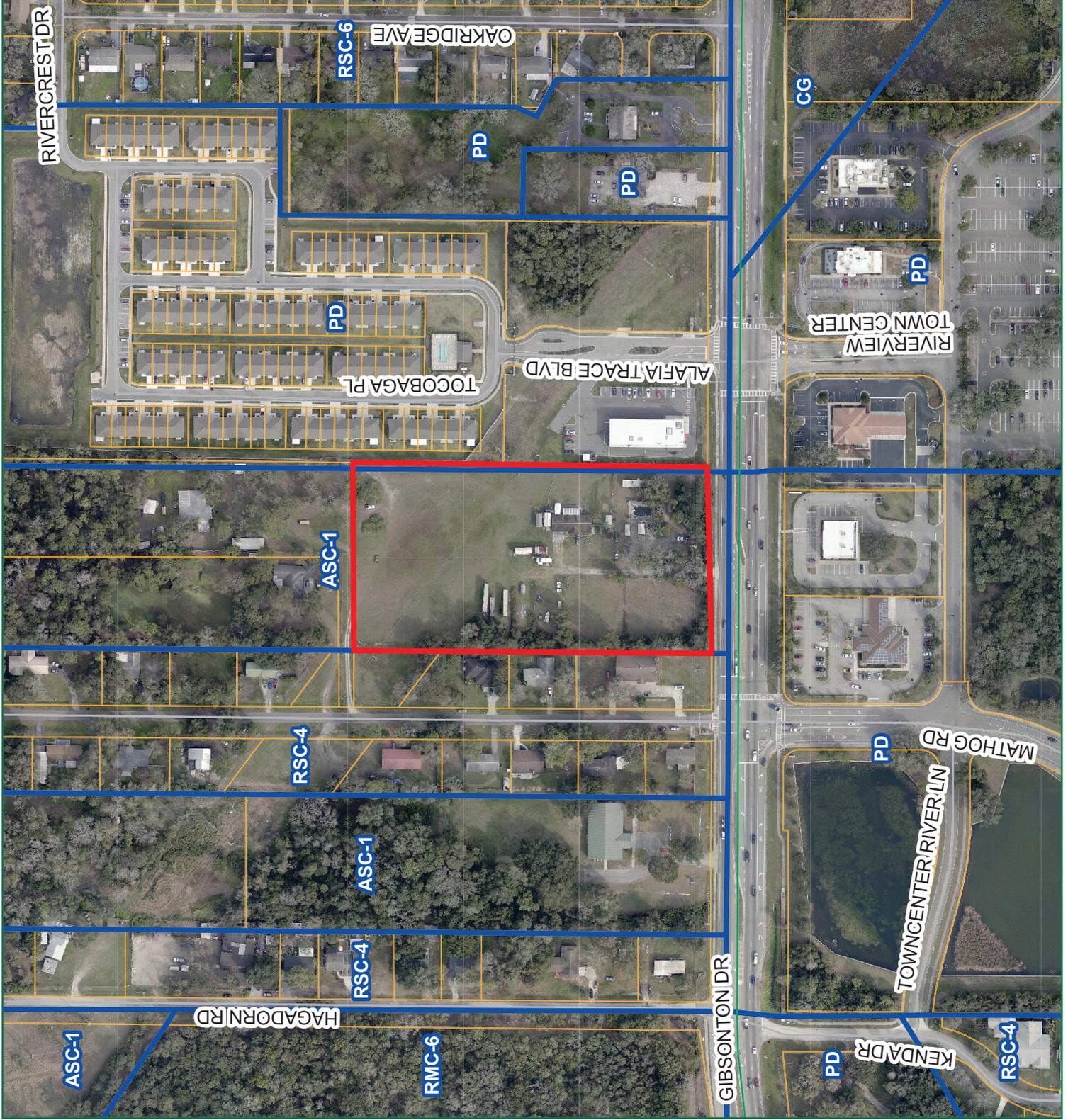


NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public information sources should be consulted for verification of the information contained on this map.



**COUNTY OF HILLSBOROUGH
LAND USE HEARING OFFICER'S RECOMMENDATION**

Application number:	PD 21-0319
Hearing date:	May 17, 2021
Applicant:	Bricklemyer Law Group, PL
Request:	Rezone approximately 4.96 acres from Agricultural, Single-Family Conventional (ASC-1) to Planned Development (PD) to allow for 25,000 square feet of Commercial-General (CG) zoning district uses.
Location:	Northeast quadrant of the Gibsonton Drive and Mathog Road intersection
Parcel size:	4.96 acres +/-
Existing zoning:	ASC-1
Future land use designation:	SMU-6 (6 du/ga; 0.25 FAR)
Service area:	Urban
Community planning area:	Riverview, Southshore Areawide Systems

A. APPLICATION REVIEW

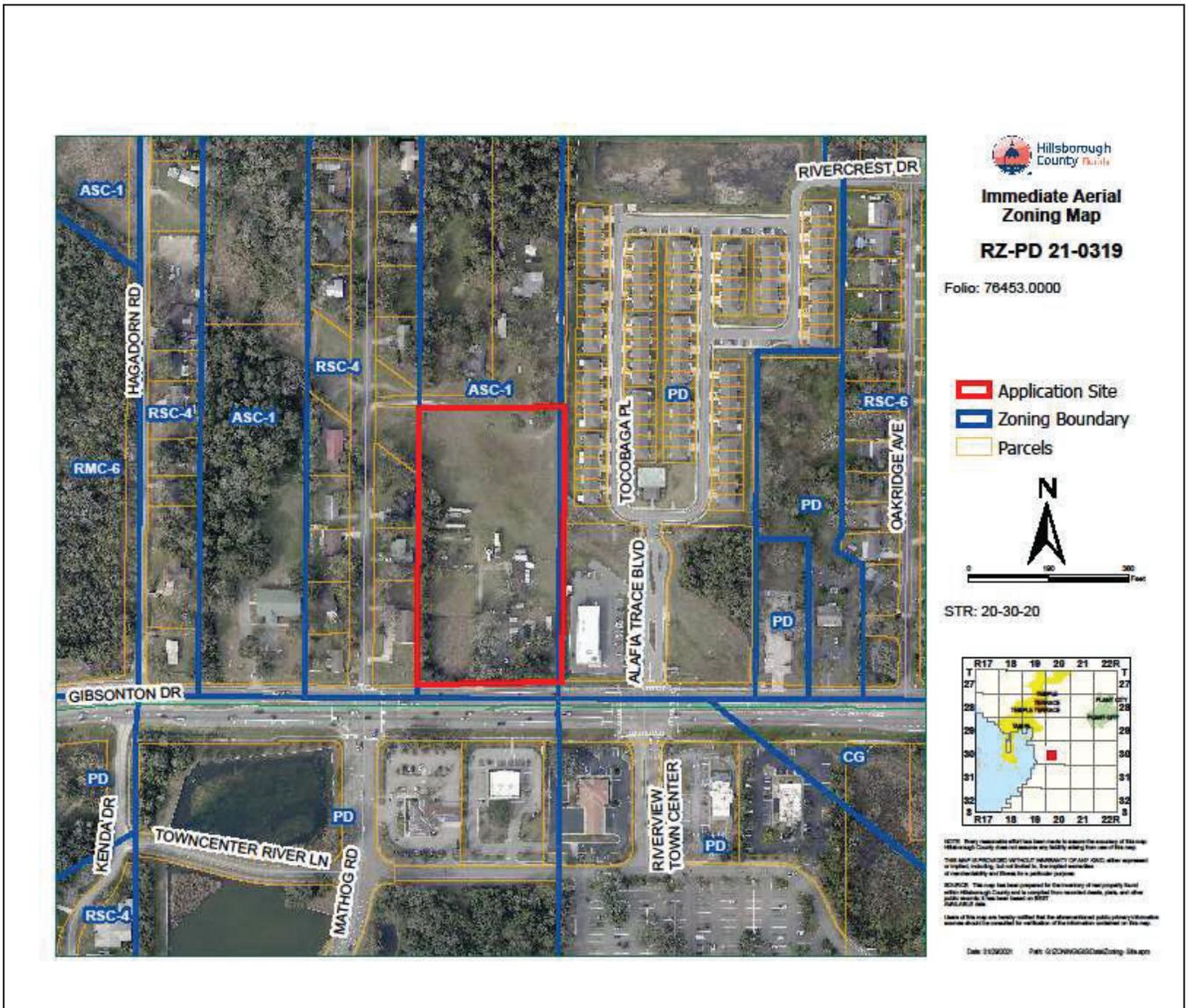
**DEVELOPMENT SERVICES STAFF REPORT
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**



Hillsborough County Florida

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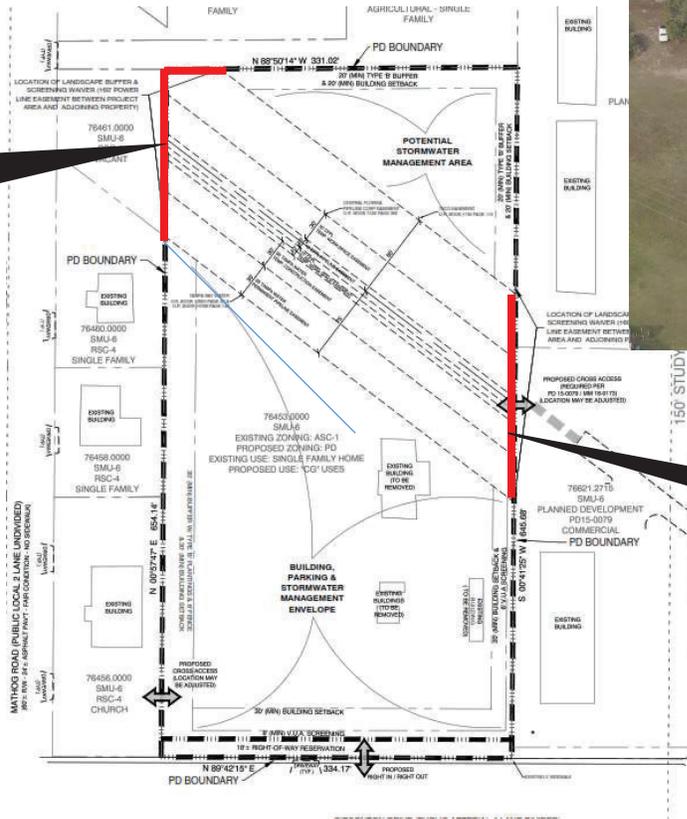
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Staff's Recommendation: Approvable, subject to conditions	
Zoning Administrator Sign-off:	 J. Brian Grady Fri May 21 2021 09:54:38

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on May 17, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Clayton Bricklemyer spoke on behalf of the applicant. Mr. Bricklemyer stated the subject property is approximately 5 acres. He stated there is a large Tampa Electric Company (TECO) easement running through the parcel. Mr. Bricklemyer displayed a graphic and pointed out a driveway in the middle of the subject property. He stated the proposed development would all occur on the south side of the TECO easement.

Mr. Bricklemyer stated the applicant spoke to the neighbors to the west, which are the ones most directly impacted, and beefed up the buffer on that side. He stated the applicant spoke with the Tire Kingdom on the east side of the subject property and they were supportive. He stated the applicant had recent conversations with the townhouse development northeast of the subject property that is separated by a couple hundred feet of buffer. He stated there was concern about self-storage, which is a conditional use under CG zoning. He stated the applicant is proposing self-storage be a prohibited use. Mr. Bricklemyer stated the applicant is also asking for interim uses to continue until such time as the subject property is developed. He stated there is a standard condition providing such but that it was inadvertently left out. Mr. Bricklemyer explained the current seller lives on the subject property and has degrading health but wishes to stay there for as long as they can.

Mr. Bricklemyer stated there are residents here with whom the applicant spoke on the day of the hearing and he thinks they will talk about Alafia Trace Boulevard to the east, which is a private road. He stated the homeowners' association (HOA) owns that road and Tire Kingdom has access to it. He stated the proposed project will cross connect with the Tire Kingdom property where its driveway is anticipated to terminate. Mr. Bricklemyer explained the Land Development Code (LDC) requires cross connections to be provided and the applicant has done that to the east and west of the subject property. He stated anything east of that is a private matter outside the purview of the rezoning process.

Mr. Bricklemyer stated the applicant's engineers were at the hearing and the transportation engineer would speak if there were any substantive traffic issues. He stated the rezoning request has county staff recommendation and Planning Commission staff recommendation and he asked the hearing officer for the same.

The hearing officer asked Mr. Bricklemyer to clarify that the property just to the west of Alafia Trace Boulevard, between the subject property and Alafia Trace Boulevard, was the Tire Kingdom property. Mr. Bricklemyer confirmed that was the Tire Kingdom property. He stated the building and the parking lot can be seen on the aerial view. He stated that

PD has two outparcels on either side of Alafia Trace Boulevard, with townhouses in the back. He stated that is all one PD.

Mr. Brickleyer stated he spoke with [Hillsborough County Transportation Department] James Ratliff and that Mr. Ratliff might be the best one to speak from a staff perspective to provide a sense of what is required regarding the cross connection.

Development Services Department

Ms. Michelle Heinrich, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

Planning Commission

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

Proponents

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

Opponents

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

Ms. Shameya Francis stated the road [Alafia Trace Boulevard] belongs to the HOA. She stated they were not included and only spoke with the applicant the morning of the hearing. She stated they were asking to remove the use of their street [Alafia Trace Boulevard] and the cut-through from Tire Kingdom. She stated they do not want the connection there because it is a private road, not a public road. She stated it has cost a lot of money to maintain the road. She stated Tire Kingdom put in an agreement that is unconscionable and not feasible and it does not work for them. She stated they said they would sit and talk with them to try to make it more feasible. She said her community is not willing to go down this road to have the second issue again. She stated they want no additional use of the road. She stated a lot of the community wanted to actually stop the development. She stated the applicant did explain to them on the morning of the hearing that they are not going to go past the TECO easement. She stated that will work, but the seal off to come through Tire Kingdom to use their property has to go. She stated it has to have a high enough buffer as well.

Ms. Andrea Waller stated she is property manager for them [the HOA]. She stated she wanted to reiterate and make sure the community has as much understanding. She stated this was originally given to them with very little notice and then rescheduled. She stated Gibsonton Drive is being redone in their area and the road improvements will put in a hard median. She asked how the impact to traffic and all of this really being looked at when it comes to the applicant adding more commercial property to a residential

neighborhood. She stated the homeowners at Landings of Alafia were concerned not with trying to stop commercial development, but they want to know how the hard median is going to be placed on Gibsonton Drive and there will be no left turns and no right turns. She asked whether they can request the County give them a traffic survey before they start cutting into their property. She asked whether they can ask for an extension on any of this. She said the community itself just feels like they are being bulldozed right into and if the person behind you wants to sell the property and you don't have a choice. She asked how they find out the best way of going about getting as much information upfront, so everybody is onboard on the same insight. She stated the residents of the Landings of Alafia would like to reject rezoning of the property behind them.

The hearing officer asked whether Ms. Waller was talking about the subject property or a different property. Ms. Waller stated the property that backs in. The hearing officer asked Ms. Waller if she was stating she is in opposition to the rezoning. Ms. Waller stated yes. Ms. Waller asked whether there was a way or do they have to bring it to the table with traffic surveys or impact studies of what it will do. She stated they have the frontage and the private road. She stated they want to make sure they are not getting more commercial property to the left [west] of them like the Tire Kingdom. She stated they want to make sure that there is access to their homes.

The hearing officer told Ms. Waller the hearing officer could not answer Ms. Waller's question. Mr. Grady stated the applicant's transportation consultant can respond to some of Ms. Waller's questions. He stated if there is any relevant information the county's Transportation Department staff could provide that after citizen comment.

Mr. Rick Natowsky stated he is a homeowner and vice president of the association [HOA]. He stated there are a couple of things to consider. He stated they are building a brand-new Aldi out the back entrance of their property. He stated they can no longer go out the back gate and make a left turn. He stated everybody who goes northbound has to go out the front gate because they said they are building a hospital across on [US Highway] 301. He stated they have two entrances or two exists on the property. He stated everybody is going to be forced now in the morning to go out one exit, and that is going to be the front gate. He stated there will be more people going down that road. He stated it is the only way to go northbound on 301 and it is going to be the only way to go northbound on 75. Mr. Natowsky stated the Tire Kingdom already ties up in the morning when everybody is trying to drop off cars to get worked on. He stated when they drop the cars off there is another person coming with another car to pick them up. He stated they do not want to have an access road to come off their private road or any more traffic on there. He stated there is a church just to the west of it that ties up Sunday morning. He stated there is a doctor's office right to the east of the access road that ties up. He stated it is a very old generation that goes into the doctor's clinic over there. He stated there is a lot of emergency that is going to come with the new hospital on 301. He stated they are already starting to tear down the divider on 301 so they cannot go out the back anymore to make that left turn. He stated when they put the cement divider up everybody will have to make a right turn and come back on Gibsonton Road and it is difficult to get to the light where the only light is right at his community's exit and the only other light is past the subject

property. Mr. Natowsky stated he did not know what kind of research has been done. He stated they cannot get out the front gate at 8:00 in the morning. He stated Tire Kingdom screwed that up and now there is a brand-new Aldi and a brand-new hospital and there will be all this other traffic. He asked how emergency vehicles will get through. He stated the road is not going to support all of this. He stated they built the Lowe's across the street and that road was going to go straight through the light. He stated they still haven't painted a white arrow to go straight. He stated there are so many little details that have not been thought through on this process. He states until all these elements are thought through on how to handle all the traffic and he did not want to be the first person with a heart attack trying to get to that hospital in an ambulance.

Ms. Edith Salter stated she and Michael Salter are against the rezoning. She stated Michael lived on the property between the properties for 56 years and she has lived there for 22 years. She stated the traffic is horrendous. She stated it takes 20 to 25 minutes to go four blocks from Mathog to the interstate in the morning. She stated they keep changing the application. She stated they need to make up their mind what the application is for. She stated there is an impact on the animals. She stated she has a picture of gopher turtles. She stated the applicant is talking about putting the drainage on their side, which is the north side. She stated they are not going to have any fence and no buffer zone. She stated they can hear the noise from Tire Kingdom all the way to their house. She stated Tire Kingdom does not abide by the rules because they are open on Sundays and just close the door. She stated their fence is 8 feet high and the applicant is saying no fencing for them on their side. She stated they are afraid that sooner or later they are going to turn on Mathog, which they cannot even get out of. She stated the light signal does not even work and they have to wait at least ten minutes just to get off the street.

Ms. Carol Strachan stated all the developments in the area are accessing the light trying to get to 95. She stated they are the last light, the third of four lights in 3 miles. She stated trying to maneuver through that area is impossible given the multigenerational view of the neighborhood for 56 years. She stated most of the houses have been there for 30 to 50 years. She stated she has been there for a decade and a half. She stated there are kids on the street. She stated it is a dead-end cul-de-sac that culminates into multimillion dollar homes on the Alafia that this light gives access to. She stated there are 25 working families trying to get in and out of there every day already. She stated the runoff is important for the surface. She stated they are all on septic tank so when the water rises it just adds to more problems. She stated the county has manicured the ditches, but the water still rolls over their driveways. She stated at 4:00 in the morning the dumpster noise at Tire Kingdom wakes her up. She stated there were 8 children playing on the bicycles and roller skating on the dead-end street when she left today, and it is a safe place for children to play. She stated bringing in certain types of businesses and commercials takes away that entire view of the integrity of the neighborhood and strips it all away and leaves it unsafe. She asked that this information be taken into consideration.

Mr. Mike Salter stated he owns all the property north of Temple, Gibsonton Drive. He stated when they put the apartments in they swore they would never use his back gate and it would be emergency vehicles only. He stated when people bought their condos

there they all got remotes to go out the gates. He stated he spoke to the church and they did not know anything about the rezoning. He stated they did not know they were going to use their driveway and are still laughing. He stated some of the houses the applicant said they talked to the residents told him they have not talked to them. He stated no one had received notice and no one has known anything. He stated as soon as they get their okay they can open this up to anything and even put a bus station in. He stated they are going to put a hill in front of his house for the pond and he is okay with that. He said the buffer, if they gave 15 feet it would save one beautiful oak tree that is sitting in that one corner. He stated he had a fence but took it down because he got a two-car haul that hauls cars. He said the fence is going to go back up. He stated he has paving stones for his driveway sitting in his front yard that he has to put in. He stated they are going to use Mathog as an access road to go out and there is just no way. He stated between the kids and other things Mathog is just not an idea to be going out with the traffic. He stated he heard they are only going to use the front half and that is the first he heard about this. He stated his sister lives in one house, and he lives in the other house and they face this place. He stated no one has talked with them at all. He stated he has crossed surveyors on his property surveying his property. He stated he did not hire them.

Mr. Jim Ladner stated he cannot get out of Mathog in the morning. He stated the people coming down Gibsonton Drive will stop right in front when the light changes so he cannot get across. He stated cars are backed up so far that they are stopped right in front. He said it is ridiculous that they are going to put that much traffic coming out of Mathog Road.

Development Services Department

Mr. Grady stated Mr. Ratliff with Hillsborough County Transportation wished to make comments.

Mr. James Ratliff referred to comments made by the first or second opposition speaker and stated there are no plans showing on the county Capital Improvements Project viewer that indicate any plan to close the median in front of the project. He stated there is a resurfacing project, but that does not change the roadway configuration. He suggested the speaker might contact the Public Works Department if they have questions about a roadway project they might have heard about that has not yet made it to the website.

Regarding the cross-access issue, Mr. Ratliff stated the Alafia Trace Boulevard project is part of a Planned Development that was recently modified by file no. 18-0173. He stated there is an approved condition, condition No. 12 with that PD, that does require cross access to the western project boundary. He stated that was a condition of approval that was placed on the PD from the initial PD approval. He stated this is also a requirement of the LDC at section 6.04.03.Q. He stated part of the reason for that provision is that cross access is designed to help alleviate traffic unnecessarily travelling on Gibsonton Drive. He stated trips between adjacent businesses and residences to people who visit those businesses without having to put additional pressure onto Gibsonton Drive. He stated that is why the LDC requires vehicular-pedestrian cross access and that is why the PD was approved requiring that cross access. Mr. Ratliff stated the proposed project will be required to provide cross access as well.

Regarding the emergency access gate, Mr. Ratliff stated the PD zoning restricts that access to emergency access only. He stated that is not relevant to this PD except to the extent that the trips that were studied during the initial Alafia Trace Boulevard project approval was assumed to come in and out of that. He stated this was already looked at during the initial approval of this project and that is how it was set up to be operated from the inception. He stated the project also studied traffic impacts onto Gibsonton and the amount of traffic that would be using the cross access to the east.

Regarding citizen comments about traffic on Mathog Road, Mr. Ratliff stated there is no proposed access on Mathog. He stated the applicant is required to provide vehicular and pedestrian stub-out to the proposed project's western boundary but will not actually connect to Mathog. It stated the project would connect only to development or redevelopment that meets the criteria of the LDC and would have to connect at such time. He stated he wanted to clarify there will not be any immediate connection to Mathog.

Applicant Rebuttal

Mr. Bricklemeyer stated he would talk about some of the issues raised and would have Mr. Henry talk about transportation.

The hearing officer asked Mr. Bricklemeyer to address notice because several citizens mentioned that. She asked whether notice went out to the HOA.

Mr. Bricklemeyer stated notice did go out to the HOA and the HOA called him. He stated the applicant did not make affirmative efforts to reach out to the community because they were so far removed from the property. He stated they did attempt to contact people west of the subject property. He stated notice was proper.

Mr. Bricklemeyer stated there will be no access to Mathog. He stated there is an easement agreement that imposes some obligations on the Tire Kingdom. He stated in talking with the HOA board and attorney the applicant has committed to enter into a similar agreement.

Mr. Bricklemeyer stated regarding mention of a fence that TECO would not let the applicant put up screening in the area of the TECO easement. He stated that there is not only a TECO easement but also a water and gas easement running through that area.

Mr. Peter Pensa stated he is a professional land planner. He stated there is a LDC requirement for cross access in the PD section at LDC section 5.03.05, and subparagraph C.2, which requires PD general site plans to provide cross access. He stated LDC section 6.04.03.Q. requires vehicular and pedestrian cross access when the site is located on access classifications 1 through 6 and whether it is a commercial or office land use rezoning adjacent to commercial or office zoned property on the same roadway. He stated the PD to the east of the subject property is a master planned mixed-use project. He stated the Tire Kingdom is in the front of that property with townhomes to the rear. He stated there is a requirement for cross access. He stated the PD plan and aerials show the Tire Kingdom did provide a stub-out for cross access and the proposed project is

required to provide that connection. He stated the proposed project is also required to provide the cross access to the west to the church even though they do not have the physical means to complete that cross access. He stated it would be a future connection at such time the site redevelops and goes through its approval process.

Mr. Pensa stated he is not a biologist or environmental scientist, but gopher tortoises and any other listed protected species would be addressed through a site visit and environmental assessment, and if they are present the applicant will have to comply with county, state, and federal requirements for protection of those species.

Regarding drainage, Mr. Pensa stated it is anticipated that all the drainage will be addressed south of the 170-foot utility corridor, but the applicant did provide for the ability to do a little bit of stormwater management around the north side if necessary.

Mr. Bricklemyer stated he hoped there was time for Mr. Henry to address the operational project. The hearing officer asked whether he could do so in two minutes. Mr. Bricklemyer stated he could.

Mr. Henry stated the proposed project's primary access is off of Gibsonton Drive where there will be a right-in, right-out. He stated the applicant will construct a right turn lane and the majority of the site's traffic will use that driveway. He stated there is an improvement being done on US Highway 301 in conjunction with the hospital that is being built. He stated his company did that traffic study and he has the counts at Rivercrest drive and 301. He stated in the a.m. there are 12 cars making that left, and in the p.m. there are 7 cars. He stated the impact, if they are allowed to use it—and it sounds like that is supposed to be an emergency access—if they are, the impact to that closure is minimal from that standpoint. Mr. Henry stated he looked at the operation of the intersection and he does not believe the proposed project will have a significant impact on the operation of the Alafia and Gibsonton Drive intersection.

The hearing officer closed the hearing on PD 21-0319.

C. EVIDENCE SUBMITTED

No additional documentary evidence was submitted at the hearing.

D. FINDINGS OF FACT

1. The subject property consists of approximately 4.96 acres located on Gibsonton Drive east of Mathog Road.
2. The subject property is designated SMU-6 on the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County Future Land Use Map*.

3. The subject property is in the Urban Services Area and is within the boundaries of the Riverview Community Plan and the Southshore Areawide Systems Plan.
4. The subject property is zoned ASC-1. The applicant has requested to rezone the subject property to PD to allow development of 25,000 square feet of CG uses. The maximum intensity is 0.25 Floor Area Ratio (FAR), or 54,014 square feet. The proposed project will result in an FAR of 0.11.
5. The subject property does not meet locational criteria and the applicant has requested a waiver. Planning Commission staff recommends the Board of County Commissioners approve the locational criteria waiver.
6. This area of the Gibsonton Drive corridor is developed with residential and non-residential uses. Properties north of the subject property is zoned ASC-1 and developed with single-family homes on large lots. Properties south of the subject property and across Gibsonton Drive are zoned PD and developed with commercial uses. Properties west of the subject property are oriented toward Mathog Road and are zoned RSC-4 with development that includes a church and a single-family residential subdivision. Properties east of the subject property are zoned PD and include a heavy commercial use and a townhome development.
7. The proposed project will locate a stormwater pond in the northern area between the commercial use and the residential uses north of the subject property. A 160-foot-wide TECO easement separates the townhome development east of the subject property from the proposed commercial use.
8. The applicant has requested a variation to Land Development Code (LDC) Part 6.06.00 (Landscaping and Buffering) for portions of the western-northwestern and eastern PD boundaries in areas where an easement bisects the subject property.
9. LDC section 5.03.06.C.6.d. requires the Zoning Hearing Officer to make findings regarding whether the variations requested as part of a Planned Development rezoning meet the criteria of LDC section 5.03.06.C.6.b.

Findings on LDC 5.03.06.C.6.b. variation criteria:

1. **The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.** Yes. The subject property is burdened by a 160-foot-wide utility easement that bisects the subject property from southeast to northwest. Development is prohibited within the easement area. Therefore, no fencing or landscaping may be installed along the subject property boundary in the easement area. Development will be situated on the southern portion of the subject property where buffering and screening will be provided. A stormwater retention area will be located on the northeast portion of the subject property.

2. **The variation is mitigated through enhanced design features that are proportionate to the degree of variation.** Yes. Development will be situated on the southern portion of the subject property where buffering and screening will be provided. The 160-foot-wide utility easement area bisecting the subject property will remain undeveloped. A stormwater retention area will be located on the northeast portion of the subject property. Therefore, the utility easement and stormwater retention area will separate residential uses from the commercial development.
3. **The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.** Yes. The variation is in harmony with the purpose and intent of the LDC because the site design adequately separates incompatible land uses and provides protections for residential uses north, west, and east of the subject property.
4. **The variation will not substantially interfere with or injure the rights of adjacent property owners.** Yes. The site design adequately separates incompatible land uses, provides screening and buffering around the proposed commercial development, and provides protections for residential uses north, west, and east of the subject property.

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

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

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant’s testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The subject property consists of approximately 4.96 acres zoned ASC-1. The applicant has requested to rezone the subject property to PD to allow development of 25,000 square feet of CG uses. The maximum intensity is 0.25 Floor Area Ratio (FAR), or 54,014 square feet. The proposed project will result in an FAR of 0.11.

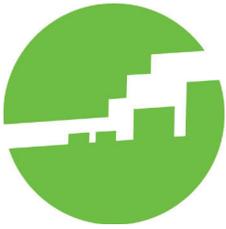
H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request.

Pamela Jo Hatley
Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

June 7, 2021

Date:



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: May 17, 2021	Petition: PD 21-0319
Report Prepared: May 10, 2021	<i>Northeast quadrant of the Gibsonton Drive and Mathog Road intersection</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Suburban Mixed Use-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan:	Riverview, Southshore Areawide Systems
Rezoning Request:	Agricultural Single-Family Conventional-1 (ASC-1) to Planned Development (PD) allowing for 25,000 sq. ft. of Commercial General uses (CG)
Parcel Size (Approx.):	4.96 +/- acres
Street Functional Classification:	Mathog Road – Local Gibsonton Drive – Arterial
Locational Criteria	The site does not meet Commercial Locational Criteria; a waiver has been submitted for review.
Evacuation Zone	The subject property is located within Evacuation Zones D & E.



Context

- The subject property is located on approximately 4.96 acres northeast of the Gibsonton Drive and Mathog Road intersection. The subject property is located within the Urban Service Area. It falls within the limits of the Riverview Community Plan within the Highway 301 Corridor Character District.
- The site has a Future Land Use designation of Suburban Mixed Use-6 (SMU-6) with typical uses of residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of a larger mixed use planned development. Office uses are not subject to locational criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject property is designated Suburban Mixed Use-6 (SMU-6) on the Future Land Use Map. SMU-6 is located all around the subject property. Office Commercial-20 (OC-20) is located to the southeast of the property across Gibsonton Drive.
- The subject property is classified as a single-family residential lot and is zoned Agricultural Single-Family Conventional-1 (ASC-1). Single-family and vacant lots are located to the north and west of the subject property with ASC-1 and Residential Single-Family Conventional-4 (RSC-4) zoning. A church is also located to the west and is zoned RSC-4. Single and multi-family and heavy commercial development with Planned Development (PD) zoning are located to the east.
- The applicant requests to rezone the subject property from Agricultural Single-Family Conventional-1 (ASC-1) to a Planned Development (PD) allowing for 25,000 sq. ft. of Commercial General (CG) uses.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and

architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Neighborhood/Community Development

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

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

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

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

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

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

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

Commercial-Locational Criteria

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

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

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

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

Policy 22.7: *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.*

Community Design Component

5.0 Neighborhood Level Design

5.1 COMPATIBILITY

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

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

Livable Communities Element: Riverview Community Plan

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

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

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

Mixed Use-Commercial-Residential

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

Staff Analysis of Goals, Objectives, and Policies:

The subject property is located on approximately 4.96 acres northeast of the Gibsonton Drive and Mathog Road intersection. The subject property is located within the Urban Service Area. It falls within the limits of the Riverview Community Plan within the Highway 301 Corridor District. The applicant requests to rezone the subject property from Agricultural Single-Family Conventional-1 (ASC-1) to a Planned Development (PD) allowing for 25,000 sq. ft. of Commercial General (CG) uses.

The subject site does not meet Commercial Locational Criteria. A waiver has been submitted for review. According to the waiver, the proposed development is consistent and compatible with the surrounding area. The development will provide neighborhood serving commercial uses that complement the proposed mixed-use development as well as meeting the needs of new and existing residential development in the surrounding area. The project seeks to develop the area south of the large TECO easement. The waiver states that the adjacent properties to the proposed development are themselves developed as a church (west), a Tire Kingdom (east) and a Lowe's anchored shopping center (south). The block on the north side of Gibsonton Drive from Mathog to Oakridge Avenue is already over 50% non-residential.

Planning Commission staff has reviewed the waiver. The subject property is located within the Suburban Mixed Use-6 (SMU-6) category. The intent of the SMU-6 area is for urban/suburban in intensity and density of uses, with development occurring as the provision and timing of transportation and public facility services necessary to support these intensities and densities are made available. Neighborhood retail commercial uses shall be clustered at arterial and collector intersections. Strip development with separate driveway access for commercial uses to arterials shall be prohibited. Other non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses. While the site does not meet Commercial Locational Criteria, it does front on and have full access to Gibsonton Drive, an arterial. The maximum FAR for SMU-6 is 0.25, which allows up to 55, 647 sq. ft. to be considered on the subject site. The request is for 25,000 sq. ft. (0.11 FAR) which is less than the maximum allowable intensity.

The site plan proposes a 30-foot Type B buffer (minimum), fence and a 30-foot setback (minimum) along the western boundary of the property near single-family residential lots. A 20-foot setback (minimum) and 20-foot buffer (minimum) is proposed along the northern and north eastern property boundary which is also adjacent to single-family. Development is not being requested north of the TECO easement which results in the development being located closer to Gibsonton Drive, placing it in a similar position with the heavy commercial development (PD 15-0079) located to the east. A 20 ft. setback is proposed south of the TECO easement to the east adjacent to the existing heavy commercial development. A stormwater facility is proposed north of the TECO easement.

A cross access is proposed to the west to an existing church. A cross access is proposed to the east to neighboring commercial development due to PD 15-0079 requirements. A full access to Gibsonton Drive is also proposed. The request is consistent with Policy 16.5 (FLUE), which requires development of higher intensity non-residential land uses that are adjacent to established neighborhoods be restricted to collectors and arterials and to locations external to established and developing neighborhoods. The proposed development is located along Gibsonton Drive, an arterial.

The buffering and building setbacks meet the intent of Policies 16.1, 16.2 and 16.3 (FLUE). Policy 16.2 requires gradual transitions of intensities between different land uses be provided for as new development is proposed and approved. The use of professional site planning, buffering and screening techniques and control of specific land uses should be utilized. The 30-foot buffer and building setbacks to the east and 20-foot buffer and building setbacks to the north and northeast provide a gradual transition to the residential lots nearby.

The subject property is located within the limits of the Riverview Community Plan. The Plan seeks to achieve better design and densities that are compatible with Riverview's vision by avoiding strip commercial development. The applicant has committed to a condition of approval that provides for frontage restrictions which helps to implement the vision of the Community Plan's strategy to avoid strip commercial development. The subject property is located within and is consistent with the Riverview Community Plan's Highway 301 Corridor District. The district envisions a mixed-use area with high densities and a variety of businesses. The request will provide an opportunity for businesses and helps to facilitate the vision of the Highway 301 Corridor District. The Planning Commission recommends the Hillsborough County Board of County Commissioners approve the Commercial Locational Criteria waiver.

Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.

Overall, staff finds that the proposed development would facilitate growth within the Urban Service Area and supports the vision of the Riverview Community Plan. The request would allow for a development that is consistent with the Goals, Objectives and Policies of the Future Land Use Element of the *Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County*.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE

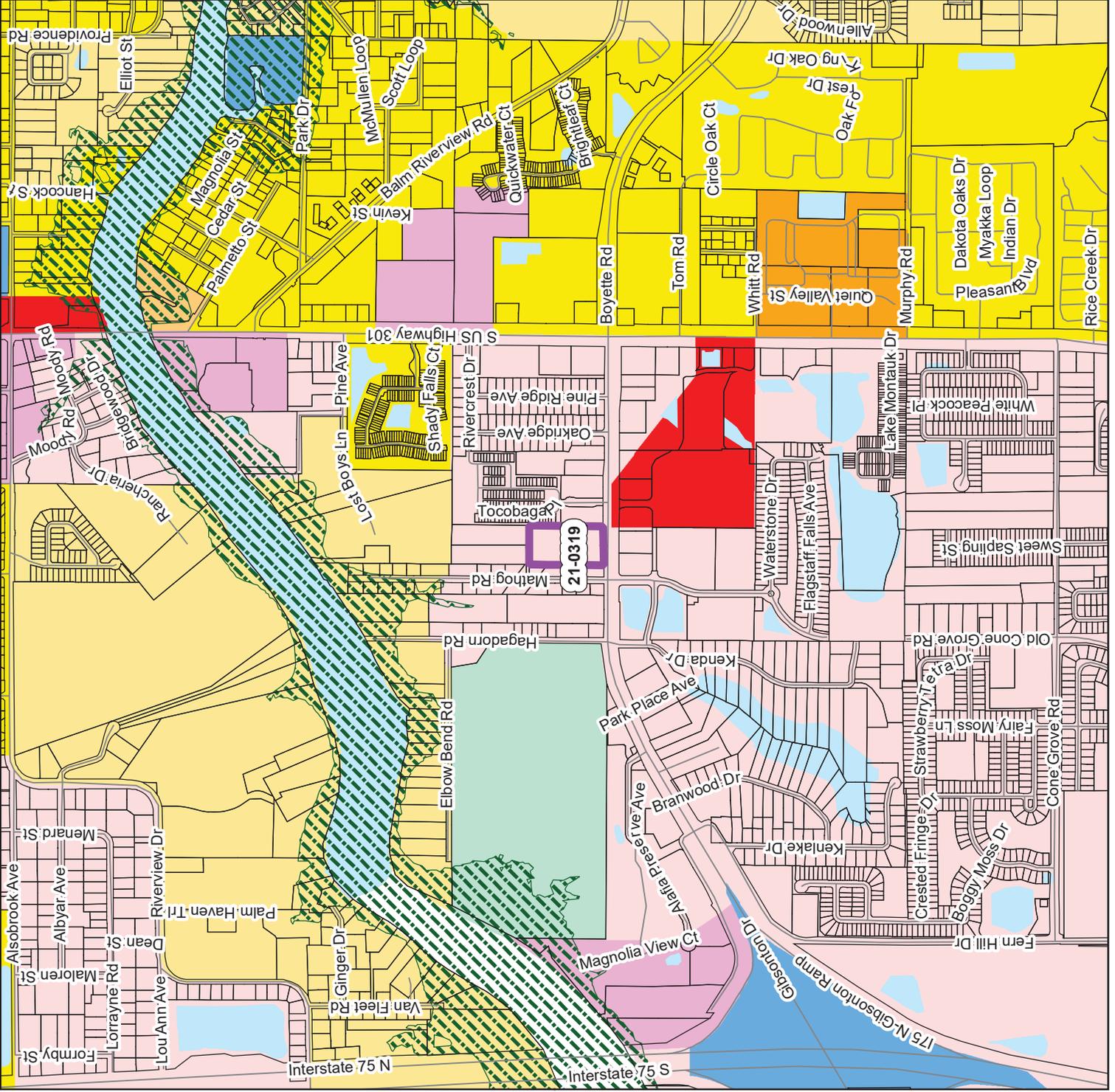
RZ PD 21-0319

-all other values-



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status and other information on this map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 3/19/2021
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HillCo\Re\Rezoning - Copy.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**



**Hillsborough
County Florida**

**BOARD OF COUNTY
COMMISSIONERS**

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COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name: _____

Zoning File: _____ **Modification:** _____

Atlas Page: _____ **Submitted:** _____

To Planner for Review: _____ **Date Due:** _____

Contact Person: _____ **Phone:** _____

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 Plan for the following reasons:

Reviewed by: _____ **Date:** _____

Date Agent/Owner notified of Disapproval: _____

SITE DATA

FOLIO NUMBER(S): 076453-0000
PROPERTY LOCATION: 10410 GIBSONTON DRIVE, RIVERVIEW
EXISTING ZONING: ASC-1 (AGRICULTURAL - SINGLE-FAMILY CONVENTIONAL)
PROPOSED ZONING: PD (PLANNED DEVELOPMENT)
FUTURE LAND USE: SMU-6 (SUBURBAN MIXED USE (FAR 0.50))
EXISTING USE: SINGLE FAMILY HOME & MOBILE HOME
PROPOSED USE: 25,000 SQ. FT. COMMERCIAL USE(S)
COMMERCIAL GENERAL (CG) ZONING DISTRICT ALLOWED USES SHALL APPLY
EXISTING RESIDENTIAL USES/STRUCTURES MAY REMAIN AS AN INTERIM PERMITTED USE UNTIL
THE PROPERTY IS REDEVELOPED.

AREA CALCULATIONS: ENTIRE PD: 4.96± AC
WETLAND AREA: 0.00± AC
NATURAL WATER BODIES: 0.00± AC
MAN-MADE WATER BODIES: 0.00± AC
ENVIRONMENTALLY SENSITIVE AREAS: 0.00± AC
GROSS PROJECT AREA: 4.96± AC (216,156.8± SF)

DEVELOPMENT STANDARDS:
COMMERCIAL GENERAL (CG) ZONING DISTRICT STANDARDS SHALL APPLY WHERE STANDARDS ARE
NOT SPECIFIED ON THIS PLAN OR THE CONDITIONS OF APPROVAL.

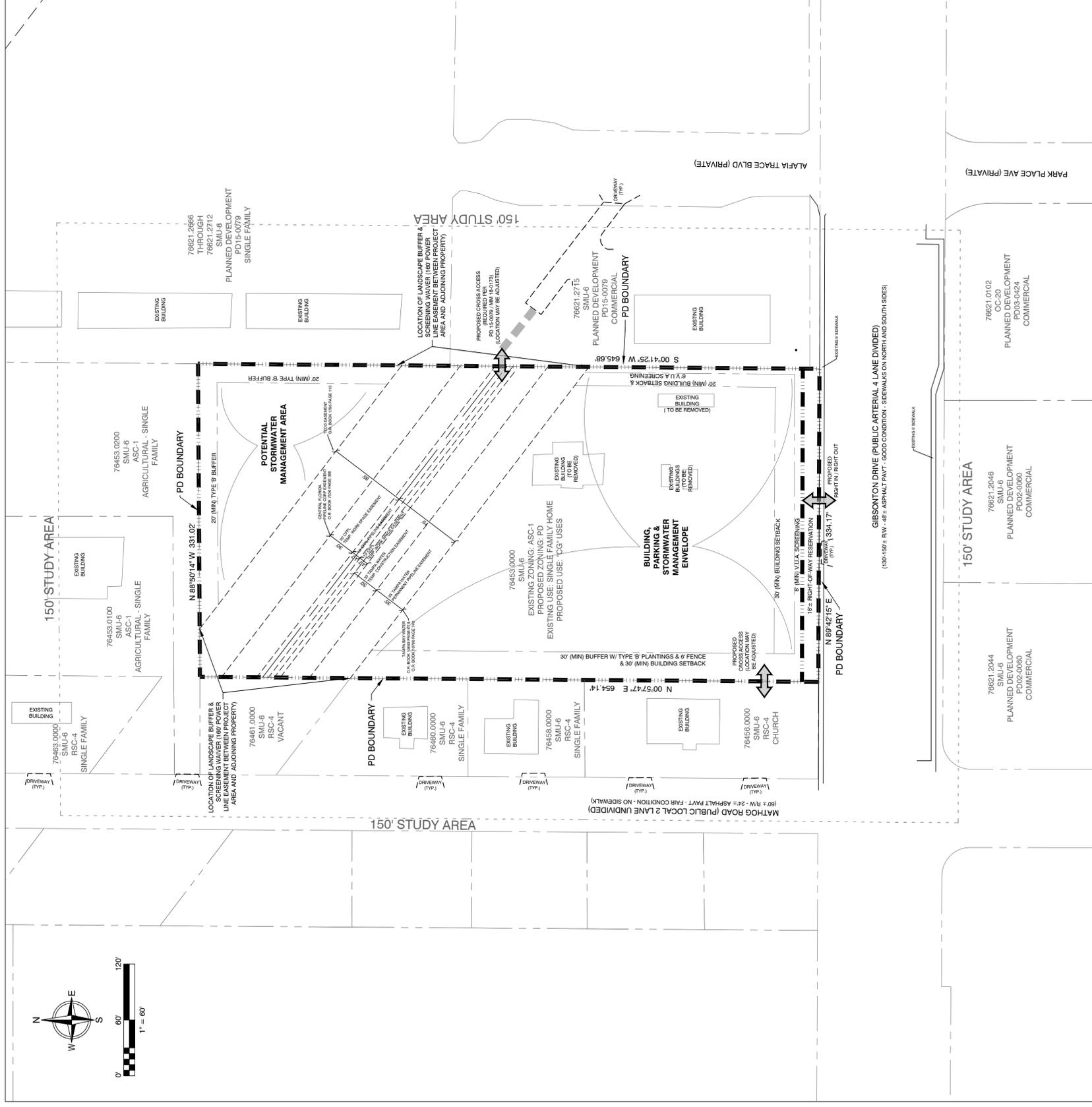
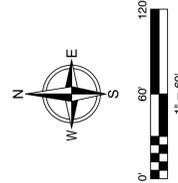
FLOOR AREA RATIO (FAR): 0.27 (68,382 SQ. FT.) (MAX - POTENTIAL PER SMU-6 FLU)
BUILDING COVERAGE: 27% (MAX)
BUILDING HEIGHT: 50 FEET (MAX)
IMPERVIOUS SURFACE AREA: 70% (MAX)

PERIMETER SETBACKS (MIN)
FRONT: 30'
SIDE (west): 30'
SIDE (east): 20' (ABUTTING RESIDENTIAL) / 0' (ABUTTING COMMERCIAL)
REAR: 20' (ABUTTING RESIDENTIAL)

PERIMETER BUFFERS & V.U.A. SCREENING (MIN)
FRONT: 8' V.U.A. SCREENING
SIDE (west): 30' (MIN) W/ TYPE 'B' BUFFER PLANTINGS & 6' FENCE
SIDE (east): 6' V.U.A. SCREENING (20' TYPE 'B' ADJACENT TO RESIDENTIAL WITH PD VARIATION)
REAR: 20' POWER LINE EASEMENT TO POWER LINE EASEMENT
INTERNAL: 0' (PD VARIATION TO WAIVE INTERNAL SCREENING/BUFFERING BETWEEN PARCELS)

- NOTES:**
- NO FLEX OF THE COMPREHENSIVE PLAN BOUNDARY IS REQUESTED.
 - NO RESIDENTIAL DEVELOPMENT IS PROPOSED. HOWEVER, THE EXISTING RESIDENTIAL USES/STRUCTURES MAY REMAIN AS AN INTERIM PERMITTED USE UNTIL THE PROPERTY IS REDEVELOPED.
 - PROJECT IS LOCATED IN THE RIVERVIEW PLANNING AREA.
 - PROJECT IS NOT LOCATED IN AN OVERLAY DISTRICT.
 - PROJECT IS NOT LOCATED IN A COASTAL HIGH HAZARD AREA.
 - PROJECT IS NOT LOCATED IN A WELLHEAD RESOURCE PROTECTION AREA.
 - PROJECT IS NOT LOCATED IN A SURFACE WATER RESOURCE PROTECTION AREA.
 - PROJECT IS NOT LOCATED IN A POTABLE WATER WELL FIELD PROTECTION AREA.
 - PROJECT IS NOT LOCATED IN A POTABLE WATER PROTECTION IMPACT ZONE.
 - NO SPECIFIC ARCHITECTURAL DESIGNS ARE PROPOSED.
 - WAIVER OF THE INTERSECTION CRITERIA FOR THE LOCATION OF COMMERCIAL USES IS REQUESTED PER FUTURE LAND USE POLICY 22.8 OF THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN.
 - VARIATION IS REQUESTED TO PART 6.06.04.E AND 6.06.06.A TO WAIVE THE V.U.A. SCREENING AND BUFFERING BETWEEN NON-RESIDENTIAL USES WITHIN THE PLANNED DEVELOPMENT.
 - VARIATION IS REQUESTED TO PART 6.06.05 OF THE LAND DEVELOPMENT CODE TO WAIVE REQUIRED PLANTINGS WITHIN THE POWER LINE EASEMENT.
 - VARIATION IS REQUESTED TO PART 6.07.00 OF THE LAND DEVELOPMENT CODE TO WAIVE REQUIRED BUFFER WALL SCREENING WITHIN THE POWER LINE EASEMENT.
 - NO OTHER VARIATIONS ARE REQUESTED TO PART 6.05.00, PART 6.06.00, OR PART 6.07.00 OF THE LAND DEVELOPMENT CODE.
 - PROJECT IS LOCATED IN THE URBAN SERVICE AREA. WATER AND SEWER SERVICES TO BE PROVIDED BY HILLSBOROUGH COUNTY UTILITIES.
 - ALL EXISTING STRUCTURES AND IMPROVEMENTS WITHIN THE PROJECT AREA SHALL BE REMOVED.
 - NO COMMON OPEN SPACE/RECREATION AREAS ARE PROPOSED.
 - NO PUBLIC PARK LANDS OR PUBLIC SCHOOL SITES ARE PROPOSED.
 - NO DESIGNATED HISTORIC LANDMARKS AND OTHER HISTORICAL OR ARCHEOLOGICAL SITES AND STRUCTURES ARE LOCATED WITHIN 150 FEET OF THE PROJECT BOUNDARIES.
 - BUS STOPS/SHELTERS ARE NOT LOCATED WITHIN 150 FEET OF THE PROJECT BOUNDARIES. PUBLIC UTILITIES SHALL BE PROVIDED AS REQUIRED BY SECTION 6.02.17 OR 6.03.09 OF THE LAND DEVELOPMENT CODE.
 - PROJECT BOUNDARIES ARE APPROXIMATELY OBTAINED FROM AERIAL PHOTOGRAPHS.
 - NO DESIGNATED HISTORIC LANDMARKS AND OTHER HISTORICAL OR ARCHEOLOGICAL SITES AND STRUCTURES ARE LOCATED WITHIN 150 FEET OF THE PROJECT BOUNDARIES.
 - EXISTING AND PROPOSED POINTS OF INGRESS/EGRESS, INCLUDING THOSE TO BE CLOSED OR MODIFIED, ARE SHOWN AND LABELED ON THE PLAN. PROJECT ROADS (NONE PROPOSED) SHALL BE PRIVATE AND WILL NOT BE GATED.
 - PROPOSED GROSS ACCESS WITH FOLIO # 76621.2715 IS CONCEPTUALLY DEPICTED. THE LOCATION MAY BE ADJUSTED AT TIME OF SITE PLAN SUBMITTAL.
 - PROPOSED GROSS ACCESS WITH FOLIO # 76621.2715 IS REQUIRED PER PD 15-0079 / MM 18-0773 AND APPROVAL BY HILLSBOROUGH COUNTY AND THE PROPERTY OWNER AND IS SUBJECT TO REVIEW BY CENTRAL FLORIDA PIPELINE CORP., AND TAMPA WATER.
 - 18 FEET OF RIGHT-OF-WAY RESERVATION IS PROPOSED ALONG THE GIBSONTON DRIVE PROPERTY FRONTAGE, AS SHOWN ON THE PLAN.
 - DEPICTION OF WATER COURSES, LAKES, CONSERVATION AREAS, PRESERVATION AREAS, WOODED AREAS, UPLAND HABITAT AREAS, OR OTHER NATURAL FEATURES WITHIN THE PROJECT BOUNDARIES, OR WITHIN 150 FEET OF THE PROJECT BOUNDARIES, ARE APPROXIMATELY OBTAINED FROM AERIAL PHOTOGRAPHS.
 - PARCEL OWNER SHALL BE RESPONSIBLE FOR CONTINUING OPERATION AND MAINTENANCE OF REAR FACILITIES AND IMPROVEMENTS FOR COMMON USE BY THE OCCUPANTS AND/OR THEIR VISITORS LOCATED WITHIN THEIR PARCEL. THESE AREAS WILL NOT BE PROVIDED, OPERATED OR MAINTAINED AT GENERAL PUBLIC EXPENSE.
 - DEVELOPER SHALL ENACT AGREEMENTS, COVENANTS, CONTRACTS, AND/OR DEED RESTRICTIONS TO PROTECT THE PUBLIC INTEREST AND TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE. SUCH AGREEMENTS, COVENANTS, CONTRACTS, AND/OR DEED RESTRICTIONS SHALL BE BINDING ON ALL SUCCESSIVE OWNERS AND DEVELOPERS OF ALL OR ANY PORTION OF THE PLANNED DEVELOPMENT.

10410 GIBSONTON DRIVE GENERAL DEVELOPMENT PLAN HILLSBOROUGH COUNTY, FLORIDA SECTION 20, TOWNSHIP 30 SOUTH, RANGE 20 EAST REZONE TO PLANNED DEVELOPMENT (PD 21-0319)



VICINITY MAP

SCALE: "N.T.S."



LEGEND

- PD BOUNDARY
- PROPERTY LINE
- WETLAND JURISDICTIONAL LINE
- PRIMARY BUILDING SETBACK LINE
- PEDESTRIAN CIRCULATION
- R/W TO BE DEDICATED TO COUNTY
- R/W TO BE VACATED BY COUNTY
- R/W TO BE DEDICATED BY OTHERS
- STORMWATER WETLAND MITIGATION & FLOODPLAIN COMPENSATION AREA
- EXISTING STRUCTURE ENVELOPE WITHIN 150 FT OF SITE BOUNDARY
- PROPOSED ACCESS / CROSS-ACCESS
- EXISTING ACCESS / CROSS-ACCESS (TO REMAIN)
- 018899-0300 FOLIO NUMBER
- OC-20 FUTURE LAND USE CATEGORY
- PD ZONING CATEGORY
- Office/Retail CURRENT USE OF PROPERTY
- A A TYPICAL SECTION

DEVELOPMENT TEAM

PROPERTY OWNER: CIVIL ENGINEER / PLANNER:
ROSWELL INVESTMENTS, LLC
10410 GIBSONTON DRIVE
RIVERVIEW, FL 33578-5401
PHONE: (727) 789-9500

DEVELOPER: TRANSPORTATION ENGINEER:
ROSWELL INVESTMENTS, LLC
LINKS & ASSOCIATES, INC.
5023 W. LAUREL ST.
TAMPA, FLORIDA 33606
PHONE: (813) 251-1544

ATTORNEY:
BROCKMEYER LAW GROUP
801 N. ASHLEY DRIVE, SUITE 700
TAMPA, FLORIDA 33602
PHONE: (813) 251-7700

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF REAL PROPERTY SITUATE IN HILLSBOROUGH COUNTY, FLORIDA, TO WIT: THE WEST ON HALF OF THE SOUTH ON HALF OF GOVERNMENT LOT 2 AND LOT 1 IN SECTION 20, TOWNSHIP 30 S., RANGE 20 E., HILLSBOROUGH COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY ALONG THE SOUTH BOUNDARY THEREOF.

BEING 10410 GIBSONTON DR., RIVERVIEW, FL AND BEGINNING AT A POINT 500.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE WEST ONE HALF OF GOVERNMENT LOT 2 AND RUN NORTH 199.4 FEET, NORTH 52° 47' WEST 130.2 FEET, SOUTH 199.4 FEET TO A POINT NORTH 52° 47' WEST FROM BEGINNING AND SOUTH 52° 47' EAST 130.2 FEET TO SECTION 20, TOWNSHIP 30 SOUTH, RANGE 20E, LESS ROAD RIGHT-OF-WAY FROM MATHOG ROAD AND SUBJECT TO TAMPA ELECTRIC COMPANY EASEMENT.

THE DESIGN AND IDEAS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF AVID GROUP, LLC AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION FROM AVID GROUP, LLC.

DIMENSION INFORMATION SHOULD NOT BE OBTAINED BY SCALING THE PLANS. DIMENSION INFORMATION NOT PROVIDED HEREIN CAN BE OBTAINED BY CONTACTING AVID GROUP, LLC @ (727) 789-9500.

NO.	DATE	DESCRIPTION
1	03/05/2021	REVISED PER COUNTY COMMENTS
2	06/09/2021	REVISED PER COUNTY COMMENTS
3	06/09/2021	REVISED PER LTRHO RECOMMENDATION
4	06/09/2021	...
5	06/09/2021	...
6	06/09/2021	...
7	06/09/2021	...
8	06/09/2021	...
9	06/09/2021	...
10	06/09/2021	...
11	06/09/2021	...

DATE: 01/21/2021
PROJECT # 3276006
PROJECT MANAGER: P. PENSA
PROFESSIONAL SEAL: 19734
ADDRESS: 2300 CURLEW ROAD, STE 201, PALM HARBOR, FL 34883

ROSWELL INVESTMENTS, LLC

CIVIL ENGINEERING
2300 CURLEW ROAD, STE 201
PALM HARBOR, FLORIDA 34883

TRANSPORTATION SURVEYING
PHONE (727) 789-9500

AVID GROUP

10410 GIBSONTON DRIVE
HILLSBOROUGH COUNTY, FLORIDA

GDP

1

NOT TO SCALE



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 5/7/2021

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA: RV

PETITION NO: RZ 21-0319

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

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning is anticipated to increase the number of trips potentially generated by development of the subject parcel (by 6,300 average daily trips, 250 trips in the a.m. peak hour, and 176 trips in the p.m. peak hour).
- Primary project access is proposed to via a single access connection to Gibsonton Dr. The development will be required to construct a right turn lane into the site. Pedestrian and vehicular cross access will occur to the east of the site, where the developer will construct a sidewalk and driveway connection to Alafia Trace Blvd. An additional vehicular and pedestrian cross access stubout is proposed along the western boundary, as required by the LDC.
- Transportation Review Section has no objection to the request, subject to the conditions proposed hereinbelow.

CONDITIONS OF APPROVAL

1. Notwithstanding anything on the PD site plan or herein these conditions to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
2. The developer shall construct a westbound to northbound right turn lane on Gibsonton Dr. into the project driveway concurrent with the initial increment of development.
3. The developer shall construct a vehicular and pedestrian cross access connection, such that the facilities connect to Alafia Trace Blvd. The developer shall also construct a vehicular and pedestrian cross access stubout along its western project boundary.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 5.22 ac. parcel from Agricultural Single-Family Conventional - 1 (ASC-1) to Planned Development (PD). The proposed PD is seeking entitlements for up to five (5) single-family detached dwelling units.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis for the proposed project. Site access findings are discussed in the appropriate section of this report, below. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. The

information below is based on data from the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 5 Single Family Detached Dwelling Units (ITE LUC 210)	47	4	5

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 10,000 s.f. Fast Food with Drive Through Uses (ITE LUC 934)	4,710	402	327
PD, 15,000 s.f. Pharmacy with Drive Through Uses (ITE LUC 881)	1,637	58	154
Subtotal:	6,347	460	481
<i>Less Internal Capture:</i>	<i>N/A</i>	<i>-12</i>	<i>-120</i>
<i>Less Pass-By Trips:</i>	<i>N/A</i>	<i>-194</i>	<i>-180</i>
Net External Trips:	6,347	254	181

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 6,300	(+) 250	(+) 176

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Gibsonston Dr. is presently a 4-lane, divided, arterial roadway in average condition. The roadway is characterized by +/- 12-foot wide travel lanes in average condition. The roadway lies within a +/- 117 to 135-foot wide right-of-way along the project's frontage. There are +/- 5-foot sidewalks on both sides of Gibsonston Dr. in the vicinity of the project. Bicycle facilities (on paved shoulders) +/- 5-feet in width are also present in the vicinity of the project.

SITE ACCESS

The applicant is proposing a single right-in/right-out connection to Gibsonston Dr. As indicated in the applicant's transportation analysis, project traffic will exceed the turn lane warrants specified within Section 6.04.04.D of the Land Development Code (LDC). As such, the applicant is being required to construct a right turn lane into the project.

Consistent with Section 6.04.03.Q of the LDC, the applicant is proposing to construct a vehicular and pedestrian cross access connection such that it connects to Alafia Trace Blvd. This will allow development to access the signalized intersection at this location. It will also permit the residential to the east of the project to be able to visit the proposed project (both via car and foot) without traveling on Gibsonston Dr. The developer is also proposed a cross access stubout along its western boundary. Staff anticipates that this will eventually provide (upon redevelopment of adjacent parcels) a connection for this development to the signal at Mathog Rd.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

LOS information is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Gibsonton Dr.	US 41	I-75	D	C

Source: Hillsborough County 2019 Level of Service Report.

COMMISSION

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Andy Schipfer, P.E. WETLANDS DIVISION
Sterlin Woodard, P.E. AIR DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: April 19, 2021 PETITION NO.: 21-0319 EPC REVIEWER: Abbie Weeks CONTACT INFORMATION: (813)627-2600 X1101 EMAIL: weeksa@epchc.org	COMMENT DATE: February 11, 2021 PROPERTY ADDRESS: 10410 Gibsonton Drive, Riverview FOLIO #: 076453.0000 STR: 20-30S-20E
REQUESTED ZONING: From AS-1 to PD	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	02/10/2021
WETLAND LINE VALIDITY	N/A
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	N/A
INFORMATIONAL COMMENTS: <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.</p>	

aow/mst

cc: clayton@bricklawgroup.com



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:** 04/30/2021
REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator
APPLICANT: Bricklemyer Law Group, PL **PETITION NO:** 21-0319
LOCATION: 10410 Gibsonton Dr
FOLIO NO: 076453.0000

Estimated Fees:

(Various use types allowed. Estimates are a sample of potential development)

Industrial (Per 1,000 s.f.) Mobility: \$2,727.00 Fire: \$57.00	Retail - Shopping Center (50k s.f. or less) (Per 1,000 s.f.) Mobility: \$8,580.00 Fire: \$313.00	Warehouse (Per 1,000 s.f.) Mobility: \$877.00 Fire: \$34.00
Retail - Conv Mkt. w/Gas Mobility: \$29,658.00 (Per fueling position) Fire: \$313.00 (Per 1,000 s.f.)	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$65,382.00 Fire: \$313.00	

Project Summary/Description:

Urban Mobility, South Fire - Commercial General - non-specific

Rome, Ashley

From: Vazquez, Bianca
Sent: Thursday, April 29, 2021 12:56 PM
To: Rome, Ashley
Subject: FW: PD 21-0319
Attachments: 2021-04-14(2)_Concept Plan 1014395 S2.pdf

Would you be able to upload this.

Thank You,

Bianca O. Vazquez
Planning and Zoning Technician
Development Services Department

P: (813) 276-2155
F: (813) 635-7362
E: vazquezb@HillsboroughCounty.org
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd. 20th Floor, Tampa, FL 33602

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<https://www.hillsboroughcounty.org/en/businesses/permits-and-records/centerpass>

From: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Sent: Thursday, April 29, 2021 11:36 AM
To: Vazquez, Bianca <VazquezB@hillsboroughcounty.org>
Cc: Grady, Brian <GradyB@HillsboroughCounty.ORG>
Subject: FW: PD 21-0319

Bianca,
Please place this and the attachment into Agency comments from TECO.

Thanks,

Michelle Heinrich, AICP

Principal Planner

Development Services Department

P: (813) 276-2167

E: heinrichm@HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Douglas, Melissa E. <medouglas@tecoenergy.com>

Sent: Wednesday, April 28, 2021 2:18 PM

To: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>

Cc: Clayton Brickleyer (Clayton@bricklawgroup.com) <Clayton@bricklawgroup.com>

Subject: RE: PD 21-0319

[External]

Hi Michelle,

It was a pleasure talking with you. Clayton reached out to me and was able to present the attached concept plans. Tampa Electric Company did not object to the road crossing that is similar to the attached under the condition that their construction plans are submitted to us for review and approval, and the stormwater does not drain into our Easement area and impede our access.

Feel free to contact me with any further questions or concerns.

Sincerely,

MELISSA E. DOUGLAS, SR/WA

Real Estate Representative II

702 N Franklin St

Tampa, FL 33602

(813) 228-1090



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contractually bound unless and until they enter into a formal, written agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion.

I am happy to discuss this over the phone to make sure I am h

From: Heinrich, Michelle <HeinrichM@HillsboroughCounty.ORG>
Sent: Tuesday, April 27, 2021 5:08 PM
To: Douglas, Melissa E. <medouglas@tecoenergy.com>
Subject: PD 21-0319

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Melissa,

I am reviewing a rezoning that proposes that has a 160' wide TECO project through the site. Per the site plan, all building and parking areas will be south of the TECO easement. However, cross access to the property to the immediate east (a Tire Kingdom store) and access over the easement to the rear of the site is expected when the stormwater pond needs to be maintained and accessed by the property owner. Their proposed plan is attached. Please advise if TECO has any objections or not.

Thank you,

Michelle Heinrich, AICP

Principal Planner

Development Services Department

P: (813) 276-2167

E: heinrichm@HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

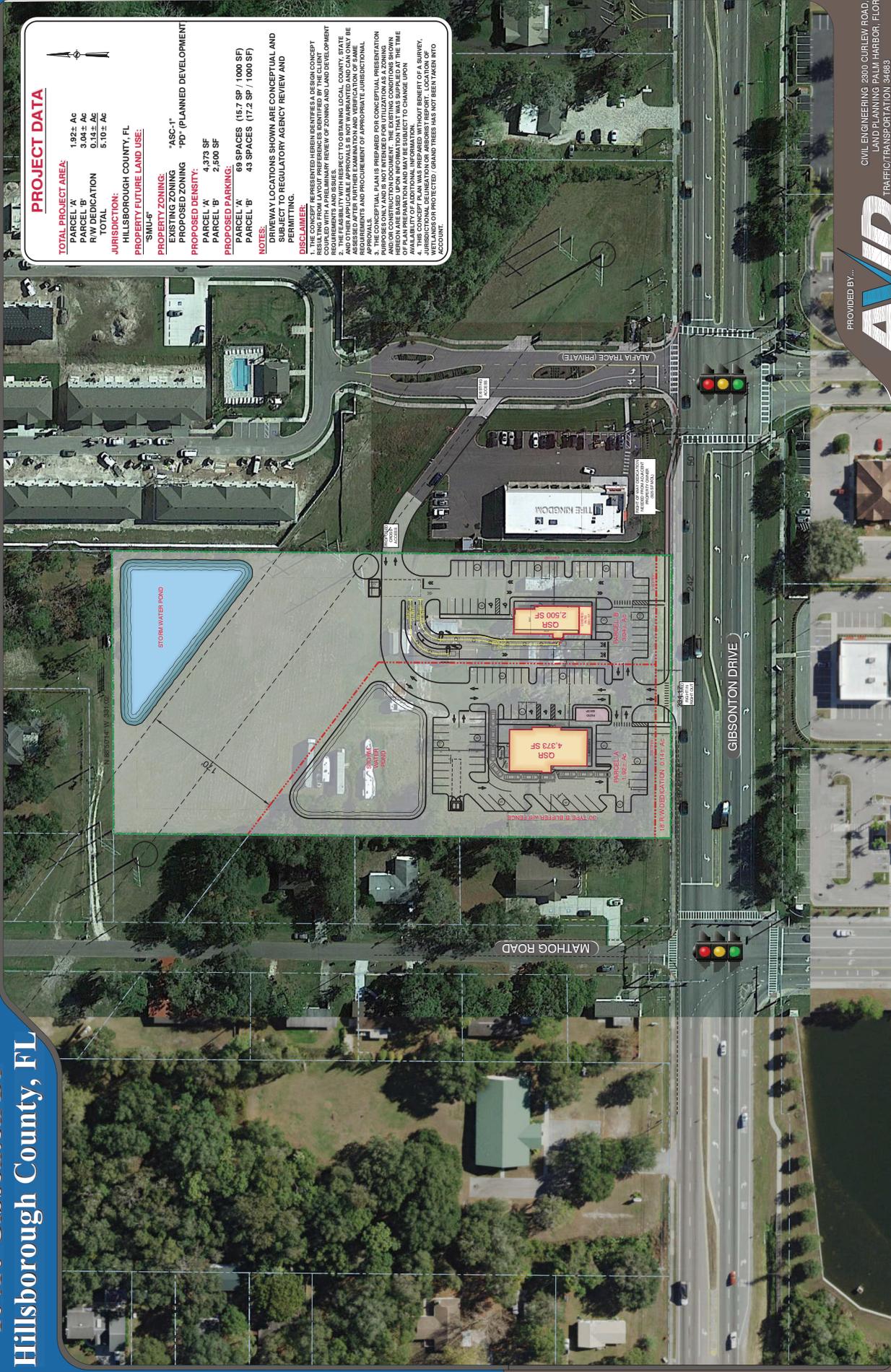
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10410 Gibsonton Dr Hillsborough County, FL

CONCEPT PLAN "S2"



PROJECT DATA

TOTAL PROJECT AREA:
 PARCEL A 1.92± Ac
 PARCEL B 0.14± Ac
 TOTAL 2.06± Ac

JURISDICTION: HILLSBOROUGH COUNTY, FL

PROPERTY/FUTURE LAND USE: 'SMU-6'

PROPERTY ZONING: 'ASC-1'

EXISTING ZONING: 'PD' (PLANNED DEVELOPMENT)

PROPOSED DENSITY:
 PARCEL A 4.373 SF
 PARCEL B 2,500 SF

PROPOSED PARKING:
 PARCEL A 69 SPACES (15.7 SP / 1000 SF)
 PARCEL B 43 SPACES (17.2 SP / 1000 SF)

NOTES:
 DRIVEWAY LOCATIONS SHOWN ARE CONCEPTUAL AND SUBJECT TO REGULATORY AGENCY REVIEW AND PERMITTING.

DISCLAIMER:
 1. THIS CONCEPT PLAN REPRESENTS A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT AND IS NOT A GUARANTEE OF RESULTS. A REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND RULES.
 2. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE AND FEDERAL PERMITS AND APPROVALS WILL BE DETERMINED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME. REQUIREMENTS AND PROCEDURE OF APPROPRIATE JURISDICTIONAL AGENCIES WILL BE OBTAINED AND INCORPORATED INTO THE CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN AND/OR CONSTRUCTION DOCUMENT, THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED AT THE TIME OF THE PREPARATION OF THIS CONCEPT PLAN AND WITHOUT REPRESENTATION OR WARRANTY. JURISDICTIONAL AGENCIES SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION AND CONDITIONS SHOWN ON THIS CONCEPT PLAN. (GRAND TREES HAS NOT BEEN TAKEN INTO ACCOUNT.)



PROVIDED BY...
 CIVIL ENGINEERING 2300 CURLEW ROAD, STE 201
 LAND PLANNING PALM HARBOR, FLORIDA
 TRAFFIC/TRANSPORTATION 34483
 SURVEYING PHONE (727) 789-9500
 GIS AVIDGROUP.COM

PROVIDED FOR...
Roewell Investments

PROJECT NUMBER: 18-0557 - 02-2020C
 SCALE: AS SHOWN
 DRAWN BY: BESHORE PROJ. MGR. P. BESHORE

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 22 Feb. 2021

REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management

APPLICANT: Clayton Bricklemyer

PETITION NO: RZ-PD 21-0319

LOCATION: 10410 Gibsonton Dr., Riverview, FL 33578

FOLIO NO: 76453.0000

SEC: 20 TWN: 30 RNG: 20

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to listed or attached conditions.
- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.

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

PETITION NO.: PD21-0319 **REVIEWED BY:** Randy Rochelle **DATE:** 1/28/2021

FOLIO NO.: 76453.0000

This agency would (support), (conditionally support) the proposal.

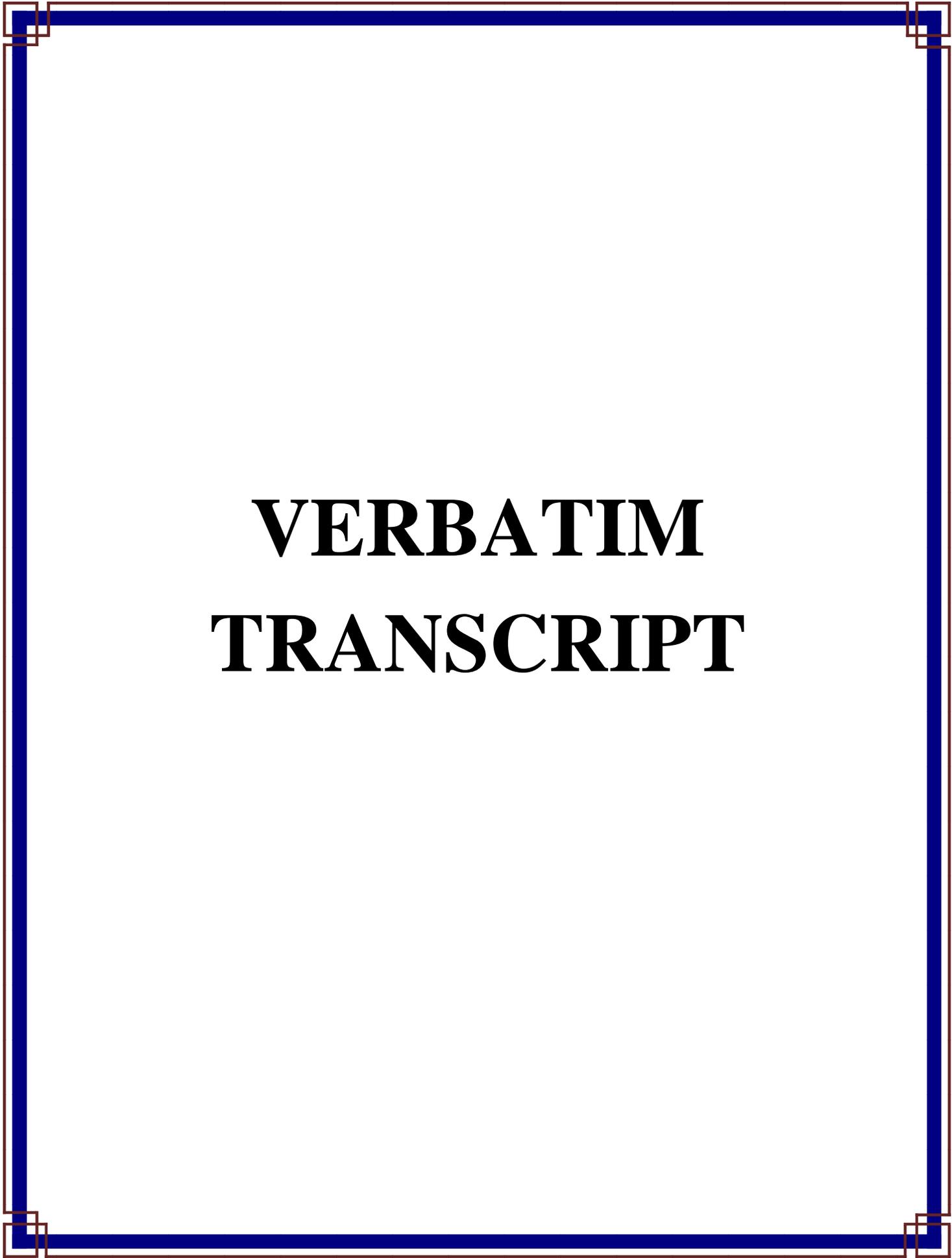
WATER

- The property lies within the Hillsborough County 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 18 inch water main exists (adjacent to the site), (approximately feet from the site) and is located within the north Right-of-Way of Gibsonton Drive.
- 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

- The property lies within the Hillsborough County 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.
- A 4 inch wastewater force main exists (adjacent to the site), (approximately 110 feet from the site) and is located east of the subject property within the north Right-of-Way of Gibsonton 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 .

COMMENTS: 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

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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IN RE: )
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ZONE HEARING MASTER )
HEARINGS )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, May 17, 2021

TIME: Commencing at 6:00 p.m.
Concluding at 10:31 p.m.

PLACE: Cisco Webex

Reported By:

Christina M. Walsh, RPR
Executive Reporting Service
Ulmerton Business Center
13555 Automobile Blvd., Suite 100
Clearwater, FL 33762
(800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
May 17, 2021
ZONING HEARING MASTER: PAMELA JO HATLEY

D7:
Application Number: RZ-PD 21-0319
Applicant: Brickleyer Law Group
Location: 155' Northeast of Intersection
Gibsonton Dr., Mathog Rd.
Folio Number: 076453.0000
Acreage: 5.22 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Existing Zoning: ASC-1
Request: Rezone to Planned Development

1 MR. GRADY: The next application is item
2 D-7, Rezoning Application PD 21-0319. The
3 applicant is Brickleyer Law Group.

4 The request is to rezone from ASC-1 to a
5 Planned Development. Michelle Heinrich will
6 provide staff recommendation after presentation by
7 the applicant.

8 MR. BRICKLEYER: Good evening. Clayton
9 Brickleyer, Brickleyer Law Group, representing
10 the applicant.

11 That looks almost as bad as the one in the
12 staff report. I was thinking this was more
13 helpful. Just to give a general sense, like
14 Ms. Corbett, Ms. Heinrich has a really good
15 presentation. I don't want to repeat what she's
16 about to say.

17 If you can see, I just wanted to point out
18 the highlights. We are about 5 acres. There is a
19 large TECO easement running through this. If you
20 see that driveway, it feels like that's probably
21 the edge. It's not. It's actually the middle,
22 which you can see on the PD plan a little bit
23 easier. That shows you where we are.

24 The proposed development would all occur on
25 the south side of that TECO easement. We -- we

1 appreciate staff's work on this. I'm not going to
2 run you through the specific buffers and
3 everything. It's in the record and the staff is
4 about to say it.

5 So we -- we spoke to the neighbors to the
6 west. They're the ones most directly impacted, and
7 we beefed up that buffer. The Tire Kingdom, which
8 is to the east there, we've spoken to them and they
9 were supportive.

10 We've had recent conversations with the
11 townhouse development that is to the northeast,
12 which is, obviously, separated by a couple hundred
13 feet of -- of buffer.

14 As a result -- and I think Michelle is going
15 to talk to this when I'm done, but there was
16 concern about self-storage. It's a conditional use
17 under CG. So we're asking for that to be
18 prohibited use.

19 There was another I had asked for -- it's in
20 the narrative actually, and Michelle and I just
21 traded e-mails. The condition asking for interim
22 uses to continue until such time as it's developed,
23 there's a standard condition that sounds like that.
24 And that was inadvertently left out.

25 I've got -- the current seller lives there,

1 and they have degrading health and they're -- they
2 need to be there as long as they can be there. The
3 other -- I have residents here and we spoke to them
4 today, and I think what you're going to hear about
5 is Alafia Trace Boulevard to the east, which is a
6 private road.

7 The HOA owns that road. The Tire Kingdom
8 has access to that road. You see that we cross
9 connect in sort of where the Tire Kingdom driveway
10 is anticipated to terminate.

11 I'm sure I will repeat myself, and I'm going
12 to save time for rebuttal, but it would be my
13 contention that we are required by Code and by the
14 zoning that applies to that property to the east to
15 provide cross connections. And you see that we
16 have done that to the east and the west.

17 I would -- I would posit as a lawyer that
18 anything east of that is a private matter that is
19 outside the purview of this zoning. We do have the
20 ability to deal with it.

21 I have civil engineers here, and I have my
22 transportation engineers as well to speak to the --
23 if there are any substantive traffic issues. Yeah.
24 We -- we are happy to have staff recommendation
25 approval and Planning Commission recommendation and

1 would ask you for the same. And, again, we're
2 available for questions. Thanks.

3 HEARING MASTER HATLEY: Okay. Just to
4 clarify, Alafia Trace Boulevard, the property just
5 to the west of that, between the subject property
6 and Alafia Trace Boulevard, that's Tire Kingdom?

7 MR. BRICKLEMYER: That's the Tire Kingdom.
8 You can see that building there with their parking,
9 and so the PD -- the old PD has two outparcels on
10 either side of Alafia Trace and the townhouses in
11 the back. So that's all one PD.

12 And I did -- I spoke to James Ratliff today,
13 and he may be the best one to speak from a staff
14 perspective to give you a sense of what's required
15 on the cross connection front. But if you have any
16 other questions?

17 HEARING MASTER HATLEY: I understand. Thank
18 you.

19 MR. BRICKLEMYER: Okay. Thanks.

20 HEARING MASTER HATLEY: All right. We'll go
21 to Development Services.

22 MS. HEINRICH: Hi. Good evening. This is
23 Michelle Heinrich, Development Services.

24 Are you able to see my screen?

25 HEARING OFFICER HATLEY: Yes.

1 MS. HEINRICH: Great. Looks like it's
2 lagging me. I apologize.

3 HEARING MASTER HATLEY: We see it, but it
4 keeps going out.

5 MS. HEINRICH: All right. I think it's back
6 to life. Sorry about that.

7 As you heard, this is a rezoning request
8 from ASC-1 to Planned Development. The property is
9 slightly under 5 acres in size, and it is located
10 on the north side of Gibsonton Drive east of Mathog
11 Drive.

12 It is in the SMU Future Land Use category,
13 which is shown there on the map, is the area there
14 in the light peach, pink color. This is an urban
15 suburban land use category.

16 It does potentially allow for residential
17 and nonresidential uses. For nonresidential, the
18 maximum intensity permitted is a 0.25 FAR. It also
19 requires in -- when it's at this size, a SMU-6
20 Future Land Use category, a PD rezoning is
21 required.

22 And, of course, for a nonresidential use,
23 locational criteria and compatibility policies are
24 reviewed. The area proposed for rezoning is shown
25 on the map in red, and you'll see the property to

1 the immediate north is zoned ASC-1. It is
2 developed with single-family residential.

3 Property to the south is separated from the
4 subject site by Gibsonton Drive, and those are
5 developed with commercial uses. Property to the
6 west is zoned RSC-4. It's primarily developed with
7 residential; however, the property closest to the,
8 let's see, southwest corner of the subject site is
9 developed with a church.

10 And, lastly, properties to the east is one
11 singular PD. It is zoned for commercial along
12 Gibsonton, which you heard is developed with a Tire
13 Kingdom store, and to the rear of that is a
14 townhome development.

15 What I have here on the screen is the site
16 plan for the proposed project. They are proposing
17 CG uses, and we heard the applicant's
18 representative state tonight that they are -- it
19 sounded like willing to remove the availability for
20 the mini warehouse storage facilities. So we came
21 with that change in revised conditions of approval.

22 Some of the items that do not change is they
23 are requesting a maximum square footage of 25,000.
24 This is below the .25 FAR maximum, and this comes
25 in at a 0.11 FAR that is proposed.

1 The building envelope shows a 30-foot
2 setback from Gibsonton, a 30-foot setback from the
3 western boundary, 20 feet from the east, and
4 nothing except for stormwater north of that TECO
5 easement that runs diagonally through the property.

6 The maximum building height proposed is
7 50 feet with an additional setback applied to the
8 side yards, and also at the request of Planning
9 Commission staff to address Comp Plan policies to
10 reduce the appearance of strict commercial along
11 the corridor, the applicants have agreed to limit
12 the facade lengths that are oriented towards
13 Gibsonton.

14 Type B screening is proposed along the west,
15 east, and northern PD boundaries. However, there
16 is some areas I will show you on the next slide
17 that are proposed for a PD variation to have no
18 buffering or screening within those areas.

19 And, lastly, as shown on the site plan, the
20 site's primary access is shown along the south on
21 Gibsonton with cross access to the west and to the
22 east. The illustration showed here for you shows
23 the areas that are requested for a PD variation.

24 Those are shown in the red outlines along
25 the property boundary, and as you'll see, this is

1 where the TECO easement goes through the property.
2 And the applicant has provided criteria responses
3 to that which notes that, of course, this is a TECO
4 easement area, and it is TECO's desire that this
5 area remain unchanged.

6 And therefore, they're not supportive of
7 having any fencing in area. Also, you'll see on
8 the site plan that the development activity is
9 oriented to the south. So anything north of that
10 will be just open space and stormwater areas.

11 Also, the adjacent property to the west
12 northwest is zoned by the -- I'm sorry, is owned by
13 the applicant and is currently vacant. Property to
14 the east is developed with townhomes, and there is
15 a picture inset of the area showing there --
16 showing the distance of the townhomes is about
17 40 feet from that common PD boundary, and there is
18 existing fencing on the townhome site.

19 Based upon all this, staff does recommend
20 approval subject to conditions. Those are based on
21 the Future Land Use, what's intended to occur in
22 that area. The commercial development pattern of
23 the Gibsonton corridor with this not being atypical
24 in the area to see commercial use located on the
25 corridor. The location of the development activity

1 to the south and not encroaching further back into
2 the more residential areas of the surrounding area.

3 The property meeting or exceeding the
4 buffering and screening requirements south of the
5 TECO easement, and also no objections were received
6 by reviewing agencies.

7 So, again, therefore, we do find it
8 approvable, and we will provide revised conditions
9 of approval that would limit the use of any mini
10 warehouse on the property and also allow for the
11 interim use of residential until the site's
12 redeveloped.

13 And that ends my presentation, and I'm
14 available if you have any questions.

15 HEARING MASTER HATLEY: Thank you.

16 All right. We'll go to Planning Commission,
17 please.

18 MS. LIENHARD: Thank you. Melissa Lienhard,
19 Planning Commission staff.

20 The subject property is located in the
21 Suburban Mixed-Use-6 Future Land Use category. It
22 is in the Urban Service Area, and the property is
23 also located within the limits of the Riverview
24 Community Plan and the Southshore Areawide Systems
25 Plan.

1 The applicant requests to rezone the subject
2 property from ASC-1 to Planned Development allowing
3 for 25,000 square feet of CG uses. The subject
4 site does not meet commercial locational criteria.
5 However, a waiver has been submitted for review.

6 According to the waiver, the proposed
7 development is consistent and compatible with the
8 surrounding area. The development will provide
9 neighborhood-serving commercial uses that
10 complement the proposed mixed-use development, as
11 well as meeting the needs of new and existing
12 residential development in the surrounding area.

13 The project seeks to develop the area south
14 of the large TECO easement. The waiver states that
15 the adjacent properties to the proposed development
16 are themselves developed as a church to the west, a
17 Tire Kingdom to the east, and a Lowe's anchored
18 shopping center to the south.

19 The block on the north side of Gibsonton
20 Drive from Mathog to Oak Ridge Avenue is already
21 over 50 percent non- -- I'm sorry, nonresidential.

22 Planning Commission staff has reviewed the
23 waiver request. The subject property is located
24 within the Suburban Mixed-Use-6 Future Land Use
25 category.

1 The intent of that category is for urban and
2 suburban and intensity and density of uses with
3 development occurring as the timing of public
4 facilities are available to support those
5 intensities and densities.

6 Neighborhood reach-out commercial uses are
7 to be clustered in arterial and collector
8 intersections. Strict development with separate
9 driveway access for commercial uses to arterials is
10 prohibited.

11 Other nonresidential land uses must be
12 compatible with residential uses to establish
13 techniques of transition or by restricting the
14 location of incompatible uses.

15 While the site does not meet commercial
16 locational criteria, it does find on and has full
17 access to Gibsonton Drive, which is an arterial.

18 The maximum FAR for SMU-6 is .25, which
19 allows up to 55,647 square feet that can be
20 considered for the subject site. The request is
21 for 25,000 square feet, which is a .11 FAR and far
22 less than the maximum allowable intensity that can
23 be considered.

24 A cross access is proposed to the west of the
25 existing church. A cross access is proposed to the

1 east of the neighboring commercial development due
2 to PD 15-0079 requirements. A full access to
3 Gibsonton Drive is also proposed.

4 The request is consistent with Future Land
5 Use Element Policy 16.5, which requires development
6 of higher intensity, nonresidential land uses that
7 are adjacent to the established neighborhoods to be
8 restricted to collectors and arterials and
9 locations that are outside of those neighborhoods.

10 The proposed development is located along
11 Gibsonton Drive and is consistent with policy
12 direction. The buffering and building setbacks
13 must meet the intent of Policy 16.1, 16.2, and 16.3
14 of the Future Land Use Element regarding
15 compatibility.

16 Policy 16.2 requires gradual transition of
17 intensities between different land uses. The use
18 of professional site planning, buffering and
19 screening techniques and control of the specific
20 land uses should be utilized.

21 The 30-foot buffer and building setbacks to
22 the east and the 20-foot buffer and the building
23 setbacks to the north and northeast provide for a
24 gradual transition to the residential lots nearby.

25 The subject property is located within the

1 limits of the Riverview Community Plan, and the
2 plan seeks to achieve better design and densities
3 that are compatible with Riverview's vision by
4 avoiding strict commercial development.

5 The applicant is committed to a condition of
6 approval that provides for frontage restrictions
7 which helps to implement the vision of the
8 community plan.

9 The subject property is located within and
10 is consistent with the Riverview Community Plan's
11 Highway 301 corridor district. The district
12 envisions a mixed-use area with high densities and
13 a variety of businesses.

14 The request will provide an opportunity for
15 businesses and help to facilitate the vision of the
16 Highway 301 corridor district.

17 The Planning Commission recommends that the
18 Hillsborough County Board of County Commissioners
19 approve the commercial locational criteria waiver.

20 Based on those considerations, Planning
21 Commission staff finds the proposed Planned
22 Development consistent with the Future of
23 Hillsborough Comprehensive Plan for unincorporated
24 Hillsborough County subject to the conditions
25 proposed by Development Services. Thank you.

1 HEARING MASTER HATLEY: Thank you.

2 All right. Are there any persons -- are
3 there any persons in the room or online who wish to
4 speak in support of this application? All right.
5 Don't see any.

6 Are there any persons in the room or online
7 who wish to speak in opposition to this
8 application? Please come forward.

9 Remember to speak into the microphone, bring
10 the microphone down to your mouth if you need to,
11 and we need your name and address first, please.
12 Thank you.

13 MS. FRANCIS: Sorry. My name is Shameyah
14 Francis. I live at 9501 Tocobaga Place, Riverview,
15 Florida, to the east of this development.

16 The road actually belongs to the HOA, and we
17 weren't included. And we only spoke to them this
18 morning. With the condition we're asking that
19 there's a removal of the use of our street and the
20 cut-through from Tire Kingdom.

21 We would not -- we do not want that
22 connection there. That's a private road. It's not
23 a public road, and we do not want that connection
24 there. It has cost us a lot of money to maintain
25 it.

1 Tire Kingdom put a caution agreement that's
2 unconscionable. It's not feasible. It doesn't
3 work for us. Granting that they did say they would
4 sit and talk to us to try to make it more feasible,
5 our community is not willing to go down this road
6 to have the second issue again.

7 So they want no additional use of the road.
8 A lot of the community wanted to actually stop the
9 development. Now, he did explain to us this
10 morning that they're not going to go past TECO
11 easement. They will stay before the easement.

12 So which will work, but it has to -- that --
13 a seal off to come through Tire Kingdom to use our
14 property has to go. Needs to have a high enough
15 buffer as well.

16 HEARING MASTER HATLEY: Thank you.

17 MR. GRADY: Ma'am, you need to sign in.

18 Ma'am, can you put your mask on.

19 MS. WALLER: Sorry. Andrea Waller, 9901
20 North 20th Street, Tampa, Florida. I'm property
21 manager for them.

22 And I just wanted to reiterate. This is the
23 thing, I wanted to make sure that the community had
24 as much understanding. This, you know, was
25 originally given to us with very little notice and

1 then rescheduled, but that's fine.

2 But, you know, Gibsonton Drive alone right
3 now is being redone in our area, and we're talking
4 about road improvements and putting in a hard
5 median and all this.

6 How is the impact to traffic and all of this
7 really being looked at when it comes to you wanting
8 to add more commercial property to here, a
9 residential neighborhood?

10 And that was our -- I know a lot of the
11 homeowners at the Landings of Alafia biggest
12 concern is we're not trying to stop commercial
13 development. It's more we want to know how --
14 we're -- we're already getting the whole --
15 Gibsonton Drive is now getting -- you know, they're
16 going to put a hard median in. No left turns, no
17 right turns.

18 You know, can we request the County give us
19 traffic survey before they start cutting into our
20 property or looking into, or do we need to provide
21 that and bring it to you?

22 Can we ask for an extension on any of
23 this -- you know, to where -- I think the community
24 itself just feels like we're just being bulldozed
25 right in to, here we go, the person behind you

1 wants to sell the property and you don't have a
2 choice.

3 I mean, you know, how do we find out the
4 best way of going about getting as much information
5 up-front so that everybody's on-board on the same,
6 you know -- any insight?

7 The residents of the Landings of Alafia
8 would like to reject rezoning of the property
9 behind them.

10 HEARING MASTER HATLEY: You're talking about
11 the subject property that we're talking about
12 tonight, or are talking about a different property?

13 MS. WALLER: No. Correct. The property
14 that backs in --

15 HEARING MASTER HATLEY: So you're in
16 opposition to the rezoning?

17 MS. WALLER: Yes.

18 HEARING MASTER HATLEY: Okay. I understand.

19 MS. WALLER: And is there any way or do we
20 have to bring it to the table, the traffic surveys
21 or the impact studies of what it will do? Because
22 we have the frontage, you know, we have the private
23 road.

24 We want to make sure that we are not
25 getting, you know, just more commercial property to

1 the left of us like the Tire Kingdom. And we want,
2 you know, to make sure that, you know -- that
3 that's the access to their homes. So --

4 HEARING MASTER HATLEY: I'm afraid I can't
5 answer your question.

6 MR. GRADY: I think, again, the applicant's
7 transportation consultant can certainly respond to
8 some of that. If there's any relevant information,
9 our Transportation Staff can provide -- they can
10 provide that after citizen comment.

11 HEARING MASTER HATLEY: Thank you.

12 MR. NATOWSKY: Hi. I'm Rick Natowsky. I'm
13 one of the homeowners. I'm also the vice president
14 on the association. 10445 Rivercrest Drive,
15 Riverview, Florida 33578.

16 A couple of things to be considered or at
17 least be thought through. They're just building a
18 brand-new Aldi out the back entrance of our
19 property. We can no longer go out the back gate
20 and make a left turn.

21 So now everybody who goes northbound has to
22 go out the front gate, because they said they're
23 building a hospital across on 301. So the two --
24 we have two entrances or two exits, however you
25 want to say it, on the property.

1 Everybody's going to be forced now in the
2 morning to go out one exit, and that's going to be
3 the front gate. You want to put more people going
4 down that road. It's the only way to go northbound
5 on 301. It's going to be the only way to go
6 northbound on 75.

7 The other thing is the Tire Kingdom already
8 ties up in the morning, when everybody's trying to
9 drop off these cars to get worked on and
10 everything. And when they drop the cars off,
11 you've got another person coming with another car
12 to pick them up and everything.

13 So we don't want to have an access road to
14 come off our private road or any more traffic on
15 there. Plus you got to look at, there's a
16 church -- and I think that was mentioned in the
17 previous presentation -- just to the west of it.

18 So that -- that ties up Sunday morning.
19 Okay. Then you have a doctor's office right to the
20 west -- right to the east side of our access road,
21 and that ties up, believe me or not, it's a very
22 old generation that goes into that doctor's clinic
23 over there.

24 Okay. Then you have a lot of emergency
25 that's going to come with the building of that new

1 hospital on 301. They're already starting to tear
2 down the divider on 301. So we can't go out the
3 back anymore to make that left turn.

4 So now when they put the cement divider up,
5 everybody's going to have to make a right turn and
6 come back on Gibsonton Road. If you don't go 15
7 lanes on Gibsonton Road, you ain't going to get to
8 the light, where the only light is right at our
9 exit and the only other light that is past this
10 property that you want to put more traffic on.

11 So I don't know what kind of research has
12 been done. I don't want to be a smart as everybody
13 up here with all your computers and all this kind
14 of stuff, but I got to tell you. We can't get out
15 the front gate now at 8:00 o'clock in the morning.

16 Tire Kingdom has screwed that up royally.
17 And now you want to put more -- you got a brand-new
18 Aldi. You got the brand-new hospital. You're
19 going to put all this other traffic. How are those
20 emergency vehicles going to get through? The road
21 is not going to support all this kind of stuff.

22 They built the Lowe's across the street, and
23 the County was supposed to -- said that road was
24 going to be able to go straight through the light
25 and everything. They still haven't painted a white

1 arrow to go straight.

2 I mean, there's so many little details that
3 haven't -- at least I haven't seen been thought
4 through on this process. So until all these
5 elements are thought through in how you're going to
6 handle all this traffic and everything, I don't
7 want to be the first person with a heart attack
8 trying to get to that hospital in an ambulance.

9 Let somebody else talk.

10 HEARING MASTER HATLEY: You have just under
11 eight minutes left.

12 MS. SALTER: Hi. I'm Edith -- from 9606
13 Mathog Road -- Salter, and Michael Salter is here
14 also.

15 We are against it. Michael actually lived
16 on the property between the properties for
17 56 years. I've lived there for 22 years. First of
18 all, the traffic is horrendous. To go four blocks
19 from Mathog to the interstate takes 20 to
20 25 minutes sometimes in the morning, which is
21 absolutely ridiculous. Now you want more traffic
22 going in and out.

23 Also, the application, we happen to know
24 that they keep on changing the application. We go
25 online it's this. It's a -- it's a trucking place.

1 Then we turn around the application's for something
2 else. The application's for something else.

3 They need to make up their mind what the
4 application is for, first of all. Second of all,
5 you have the impact on the animals. I've got a
6 picture of -- what are those called -- turtles,
7 gopher turtles, the drainage.

8 Second of all, the drainage, you're talking
9 about putting that on our side, which is the north
10 side. And you're telling us that we're not going
11 to have any fence and they're making wit deemed
12 minute that we even have a buffer zone in between
13 that.

14 The noise. The noise from Tire Kingdom is
15 absolutely -- we can hear it all the way to our
16 house. Second of all, Tire Kingdom doesn't abide
17 by the rules. They are open on Sundays they just
18 fricking close the door.

19 So that is another problem. So the noise is
20 going to be a big problem. The building setback,
21 the fencing. Our fence is 8 feet high. Their
22 fence, you're saying no fencing for us on our side?
23 That's not going to work.

24 Second of all, we're afraid that sooner or
25 later you're going to turn on which is Mathog,

1 which we can't even get out of. The light signal
2 doesn't even work. We have to wait at least
3 sometimes ten minutes just to get off the street.
4 So that's all what I have to say.

5 HEARING MASTER HATLEY: Thank you.

6 MS. STRACHAN: My name is Carol Strachan and
7 I live at 9345 Mathog Road.

8 At that light, which every -- all these
9 developments all in the area are all accessing
10 trying to get to 95. And we're the last light --
11 we're the third of four lights in three miles.

12 And trying to -- to maneuver through that
13 area is impossible. Given -- given the
14 multigenerational view of our neighborhood since
15 56 years, most of the houses have been there for 30
16 to 50 years.

17 I'm the new kid on the block. I've been
18 there for a decade and a half. There's kids on the
19 street. It's a dead-end cul-de-sac that culminates
20 into multimillion-dollar homes on the Alafia that
21 this light gives access to.

22 And compromising the traffic -- we've got 25
23 working families trying to get in and out of there
24 every day already. The runoff is important to us
25 for the surface. We are all on septic tank. So

1 when the water rises, it just adds to more
2 problems.

3 The County has gone in and manicured the
4 ditches, but the water still rolls over our
5 driveways. So these are concerns we have.

6 The noise, 4:00 o'clock in the morning,
7 we -- you get woken up to listening to the
8 Dumpsters at the Tire Kingdom. When I was
9 teaching, it surely didn't help walking in to
10 working with 9th grade reading classes when you
11 don't get a good night sleep.

12 When I left today, there were eight children
13 playing on their bicycles and roller skating and on
14 a dead-end street, it's a safe place for children
15 to play. And bringing in certain types of
16 businesses and commercials takes away that entire
17 view of the integrity of the neighborhood and
18 strips it all away and leaves it unsafe.

19 So please take this into consideration while
20 you're looking at the overall view of which
21 direction this goes. Thank you.

22 HEARING MASTER HATLEY: Thank you.

23 Have three minutes left.

24 MR. SALTER: Hi. I'm Mike Salter. I live
25 at 9606 Mathog Road. I live north of the property.

1 I own all the property north of Temple, Gibsonton
2 Drive.

3 Several things is the access roads going in
4 and out. I know when they put the apartments in,
5 they swore that they would never use our back gate,
6 be emergency vehicles only. And when people bought
7 their condos there, they all got remotes to go out
8 the gates.

9 I know right now like, like the church, I
10 talked to them. They didn't know nothing about
11 this. They didn't know they were going to use
12 their driveway. They're still laughing.

13 Some of these houses that they said they
14 talked to, they told me they haven't talked to
15 them. Nobody's got notices. Nobody's known
16 anything. I know as soon as they get their okay,
17 they can open this up to anything. They can, you
18 know, put a bus station in. We have no say-so.

19 But like they said, they're going to put a
20 hill in front of my house for the pond, I'm okay
21 with that. But the buffer, if they gave you like
22 15-foot, it would save one beautiful oak tree that
23 happens to be sitting in that one corner.

24 They said TECO says no fencing or something.
25 I had a fence there. I took it down because I got

1 a two-car haul that hauls cars. But that fence is
2 going to go back up. And, actually, Friday, I've
3 got paving stones for my whole driveway sitting in
4 my front yard that I have to reup in. And my ass
5 if somebody is going to be using my driveway for
6 heavy equipment.

7 But we all know that they're going to use
8 Mathog as an access road to go out, and there's
9 just no way. Between the kids and stuff like that,
10 Mathog is just not an idea to be going out with
11 that traffic.

12 I heard somebody else talking about -- they
13 said they're only going to use the front half.
14 That's the first I've heard about this. And I was
15 living back there. My sister lives in one house; I
16 live in the other house. We face this place. This
17 is our front door. And nobody at all has talked to
18 us at all.

19 I've crossed surveyors on my property
20 surveying my property. I didn't hire them, but
21 they hired them. I don't know why. And I'm going
22 to let somebody else talk. I don't want to take
23 all the time, but thank you.

24 HEARING MASTER HATLEY: Is there anyone
25 else? You have one minute.

1 MR. LADNER: Jim Ladner. I live on Mathog
2 road, 33578.

3 That road, you cannot get out of it in the
4 morning. The people coming down Gibsonton Drive
5 will actually stop right in front of you when your
6 light changes. You can't get across. They got
7 cars backed up so far that they're right across in
8 front of you. If they're not in front of you, the
9 people from the other side coming across is two
10 lanes -- they come around. They're backed up and
11 you still can't get out.

12 It's -- it's just ridiculous that they're
13 going to put that much traffic coming out of Mathog
14 Road. That's all I have to say. Thank you.

15 HEARING MASTER HATLEY: Thank you, sir.

16 All right. Back to Development Services, is
17 there anything further?

18 MR. GRADY: I believe Mr. Ratliff with
19 county transportation has a few comments.

20 HEARING MASTER HATLEY: Mr. Ratliff.

21 MR. RATLIFF: Yes, ma'am. Hi. For the
22 record, James Ratliff, Transportation Review
23 section.

24 I did want to address several points going
25 through, and I believe it was the first or second

1 speaker. She had mentioned that there was a plan
2 to -- to close the median in front of their
3 project, I believe. I'm unaware. There's no plans
4 that are showing up on the CIP viewer.

5 There's a resurfacing project, but that
6 generally does not change the roadway
7 configuration. So, unfortunately, I'm unable to
8 provide any information about that, but I would
9 suggest the resident maybe get in contact with
10 Public Works if they have questions about a roadway
11 project that maybe they've heard about that just
12 hasn't made it to the website yet.

13 With regard to the cross-access issue, the
14 Alafia Preserve Project -- excuse me, Alafia Trace
15 Boulevard project is a part of a Planned
16 Development, which was most recently modified by
17 file No. 18-0173.

18 And the -- there is an approved condition,
19 condition No. 12 within that PD that does require
20 cross access to the western project boundary and,
21 you know, that was a condition of approval that was
22 placed upon that PD from the initial PD approval.

23 But it is also a requirement of the Land
24 Development Code Section 6.04.03.Q. And then part
25 of the reason for that, again, is the -- this is in

1 talking about concerns with traffic on Gibsonton
2 Drive.

3 Cross access is designed to help alleviate
4 traffic unnecessarily travelling on Gibsonton. So
5 trips between adjacent businesses and residences to
6 people who visit those businesses without having to
7 put additional pressure onto Gibsonton Drive.

8 So that is why the Land Development Code
9 requires that vehicular-pedestrian cross access,
10 and that is, again, why their PD was approved
11 requiring that cross access.

12 Similarly, this project is going to be
13 required to -- to provide the cross access as well.
14 I would just -- something I heard again with regard
15 to the discussion of studies, and the -- there was
16 a gentleman talk talking about concerns about
17 having to -- I think changes on 301. And there's
18 another gentleman who spoke regarding the emergency
19 access gate.

20 The gate on the east side of that project is
21 zoned for emergency -- or the PD zoning does
22 restrict that access to emergency access only.
23 That's not really relevant to this PD except to the
24 extent that all traffic during the -- or I guess
25 all trips that were studied during that initial

1 Alafia Trace Boulevard project approval was assumed
2 to come in and out of that.

3 So that was something that was already
4 looked at during the initial approval of this
5 project, and that's how it was set up to be
6 operated from the -- from the inception there.

7 And, of course, this project also studied
8 their traffic impacts both onto Gibsonton and the
9 amount of traffic that would be utilizing that
10 cross access to the east.

11 And then the last thing I would mention is I
12 did hear some citizens talking about the concern
13 with traffic on Mathog Road. And there is no
14 proposed access on Mathog.

15 They are required to provide vehicular and
16 pedestrian stub-out to their western boundary, but
17 they actually won't connect to Mathog. It would
18 only connect to development or redevelopment that
19 meets the criteria of the Land Development Code,
20 and that would have to connect at such time.

21 But there won't actually be any immediate
22 connection to Mathog. And I did just want to
23 clarify that for the record.

24 HEARING MASTER HATLEY: Thank you,
25 Mr. Ratliff.

1 MR. RATLIFF: Thank you.

2 HEARING MASTER HATLEY: All right. Back to
3 the applicant.

4 MR. BRICKLEMYER: Clayton Bricklemyer again.
5 Glad I reserved some time.

6 I wanted to run through a couple of quick
7 things, and I've got the civil to talk about -- a
8 couple of civil issues that got measured, and
9 Mr. Henry to talk about transportation.

10 HEARING MASTER HATLEY: Mr. Bricklemyer, in
11 your comments, would you address notice?
12 Several --

13 MR. BRICKLEMYER: Yes.

14 HEARING MASTER HATLEY: -- stated that
15 notice -- and did notice go to the HOA?

16 MR. BRICKLEMYER: Yes. Notice did, which is
17 how the HOA attorney was able to call me.
18 Admittedly, belatedly he reached out, and we did
19 not make any affirmative efforts to reach out to
20 those folks just because they were so far removed
21 from the property.

22 We did attempt to contact the folks to the
23 west. There's obviously, as these things go,
24 differing opinions on that, but notice was proper.
25 I usually ask Brian to confirm because they check

1 it, and the affidavits are filed. Notice was
2 proper. That was on my list too.

3 And as was no -- no access to Mathog. Same
4 exact thing that happened with their approval. The
5 arrow goes there and waits for redevelopment.
6 That's exactly the same situation we're in now to
7 the east.

8 I didn't say on direct and I would just like
9 to put it in there, it's not something that we can
10 really deal with, but they do have this easement
11 agreement that imposes on Tire Kingdom some
12 obligations.

13 We have -- in talking to the HOA Board and
14 the attorney, we have committed that we are going
15 to enter into a similar agreement and that now that
16 they've seen the deficits in their -- printed in
17 current agreement, hopefully, we can rectify some
18 of those.

19 There was some mention of a fence. I wanted
20 to be clear. I hope that you understood. I
21 thought Michelle's graphic was very helpful. TECO
22 will not let us put the buffer up or a screen, I
23 mean. The buffer's provided, right, because it's
24 there, but the screen is not allowed under the TECO
25 easement.

1 And also, not only is there a TECO easement,
2 there's a water easement and a gas easement running
3 through the middle of that.

4 I'm going to let Pete Pensa come up and talk
5 about the drainage and site issues.

6 MR. PENSA: Good evening. For the record,
7 my name is Peter Pensa. I'm an AICP certified
8 planner with AVID Group. We're the professional
9 land planners and civil engineers for the project.
10 I have been sworn.

11 HEARING MASTER HATLEY: Did you give your
12 address?

13 MR. PENSA: 2300 Curlew Road, Suite 201,
14 Palm Harbor.

15 HEARING MASTER HATLEY: Okay.

16 MR. PENSA: You've heard expert testimony
17 from staff both in Development Services,
18 transportation, and the Planning Commission
19 regarding the compatibility of the use in
20 compliance with the development code and comp
21 plans.

22 I won't go back through those, but I would
23 reiterate as James Ratliff pointed out, there is a
24 code requirement for cross access. There's
25 actually two sections that require it. The PD

1 section, which is LDC Section 5.03.05 and then
2 specifically, subparagraph C.2 require PD general
3 site plans to provide cross access.

4 And by reference, it also references
5 6.04.03.Q, which both I'll summarize basically say
6 that vehicular and pedestrian cross access is
7 required whenever site has -- is located on access,
8 classifications 1 through 6. And whether it's a
9 commercial or office use -- or excuse me,
10 commercial or office land use rezoning that is
11 adjacent to a commercial or office zoned property
12 on the same roadway.

13 The PD to the east, as you've heard
14 previously, is a master planned mixed-use project.
15 It was -- I won't bother repeating it. It's
16 already been entered in the record what the PD
17 number is. Tire Kingdom is in the front of that
18 property with the townhomes to the rear. There is
19 a requirement for that cross access.

20 As you can see in the PD plan and on the
21 aerials that you saw previously, the Tire Kingdom
22 did provide a stub-out to extend the road -- their
23 cross access to the north, although it didn't go
24 completely to the property line. We're required to
25 provide that connection.

1 So we're -- we've discussed that with TECO.
2 As noted in the staff report, they did not object
3 to it. And we're required to provide the cross
4 access to the west, to the church, although they do
5 not have the physical means to complete that cross
6 access. It would be a future connection at such
7 time that that site redevelops and goes through its
8 approval process.

9 I'm not a biologist or environmental
10 scientist, but gopher tortoises and any other
11 listed protect species would be addressed through a
12 site visit, environmental assessment; if they are
13 present, they will have to comply with county,
14 state, and federal requirements for protection of
15 those species.

16 Drainage. It's anticipated that all the
17 drainage will be addressed south of the 170-foot
18 utility corridor, but we did provide for the
19 ability to do a little bit of stormwater around the
20 north side of that, if necessary. Okay.

21 HEARING MASTER HATLEY: Thank you.

22 MR. BRICKLEMYER: Clayton Bricklemyer again.

23 I hope we have time for Mr. Henry to address
24 the operational project?

25 HEARING MASTER HATLEY: Two minutes? Can

1 you can do it in two minutes?

2 MR. BRICKLEMYER: Yes.

3 HEARING MASTER HATLEY: All right. Thank
4 you. We'll give you two minutes.

5 MR. HENRY: Very quickly. To address the
6 traffic issues that they came up, but one are --
7 Steve Henry with Lincks & Associates, 5023 West
8 Laurel, Tampa, 33607.

9 A couple of things. One is our primary
10 access is off of Gibsonton Drive, which you have a
11 right in, right out. We're actually building a
12 right turn lane into that to have the traffic
13 directed there. So the majority of our traffic
14 will use that driveway.

15 Second, there is an improvement that is
16 being done on 301 in conjunction with the hospital
17 that's being built. We actually did that traffic
18 study, and I have the counts at Rivercrest Drive
19 and 301.

20 And in the a.m., there's 12 cars making that
21 left and in the a.m. -- the p.m., there's seven
22 cars. So the impact, even if they are allowed to
23 use it, which based on tonight sounds like that's
24 supposed to be an emergency access, even if they
25 are, the impact to that closure is minimal from

1 that standpoint.

2 We looked at the operation of the
3 intersection. We don't believe that this project
4 will have a significant impact on the operation of
5 the Alafia and Gibsonton Drive intersection.

6 That concludes my presentation, unless you
7 got any questions.

8 HEARING MASTER HATLEY: I don't. Thank you.

9 All right. That will close the hearing on PD
10 21-0319.

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1 This application is being withdrawn from the Zoning
2 Hearing Master process.

3 Item A-17, Major Mod Application 21-0310.
4 This application is out of order to be heard and is
5 being continued to the May 17th, 2021, Zoning
6 Hearing Master Hearing.

7 Item A-18, Major Modification 21-0312. This
8 application is being continued by the applicant to
9 the May 17th, 2021, Zoning Hearing Master Hearing.

10 Item A-19, Rezoning-PD 21-0314. This
11 application is out of order to be heard and is
12 being continued to the May 17th, 2021, Zoning
13 Hearing Master Hearing.

14 Item A-20, Rezoning-PD 21-0315. This
15 application is continued by the applicant to the
16 May 17th, 2021, Zoning Hearing Master Hearing.

17 Item A-21, Major Modification Application
18 21-0316. This application is out of order to be
19 heard and is being continued to the May 17th, 2021,
20 Zoning Hearing Master Hearing.

21 Item A-22, Rezoning-PD 21-0318. This
22 application is being continued by the applicant to
23 the May 17th, 2021, Zoning Hearing Master Hearing.

24 Item A-23, Rezoning-PD 21-0319. This
25 application is out of order to be heard and is

1 being continued to the May 17th, 2021, Zoning
2 Hearing Master Hearing.

3 Item A-24, Rezoning-Standard 21-0371. This
4 application is out of order to be heard and is
5 being to the May 17th, 2021, Zoning Hearing Master
6 Hearing.

7 Item A-25, Rezoning-Standard 21-0430. This
8 application is being withdrawn from the Zoning
9 Hearing Master process.

10 Item A-26, Rezoning-Standard 21-0431. This
11 application is out of order to be heard and is
12 being continued to the May 17th, 2021, Zoning
13 Hearing Master Hearing.

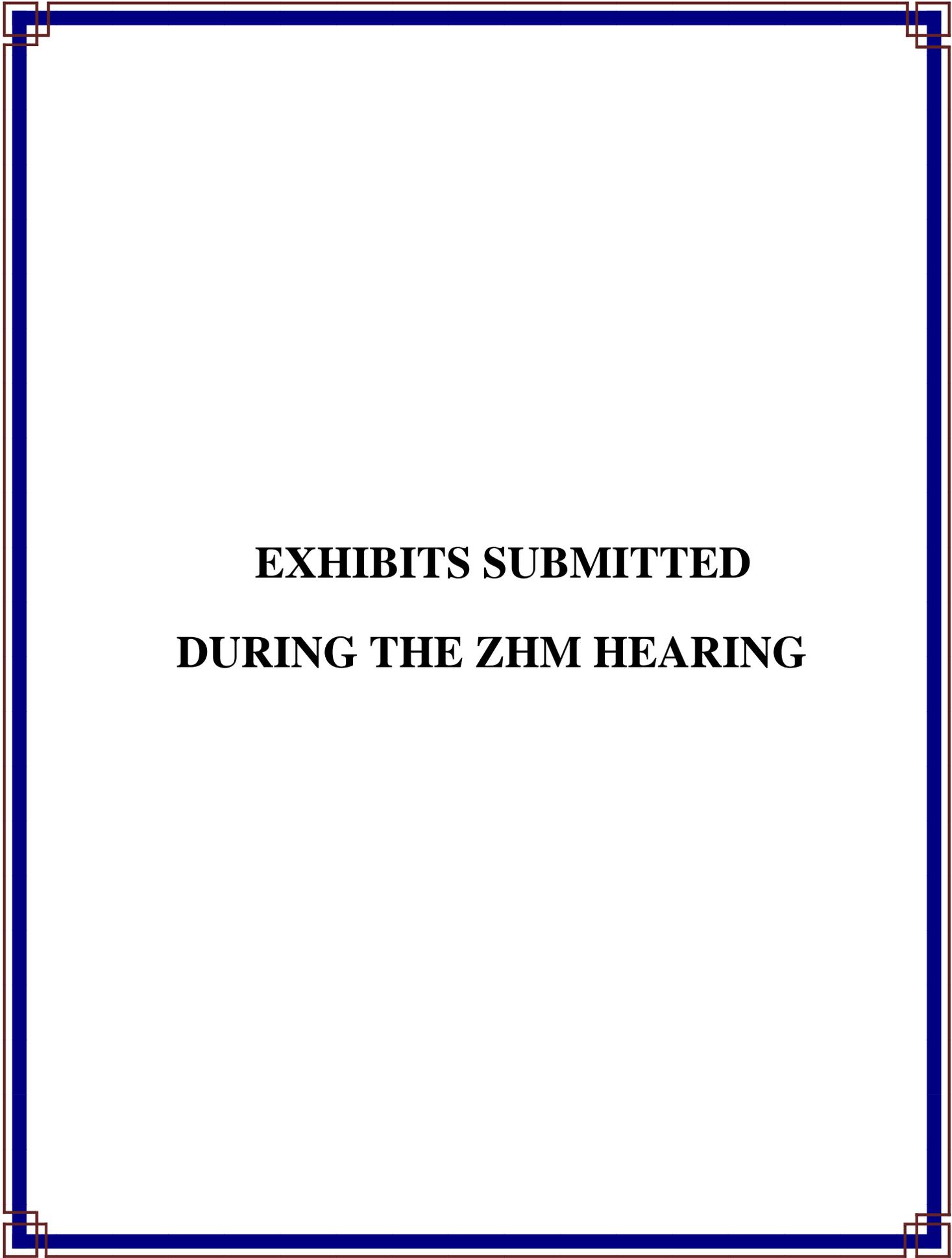
14 Item A-27, Rezoning-Standard 21-0432. This
15 application is being withdrawn from the Zoning
16 Hearing Master process.

17 And, finally, item A-28, Rezoning-Standard
18 21-0433. This application is out of order to be
19 heard and is being continued to the May 17, 2021,
20 Zoning Hearing Master Hearing.

21 That concludes all withdrawals and
22 continuances.

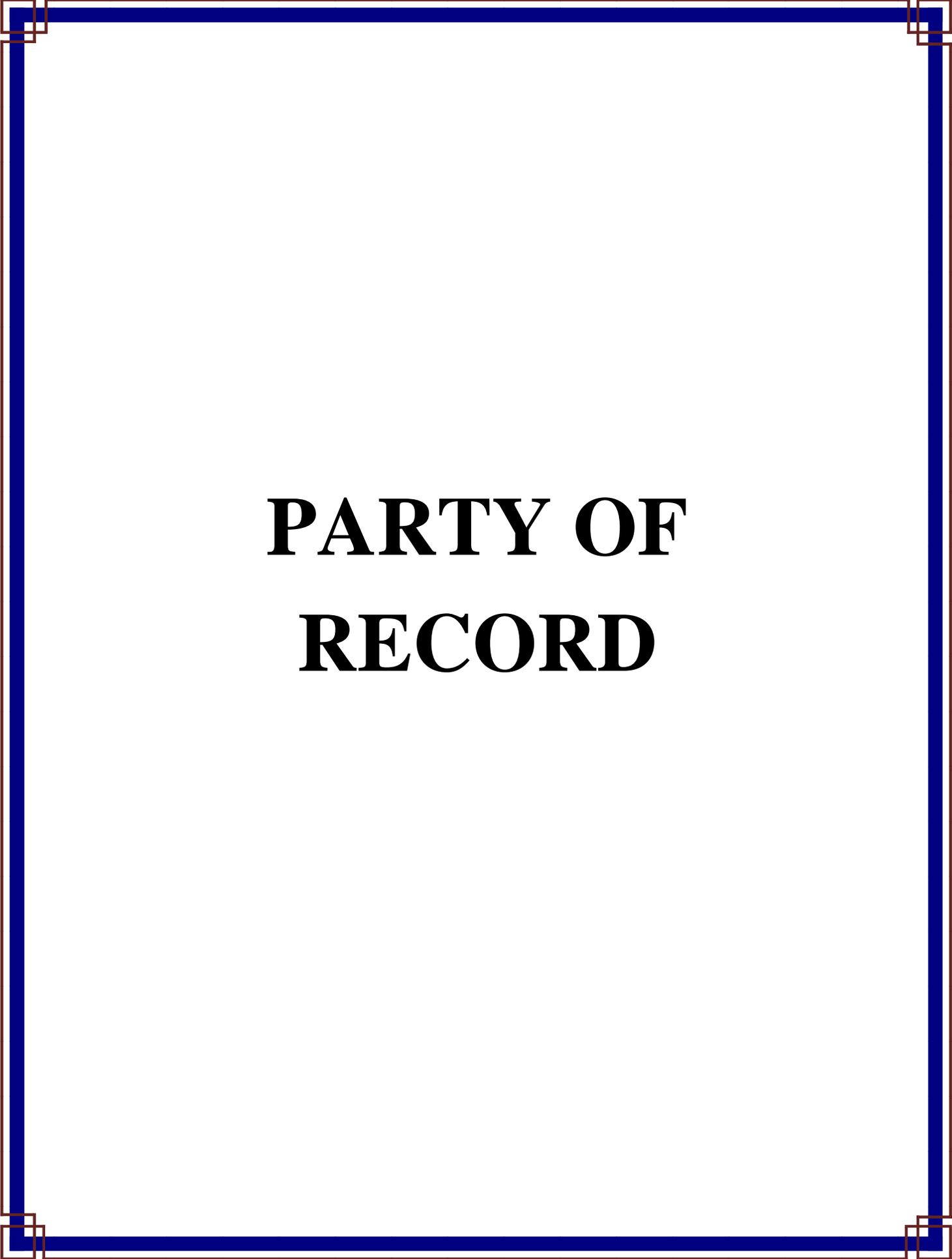
23 HEARING MASTER FINCH: All right. Thank you
24 so much, Mr. Grady. I appreciate it.

25 Let me start by going over tonight's

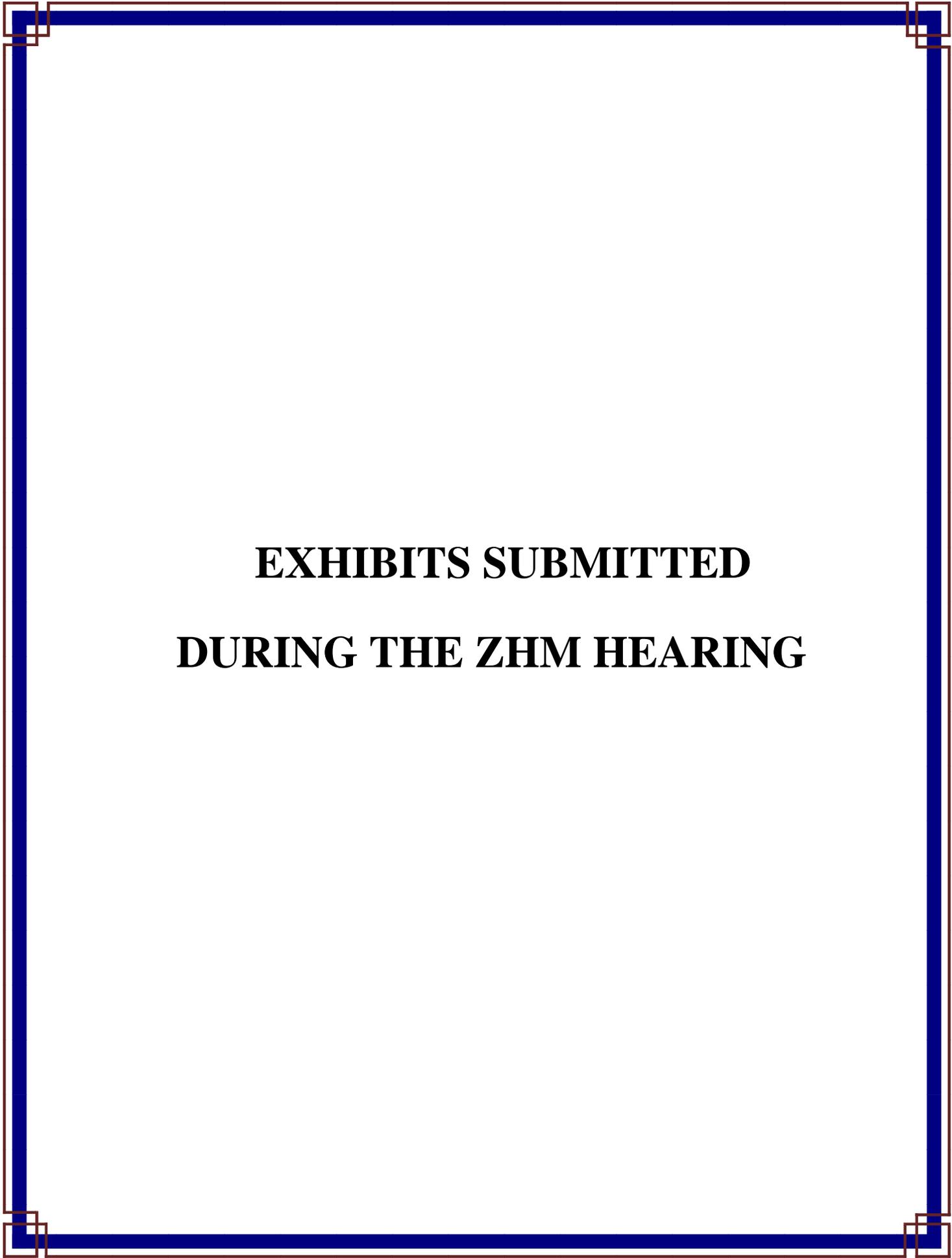


**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**