| SUBJECT: | RZ-PD 21-0314 | PLANNING AREA: | Greater Carrollwood <br> Northdale |
| :--- | :--- | :--- | :--- |
| REQUEST: | Rezone to Planned Development <br> (PD) 21-0314 | SECTOR: | Northwest |
| APPLICANT: | Gary Miller, David Weekley Homes |  |  |
| Existing Zoning <br> Conventional (RSC-4) | Future Land Use Category: Residential-9 (RES-9) |  |  |



Hillsborough
County foride
General Aerial
Zoning Map
RZ-PD 21-0314
Folio: 18844.0000


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## Application Review Summary and Recommendation

### 1.0 Summary

### 1.1 Project Narrative

The request is to rezone a portion of parcel folio 18844.0000 totaling approximately 14 acres from the existing Residential, Single-Family Conventional (RSC-4) zoning district to the proposed Planned Development (PD) 21-0314 zoning district to provide for a one-fourth acre or larger lot single-family conventional detached residential subdivision development consisting of a maximum of 42 single-family conventional detached dwelling units. The site is located at 13515 Lake Magdalene Boulevard, which is on the east side of the Clay Mangum Lane and Lake Magdalene Boulevard intersection. The underlying future land use (FLU) category of the subject parcel is Residential-9 (RES-9).

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

No variation or variances to the LDC are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

### 1.3 Analysis of Recommended Conditions

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### 1.4 Evaluation of Existing and Planned Public Facilities

The site is located within the Urban Service Area where potable water and wastewater services are provided by Hillsborough County. An 8-inch potable water main exists and is located approximately 60 feet from the site. A 4-inch wastewater force main exists and is located approximately 530 feet from the site. Therefore, the site is required to connect to the publicly owned and operated potable water and wastewater systems in accordance with the requirements of the LDC. The 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.

Transit service is conveniently located to service this site. The closest transit stop is located 0.5 miles away just west of the intersection of West Fletcher Avenue and Tifton Drive / Lake Magdalene Boulevard.

The site is located on Lake Magdalene Boulevard, an undivided 2-lane substandard collector roadway. A sidewalk is present, however, no bicycle facilities, and paved shoulders are present on this roadway. The applicant is proposing to preserve seven (7) feet of right-of-way along the project frontage on Lake Magdalene Boulevard as depicted on the site plan.

Transportation staff has reviewed the application and offers no objections, subject to the condition proposed. Their review notes that the proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel. Given the relatively low trip generation potential of the project, turn lanes are not warranted per LDC Section 6.04.04.D.

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Design Exception Request received March 1, 2021 from the LDC Section 6.02 .07 requirement to improve the substandard roadway (between the project driveway and nearest standard roadway) to current Hillsborough County Transportation Technical Manual (TTM) standards. Based on factors presented in the Design Exception

Request, the County Engineer found the request approvable on March 26, 2021. If this rezoning is approved, the County Engineer will approve the above referenced Design Exception Request. The Design Exception will result in construction of a 10 -foot sidewalk on the eastside of Lake Magdalene Boulevard from the proposed project access to Fletcher Avenue.

The site plan submitted does not demonstrate future connection to the area to the north of the project area and the applicant provided the following justification: The land to the north of the Property (the remainder of the parent parcel) is being retained by the owner as a single-family residence and will remain at its current zoning of RSC-4 with no plans for further development at this time. It was a request of the property owner that there be no connection to that portion of their property. Topography in the area shows a gentle but obvious slope from south to north. Locating the stormwater conveyance at the north end of the property allows the developer to use existing topography to advantage but precludes any connection in that area due to the smaller size of the property.

Lake Magdalene Elementary School, Adams Middle School, and Chamberlain High School currently have capacity for the proposed project.

A calculation of the estimated fees has been performed based on the fees at the time the review was made. The estimated fees include a $\$ 248,682.00$ Mobility Fee, $\$ 76,230.00$ Parks Fee, $\$ 345,534.00$ School Fee, and $\$ 14,070.00$ Fire Fee for the proposed 42 single family residential units; based on a 2,000 -square foot, 3-bedroom, single family detached dwelling unit. Actual fees will be based on permit applications received and based on the fee schedule at the time of building permit application.

### 1.5 Environmental/Natural Resources

The Environmental Protection Commission (EPC) reviewed the request and finds that West Lake is located outside of the project boundaries to the northeast and additional wetland areas exist in the northern portion of the folio. Knowledge of the actual extent of the wetland and other surface water (OSW) areas are necessary in order to verify the avoidance of wetland and OSW areas impact pursuant to Chapter 1-11, Rules of the EPC. Prior to issuance of any building or land alteration permits or other development, the wetland and OSW areas must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.

### 1.6 Comprehensive Plan Consistency

The site is located within the RES-9 FLU category and the Greater Carrollwood Northdale Community Plan Area. Planning Commission staff finds the request to be inconsistent with the minimum density policy of the Comprehensive Plan for Unincorporated Hillsborough County. Exceptions to the minimum density requirement can be granted based on compatibility, which the Planning Commission staff determined was not applicable given surrounding the development pattern.

The applicant's project narrative submitted argues that "the construction of at least ninety-four (94) residential units on the property, which is approximately fourteen (14) acres, would require construction of a multi-family product inconsistent with the character of existing development and the predominant development pattern" and notes the parcel is only in RES-9 as it is was part of an enclave created during zoning conformance to recognize the existing multi-family developments approved in 70's and 80's (with no new multi-family approved in the area since that time). The applicant further argues that transportation infrastructure to support the higher density is neither financially feasible, planned nor
programmed. Staff is concurrence with the findings of the Planning Commission staff that given the surrounding development pattern a higher density residential project that conforms to the minimum density requirements would appear to be compatible with the surrounding development pattern, considering the fact there are existing higher density residential developments within the immediate area near the subject site. Furthermore, transportation staff advised that the increase in residential units (from 42 to 94 ) in order to meet minimum density requirements would not have a significant change in impacts on the functioning/capacity of the roadway system, nor would a townhome or multi-family project change the substandard road determination (and associated design exception as outlined in 1.4 herein). Staff noted that for a 94 -unit single-family development road capacity would still be adequate and not change the substandard road determination. While, a 94 -unit single-family project would require the addition of a left turn (which is not required for $\mathrm{MF} / \mathrm{TH}$ ) and which would be difficult given limited right-of-way, there was concurrence that constructing a 94 single-family development would be unlikely due to the size of the parcel and stormwater related challenges.

### 1.7 Compatibility

The site is located in an area comprised of cultural/institutional, residential, and agricultural uses. The site is within the RES-9 FLU category, which is suitable for low-medium density residential, urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments. A portion of the area on the west side of Lake Magdalene Boulevard is within the P/Q-P (Public/Quasi-Public) FLU category, which recognizes areas where public facilities, public structures or grounds, regional, district or community recreation uses or facilities and other private establishments generally available to the public are located. The majority of the area is within the RES-4 (Residential-4) FLU category, which is also suitable for low density residential development. The proposed single-family is compatible with the surrounding development pattern, and as noted, a townhome/multi-family project is also potentially compatible given there are two existing multi-family residential developments immediately to the east and west of the subject site. The overall area is also within the Hillsborough County Urban Service Area.

As shown in Exhibit 2, the site is adjacent to properties zoned RSC-4 (to the north), PD (to the east and south), PD (to the south), but within the general area there are other properties zoned RSC-4, PD, and RSC-6 (to the west).

### 1.8 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Environmental Protection Commission
- Conservation and Environmental Lands Management
- Hillsborough County School District
- Transportation


### 1.9 Exhibits

Exhibit 1: Project Aerial
Exhibit 2: Zoning Map
Exhibit 3: Future Land Use Map
Exhibit 4: Site Plan

### 2.0 Recommendation

Based on the above considerations and the inconsistency with the minimum density requirements of the Comprehensive Plan, staff finds the request not supportable.

## Staff's Recommendation: Not Supportable


## EXHIBIT 1



Folio: 18844.0000


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## EXHIBIT 2



## EXHIBIT 3



## EXHIBIT 4

## SEE ATTACHED



## COUNTY OF HILLSBOROUGH

LAND USE HEARING OFFICER'S RECOMMENDATION

| Application number: | RZ-PD 21-0314 |
| :--- | :--- |
| Hearing date: | May 17, 2021 |
| Applicant: | Gary Miller, David Weekley Homes <br> Request: <br> Single-Family Conventional (RSC-4) to the <br> proposed Planned Development (PD) 21-0314 to <br> provide for a one-fourth acre or larger lot single- <br> family conventional detached residential <br> subdivision consisting of a maximum of 42 dwelling <br> units. |
| Location: | 13515 Lake Magdalene Boulevard, East of the <br> Lake Magdalene Boulevard and Ehrlich Road <br> intersection. |
| Parcel size: | 14 acres +/- |
| Existing zoning: | RSC-4 |
| Future land use designation: | Residential-9 (9 du/ga; 0.50 FAR) |
| Service area: | Urban |
| Community planning area: | Greater Carrollwood-Northdale |

## A. APPLICATION REVIEW

DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION


Project Location Map
RZ-PD 21-0314
Folio: 18844.0000


STR: 10-28-18, 3-28-18


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## Application Review Summary and Recommendation

### 1.0 Summary

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

No variation or variances to the LDC are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

### 1.3 Analysis of Recommended Conditions

The proposed conditions of zoning incorporate the allowance for the new residential uses.

### 1.4 Evaluation of Existing and Planned Public Facilities

The site is located within the Urban Service Area where potable water and wastewater services are provided by Hillsborough County. An 8-inch potable water main exists and is located approximately 60 feet from the site. A 4-inch wastewater force main exists and is located approximately 530 feet from the site. Therefore, the site is required to connect to the publicly owned and operated potable water and wastewater systems in accordance with the requirements of the LDC. The 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.

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Transportation staff has reviewed the application and offers no objections, subject to the condition proposed. Their review notes that the proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel. Given the relatively low trip generation potential of the project, turn lanes are not warranted per LDC Section 6.04.04.D.

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Request, the County Engineer found the request approvable on March 26, 2021. If this rezoning is approved, the County Engineer will approve the above referenced Design Exception Request. The Design Exception will result in construction of a 10-foot sidewalk on the eastside of Lake Magdalene Boulevard from the proposed project access to Fletcher Avenue.

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The site is located within the RES-9 FLU category and the Greater Carrollwood Northdale Community Plan Area. Planning Commission staff finds the request to be inconsistent with the minimum density policy of the Comprehensive Plan for Unincorporated Hillsborough County. Exceptions to the minimum density requirement can be granted based on compatibility, which the Planning Commission staff determined was not applicable given surrounding the development pattern.

The applicant's project narrative submitted argues that "the construction of at least ninety-four (94) residential units on the property, which is approximately fourteen (14) acres, would require construction of a multi-family product inconsistent with the character of existing development and the predominant development pattern" and notes the parcel is only in RES-9 as it is was part of an enclave created during zoning conformance to recognize the existing multi-family developments approved in 70's and 80's (with no new multi-family approved in the area since that time). The applicant further argues that transportation infrastructure to support the higher density is neither financially feasible, planned nor
programmed. Staff is concurrence with the findings of the Planning Commission staff that given the surrounding development pattern a higher density residential project that conforms to the minimum density requirements would appear to be compatible with the surrounding development pattern, considering the fact there are existing higher density residential developments within the immediate area near the subject site. Furthermore, transportation staff advised that the increase in residential units (from 42 to 94 ) in order to meet minimum density requirements would not have a significant change in impacts on the functioning/capacity of the roadway system, nor would a townhome or multi-family project change the substandard road determination (and associated design exception as outlined in 1.4 herein). Staff noted that for a 94 -unit single-family development road capacity would still be adequate and not change the substandard road determination. While, a 94 -unit single-family project would require the addition of a left turn (which is not required for $\mathrm{MF} / \mathrm{TH}$ ) and which would be difficult given limited right-of-way, there was concurrence that constructing a 94 single-family development would be unlikely due to the size of the parcel and stormwater related challenges.

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As shown in Exhibit 2, the site is adjacent to properties zoned RSC-4 (to the north), PD (to the east and south), PD (to the south), but within the general area there are other properties zoned RSC-4, PD, and RSC-6 (to the west).

### 1.8 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Environmental Protection Commission
- Conservation and Environmental Lands Management
- Hillsborough County School District
- Transportation


### 1.9 Exhibits

Exhibit 1: Project Aerial
Exhibit 2: Zoning Map
Exhibit 3: Future Land Use Map
Exhibit 4: Site Plan

### 2.0 Recommendation

Based on the above considerations and the inconsistency with the minimum density requirements of the Comprehensive Plan, staff finds the request not supportable.

## Staff's Recommendation: Not Supportable

| Zoning <br> Administrator Sign-off: |  |
| :---: | :---: |

## 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

Ms. Rebecca Kert spoke on behalf of the applicant, David Weekley Homes. Mis Kert introduced her co-counsel, Michael Brooks, planner Christie Barreiro AICP of Heidt and Associates, Steve Henry of Lincks and Associates, and Gary Miller and Martin Frame of David Weekley Homes.

Ms. Kert stated the subject property is 14 acres east of Lake Magdalene Boulevard and south of Ehrlich Road. She stated the applicant has requested rezoning for 42 singlefamily lots. She stated the subject property is designated RES-9 on the Future Land Use Map and is part of a 60-acre parent parcel. She stated the north portion of the parent parcel is designated RES-4 on the Future Land Use Map. Ms. Kert stated most of the properties surrounding the subject property are designated RES-4 except for the subject property and the adjacent parcels to the east and west, both of which are older Planned Developments. Ms. Kert stated there are also some Public/Quasi-Public uses.

Ms. Kert stated the proposed PD poses a balancing of interests and a question of consistency with the comprehensive plan. She stated the Planning Commission found the request inconsistent based on an interpretation of Future Land Use Policy 1.3, which requires that rezonings meet a minimum density of at least 75 percent of the underlying land use designation. Ms. Kert stated the requested rezoning meets an exception to that policy and that it would be incompatible and inappropriate to put 94 or 100 units on the subject property in the middle of the Lake Magdalene neighborhood.

Ms. Kert explained the history of the subject property. She stated in the Horizon 2000 plan the subject property had a Suburban Development Area future land use. She stated the entire area was zoned R-1 on the 1980 to 1984 Hillsborough County zoning map except for the PDs to the east and west of the subject property. Ms. Kert stated the subject property was designated Suburban Density Residential in the 1989 comprehensive plan and the only area of high density residential was the PD to the west, which was the Carlton Arms apartment complex. She stated the subject property was down-zoned to RSC-4 in the 1991 zoning conformance, and at that time the R-1 zoning category went away so that the properties in the surrounding area were all changed to RSC-4 or RSC-6. She stated the subject property was zoned RSC-4. She stated that in connection with a subsequent comprehensive plan review and a Future Land Use Element Evaluation and Appraisal Report (EAR), the subject property was designated RES-9 land use category.

Ms. Kert stated the RES-9 designation is an anomaly on the subject property because the parcel is sandwiched between a 1971 rezoning on the east (PD 71-0236) and a 1983 rezoning on the west (PD 83-0036). Ms. Kert stated the 1971 rezoning for the Carlton

Arms apartment project was extremely controversial and over 600 people showed up in opposition according to newspaper articles at the time. She stated the Planning Commission at the time found the multi-family Euclidean rezoning was incompatible with development in the area and the developer withdrew the application prior to the hearing. She stated the developer came back a few months later with a PD that had substantial changes, and 798 multifamily units were approved for the area. She stated over 60 percent of the new PD consisted of single-family units, and direct access from the apartment project to Lake Magdalene Boulevard was eliminated. She stated the Carlton Arms project remains the most intensive development in the Lake Magdalene area.

Ms. Kert stated the 1980 rezoning west of the subject property was also extremely controversial. She stated there was significant opposition from surrounding single-family residents even though the project consisted of only 9 acres and 78 dwelling units. She stated that in 1980 under a special act in Florida law the Zoning Hearing Officer made final decisions on zoning cases. She stated this law was later found to be unconstitutional, but this project had already been approved. Ms. Kert stated that in 1979 the Horizon 2000 plan was amended to create areas of overlay for land potentially suited for high density residential development of up to 20 dwelling units per acre. She stated the subject property was part of that area and the Zoning Hearing Officer relied on that reasoning in approving the project. She stated this was short-lived and was gone by 1983 when the project came back for minor modifications.

Ms. Kert stated the applicant disagrees with Planning Commission's finding that property is per se compatible with surrounding areas if there is a similar use next to it. She stated the development of the area over time must be viewed to determine compatibility. She stated multifamily, if it was ever compatible in the area, is simply no longer compatible.

Ms. Kert called the applicant's planning expert to come forward.
Ms. Christie Barreiro stated she is with Heidt Design. She stated the applicant is proposing 42 single-family residential units with a minimum lot size of 7,200 square feet. She stated the subject property is 14 acres located on Lake Magdalene Boulevard south of Ehrlich Road and north of Fletcher Avenue. She stated the subject property is designated with the RES-9 Future Land Use category. Ms. Barreiro displayed the site plan the applicant submitted and pointed out the applicant is proposing a single access point at Lake Magdalene Boulevard.

Ms. Barreiro stated the applicant is proposing the project be gated with private internal streets. She stated she would submit into the record the proposed PD conditions the applicant submitted to staff. Ms. Barreiro stated the owner of the remaining parent parcel has written a letter in support of single-family development, and the applicant has a petition signed by residents on the west side of Lake Magdalene Boulevard in support of single-family development and in opposition to multifamily development.

Ms. Barreiro stated the applicant had a Zoom virtual meeting with homeowners' associations in the area and had discussions with multiple residents, including residents
adjacent to the southern property boundary. She stated the applicant agreed to allow only single-story single-family homes along the southern property boundary, which would be consistent with the homes that are existing.

Ms. Barreiro stated the Planning Commission staff found single-family use is consistent with the RES-9 Future Land Use category and that the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area. She stated Planning Commission staff also found the proposal consistent with the neighborhood protection provisions of Objective 16 and Policies 16.1, 16.2, and 16.3 as well as Goal 2 of the Greater Carrollwood Northdale Community Plan, which seeks to reinforce community identity. She stated overall the Planning Commission staff found the proposed PD would encourage residential development that complements the character of the surrounding area.

Ms. Barreiro stated Planning Commission staff's only objection is that the proposed PD is inconsistent with Objective 1, Policy 1.2, which is the minimum density requirement because the subject property has a Future Land Use designation with density of greater than four dwelling units per acre. She stated the comprehensive plan requires that project density be at least 75 percent of allowable density. She stated the applicant believes the project complies with the Policy 1.3 exception, which states the minimum density provision does not apply if certain criteria are met.

Ms. Barreiro stated that except for the two multifamily zonings that were approved in 1971 and 1980, every other parcel in the vicinity of the subject property is lower density development. She explained that most of the properties in the area are zoned for between two and three dwelling units per acre. Ms. Barreiro stated she would submit copies of the plats into the record. Ms. Barreiro stated the proposed project is consistent with the predominantly single-family development pattern of Lake Magdalene and consistent with the plats she displayed. Ms. Barreiro stated that within a one-thousand-foot radius, there have not been any multifamily approvals in over 40 years. She added that the Lake Carlton Arms project required single-family subdivisions on the east and west of the apartment project to buffer impact on surrounding properties and the Planning Commission at the time recommended there be no multifamily access onto Lake Magdalene Boulevard. Ms. Barreiro stated the Greater Carrollwood-Northdale Community Plan seeks to preserve the existing suburban scale development pattern.

Ms. Barreiro stated the second bullet point of Policy 1.3 provides that if infrastructure is not planned or programmed to support the development, that would be another reason to not require density at 75 percent or greater. She stated one of the goals of the Greater Carrollwood-Northdale Community Plan is to preserve the existing suburban scale development pattern, and the plan identifies various activity centers and mobility corridors where higher density would be appropriate. Ms. Barreiro stated the subject property is not located near an existing or planned activity center or multilevel corridor. Ms. Barreiro stated higher density would not be appropriate since the subject property and surrounding areas are not in the activity center or mobility corridor necessitating future planned or programmed infrastructure for higher density.

Ms. Barreiro stated the third criteria for not requiring 75 percent density is if the development would have an adverse impact on environmental features on the site or adjacent to the property. She stated the subject property has no wetlands and the northeast corner of the property is the surveyed wetland boundary. She stated the subject property is adjacent to the wetland and to West Lake. She stated the proposed project would not affect the wetland area but any additional residential or development could have more environmental impacts than the existing uses today.

Ms. Barreiro stated the question is, "should the proposed PD be held to a minimum density required in the RES-9 Future Land Use category that has no basis in the Lake Magdalene area except for the two adjacent zonings to the east and west that were approved 40 and 50 years ago?" She stated alternatively, "should the Planned Development be evaluated on the consistency of the predominantly single-family development pattern and the density of the Greater Lake Magdalene area that exists today?" Ms. Barreiro stated the second standard is most appropriate and that the proposed PD density meets one or more of the Policy 1.3 exceptions.

Ms. Barreiro stated suburban scale density is desired and encouraged within the Greater Carrollwood-Northdale Community Plan and the applicant has received feedback from residents and associations in support of the proposed PD and opposed to higher density. She stated Planning Commission has found the proposed PD would be compatible with adjacent uses and the general development plan of the Lake Magdalene area. She stated the proposed PD would achieve a density closer to the minimum requirement under the current Future Land Use category than if the property were developed in its existing zoning designation of RSC-4. She stated in this regard the proposed PD demonstrates a greater consistency with the comprehensive plan than currently exists while still being compatible with the Greater Carrollwood-Northdale plan.

The hearing officer asked Ms. Barreiro about her credentials and whether she was a certified planner. Ms. Barreiro confirmed she was a certified planner. The hearing officer asked Ms. Barreiro whether, under the fifth bullet point of Policy 1.3, the rezoning is restricted to agricultural uses. Ms. Barreiro confirmed that bullet point was not applicable. The hearing officer asked Ms. Barreiro whether, under the fourth bullet point of Policy 1.3, the subject property is not in a Coastal High Hazard Area. Ms. Barreiro confirmed the subject parcel is not in a Coastal High Hazard Area.

The hearing officer asked Ms. Barreiro whether it was her testimony that, under the third bullet point of Policy 1.3, if development met the 75 percent minimum density it would likely have impacts on environmental features. Ms. Barreiro stated she is not an environmental scientist but was only stating that 42 residential units would have less of an impact than 94 or 126 residential units. The hearing officer asked why that would be the case and whether Ms. Barreiro was referring to drainage. Ms. Barreiro stated, "no" and explained that with proper planning and construction and other approvals the drainage would be consistent with all requirements.

The hearing officer asked Ms. Barreiro if the second bullet point of Policy 1.3 was applicable regarding whether infrastructure, including but not limited to water, sewer, stormwater, and transportation is not planned or programmed to support development. Ms. Barreiro stated there is water and sewer in the area and that Mr. Henry was present to answer any specific transportation questions. She stated she wanted to point out that in addition to the infrastructure elements she felt the Greater Carrollwood-Northdale Community Plan should also be considered because that plan states there should be compatible, comparable uses and in more recent history the area of Lake Magdalene has been built out as more single-family detached than multifamily.

The hearing officer asked Ms. Barreiro if the first bullet point of Policy 1.3 was applicable regarding whether density of at least 75 percent of the land use category or greater would not be compatible as defined in Policy 1.4 and would adversely impact the existing development pattern within a 1,000-foot radius. Ms. Barreiro stated the Planning Commission found single-family detached was not incompatible with the surrounding development but was not consistent with Policy 1.2. She stated since single-family is compatible with the area it is also consistent with Policy 1.3 for the reasons stated.

The hearing officer asked Ms. Barreiro to confirm she was not stating that development at a density of 75 percent would not be compatible but that single-family homes at the lower density is compatible. Ms. Barreiro confirmed that was correct.

The hearing officer asked Ms. Kert whether the applicant needed more time. Ms. Kert stated there were people present to speak on the project and the applicant would like the opportunity for rebuttal afterwards.

## Development Services Department

Mr. Kevie Defranc, 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.

## Opponents

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

Mr. Stanley O'Neal stated he resides in one of the two original communities that were built in the area. He stated there is a proposed fire substation for the Lake Magdalene
area and that just goes to show the uncontrolled growth in the area. He stated he does not believe the Lake Magdalene area should be compared to Northdale or Carrollwood because it is more remote. He stated this is one of the last remaining undeveloped pieces of land in that area. He stated traffic will be negatively impacted and compared to what traffic was 50 years ago it is very dangerous even to walk on the sidewalk. He stated three weeks ago a car ran off the road and if there had been pedestrians there would have been deaths. He stated that is happening more frequently. He stated this is a pristine, beautiful area and we do not need continued development of this type in the area.

Ms. Pamela Hannam stated she is a professional athlete, and she walks past the subject property every day. She stated it is a beautiful old pasture with old growth and a tremendous amount of wildlife. She stated the developers feel everything should be under 6 inches of concrete and six stories high. She stated the subject property should be left as is and turned into a wildlife sanctuary where birds and animals actually live and can be viewed by the public who live in the neighborhood. She stated it is a quiet, beautiful neighborhood and it does not need 43 or 143 or a million and 43 ugly little houses stuck on a piece of property. She stated she understood the owners of the property need to be rightly compensated to leave their land pristine. She stated she just came out of San Diego and some of the most beautiful land there is now under 6 inches of concrete with houses that are a foot apart, and that has destroyed the place. She stated let's not destroy any more of Tampa and this is a beautiful neighborhood that needs to be left as is.

Ms. Madonna McDermott stated the orange grove is in her backyard. She stated she is not familiar with the numbers and it has been like watching paint dry. She stated no one contacted her. She stated her property borders the growth. She stated she has lived there since 1980. She stated there are gopher tortoise and sandhill cranes and coyotes and hawks. She stated it is a beautiful orange grove. She asked "Can't we put something there to fix this?" "How come the Halls aren't here, they are the owners?" She stated "they already have seven different places up by Northdale, why do they want ours?" She asked "why are they here and the Halls are not here" Have they already decided that they're going to develop it?" She stated she was confused and asked if someone could explain to her. The hearing officer told Ms. McDermott to state her testimony. Ms. McDermott stated she was finished.

Mr. Andrew R. Lavin stated he loves the orange grove. He stated he understood it is in decline and it used to be harvested but now is not. He stated there is a lot of wildlife there and it should be used as a public park.

## Development Services Department

Mr. Grady stated Development Services Department had nothing further.

## Applicant Rebuttal

Mr. Michael Brooks stated he is co-counsel with Rebecca Kert. He stated he wanted Steve Henry to make a presentation for the record and Mr. Henry is author of the design exception that is part of the application. Mr. Brooks stated none of the opponents spoke
about transportation, but they did talk about preservation. He stated he wanted Mr. Henry to be on the record.

Mr. Steve Henry stated the applicant submitted a design exception for Lake Magdalene Boulevard and that it does not meet the current transportation technical manual standards. He stated the exception has been deemed approvable. He stated the applicant is mitigating for the exception by constructing a 10 -foot sidewalk on the east side of Lake Magdalene from the proposed project south the Fletcher Avenue. He stated if the road were widened to 12 feet and paved shoulders were added, that would increase the speed on the road. He stated the applicant did not want to increase the speeds. Mr. Henry stated instead of improving the road the applicant will add pedestrian features consisting of the 10 -foot sidewalk on the east side of the road. He stated as part of the design exception the applicant looked at the level of service and found the roadway does operate at an acceptable level of service today and will continue to operate at an acceptable level of service with the proposed project.

Mr. Brooks stated he appreciated the questions the hearing officer asked the applicant's planning expert. He stated the applicant did a tremendous amount of digging into the history of the subject property. He stated the Hall family has owned the subject property for close to 100 years and were one of the primary opponents of the Carlton Arms project at the time. He stated they could have sold the subject property for more units and maximized that, but that is not their goal. He stated the Hall family does not believe that would be a compatible use of the property.

Mr. Brooks stated it is interesting to talk about the exceptions and the Planning Commission is looking east and west of the subject property. He stated the applicant is talking about whether anywhere in the area, all the subdivisions date back into the 1970s. He stated the applicant submitted a record of the plats under the original R-1 zoning designation, and into the Horizon plan there were 7,000 -square-foot lot minimums. He stated most of those lots are a little larger than what the applicant is proposing. He stated looking north and south of the subject property there is a single-family subdivision to the south. He stated one of those residents was at the hearing and spoke. Mr. Brooks stated the applicant has been in contact with at least one other person. He stated to improve compatibility the applicant is proposing a condition to require single story along that boundary.

Mr. Brooks stated looking north of the subject property it is Residential-4. He stated this is the conundrum. He asked, "what is consistent-how do you achieve the greatest consistency of the Comp Plan?" He stated, "you build it at the RES-4 standards, or do you allow something that is closer to what the historical buildout of that area beginning back in the 1970s was?" He stated the applicant believes it is the latter.

Mr. Brooks stated north-south versus east-west is a very important point. He stated looking at Carlton Arms, it is adjacent, but Planning Commission stated that was a different time and a different code. He stated to get support for Carlton arms the developer
conceded to build single-family to buffer it from Lake Magdalene Boulevard and not have direct access.

Mr. Brooks stated sometimes the Planning Commission must take unpopular positions. He stated the applicant did not want to ask for 90 units on the subject property where many of the opponents have talked about preservation. He stated that is not an option. He stated what is an option is developing a consistent buildout. He stated the subject property is the last vacant tract in the greater area on that segment of Lake Magdalene. He stated where the hearing officer should look for consistency is the first bullet point, the development adjacent to the subject property.

Mr. Brooks stated there are 60 signatures in support that were submitted into the record. He stated the signers are not only in support but are specifically in opposition to multifamily. He stated one of those was from the Hall family. Mr. Brooks stated this is a difficult case and the only outcome that achieves the greatest consistency with the comprehensive plan is the applicant's proposal.

## C. EVIDENCE SUMBITTED

Ms. Christie Barreiro submitted into the record at the hearing a copy of the conditions of approval; a letter from Hall Family Holdings, Ltd; a petition signed by neighboring property owners requesting the subject property be developed in single-family homes; a copy of the Greater Carrollwood-Northdale Community Plan; details of Lake Magdalene area historical development pattern with plat maps; presentation slides.

Mr. Steve Henry submitted into the record at the hearing an aerial view of the subject property showing an area of proposed 1,800 linear feet of 10-foot-wide sidewalk from the project access point on Lake Magdalene Boulevard south to West Fletcher Avenue.

## D. FINDINGS OF FACT

1. The subject property consists of approximately 14 acres located at 13515 Lake Magdalene Boulevard, east of the Ehrlich Road and Lake Magdalene Boulevard intersection.
2. The subject property is designated RES-9 on the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County Future Land Use Map. The subject property is within the boundaries of the Greater CarrollwoodNorthdale Community Plan and is in the Urban Services Area.
3. The applicant has requested to rezone the subject property from RSC-4 to PD 210314 to allow development of a residential subdivision with a maximum of 42 single-family detached dwellings on lots with a minimum area of 7,200 square feet.
4. The applicant has not requested variances to the Land Development Code (LDC).
5. The surrounding area consists of single-family detached and multi-family residential developments. The proposed rezoning to allow a residential subdivision with a maximum of 42 single-family detached dwellings is compatible with the surrounding development pattern and consistent with the vision of the Greater Carrollwood Community Plan.
6. The proposed rezoning is not consistent with comprehensive plan Future Land Use Policy 1.2, which requires new development in the Urban Services Area to occur at 75 percent of density allowed in the applicable land use category unless the development meets the criteria of Policy 1.3.
7. The minimum allowable density applicable to the subject property is 94 dwelling units. Future Land Use Policy 1.3 provides an exception to the minimum density provision of Policy 1.2 where one or more of the enumerated criteria are met.
8. The first criterion of Policy 1.3 provides "Development at a density of $75 \%$ of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development." Planning Commission staff and the applicant's expert opined that development at the proposed density of 42 single-family units would be compatible with surrounding development. However, this is not the standard set in the first criterion of Policy 1.3. The standard is not whether development lower than $75 \%$ of the land use category would be compatible with surrounding development; but rather whether development at 75\% of the land use category or greater would not be compatible and would adversely impact surrounding development. Planning Commission staff opined that development at $75 \%$ of the future land use category would be compatible with surrounding development. The applicant's planning expert did not refute this. To the contrary, she testified she was not stating development at a density of 75 percent of the future land use category would not be compatible. There is no competent substantial evidence in the record demonstrating that development at a density of $75 \%$ of the future land use category or greater would not be compatible and would adversely impact the existing development pattern within a 1,000-foot radius of the proposed development. The proposed development does not meet this criterion.
9. The second criterion of Policy 1.3 provides "Infrastructure (including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development." The staff report states potable water and wastewater are available to the subject property and the project will be required to connect. The applicant's planning expert agreed public water and sewer infrastructure exist. The staff report states transit service is conveniently located to serve the subject property. The applicant's transportation expert testified that Lake Magdalene Boulevard operates at an acceptable level of service and will continue to operate at an acceptable level of service with the proposed project of 42 single-family homes. The applicant's planning expert testified higher density would not be appropriate since the subject property and surrounding areas are not in an activity
center or mobility corridor that would necessitate future planned or programmed infrastructure for higher density. However, the Policy 1.3 exception a showing that infrastructure (including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development. There is no competent substantial evidence in the record demonstrating that infrastructure is not planned or programmed to support development of the subject property at $75 \%$ of the future land use category. The proposed development does not meet this criterion.
10. The third criterion of Policy 1.3 provides "Development would have an adverse impact on environmental features on the site or adjacent to the property." The staff report stated the Environmental Protection Commission found West Lake is outside the project boundary and a wetland area exists in the northern portion of the folio. The applicant's planning expert testified there are no wetlands on the subject property within the project boundary. She stated she is not an environmental scientist, but she opined that 42 residential units would have less of an impact than 94 or 126 residential units. She stated with proper planning and construction the drainage will be consistent with all requirements. There is no competent substantial evidence in the record demonstrating that development of the subject property at $75 \%$ of the future land use category would have an adverse impact on environmental features on or adjacent to the subject property. The proposed development does not meet this criterion.
11. The fourth and fifth criteria of Policy 1.3 respectively provide an exception if the site is in the Coastal High Hazard Area or the rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots. The applicant's planning expert testified these two criteria do not apply to the proposed development or the subject property. There is no competent substantial evidence in the record demonstrating that the subject property is in the Coastal High Hazard Area or the rezoning is restricted to agricultural uses. The proposed development does not meet these two criteria.
12. A development meeting the Policy 1.2 minimum allowable density requirement would be compatible with the surrounding development pattern and would not adversely impact the existing development pattern within a 1,000-foot radius of the proposed development.

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

The rezoning request is not in compliance with, and does not 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." $\S 163.3194(3)(a)$, 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 inconsistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County, and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

## G. SUMMARY

The applicant has requested to rezone the subject property from RSC-4 to PD 21-0314 to allow development of a residential subdivision with a maximum of 42 single-family detached dwellings on lots with a minimum area of 7,200 square feet. The rezoning request does not meet the minimum density requirements of Future Land Use Element Policy 1.2 and would undermine the intent of the Urban Service Area policies. The rezoning request does not meet the exception criteria of Policy 1.3.

## H. RECOMMENDATION

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


## Hillsborough County <br> City-County <br> Planning Commission

| Unincorporated Hillsborough | ounty Rezoning |
| :---: | :---: |
| Hearing Date: <br> May 17, 2021 <br> Report Prepared: <br> May 6, 2021 | Petition: PD 21-0314 <br> East of the Lake Magdalene Boulevard and Ehrlich Road intersection |
| Summary Data: |  |
| Comprehensive Plan Finding: | INCONSISTENT |
| Adopted Future Land Use: | Residential-9 (9 du/ga; 0.50 FAR) |
| Service Area: | Urban |
| Community Plan: | Greater Carrollwood-Northdale |
| Requested Zoning: | Residential Single-Family Conventional-4 (RSC-4) to Planned Development (PD) to allow for up to 42 detached single family lots with a minimum lot size of $7,200 \mathrm{sq}$. ft. |
| Parcel Size (Approx.): | 14.01 +/- acres |
| Street Functional Classification: | Ehrilich Road- Local <br> Lake Magdalene Boulevard - Local |
| Locational Criteria: | N/A (requests residential development) |
| Evacuation Area: | The site is not within an Evacuation Zone. |

## Context

- The subject property is located on approximately 14.01 acres east of the Lake Magdalene Boulevard and Ehrlich Road intersection. The subject property is within the limits of the Greater Northdale Community Plan and the Urban Service Area.
- The subject property is designated as Residential-9 (RES-9) on the Future Land Use Map. Typical uses within the RES-9 Future Land Use category include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The Residential-9 (RES-9) Future Land Use category is located immediately to the east of the subject site. Residential-4 (RES-4) is located immediately north and immediately to the south. Residential-9 (RES-9) and Public/Quasi-Public (P/QP) are located to the west.
- The subject property and the site to the north are currently classified as agricultural with Residential Single-Family Conventional-4 (RSC-4) zoning. A multi-family development is located to the east with Planned Development (PD) zoning. Single-family lots with Planned Development (PD) are located to the south. Multi-family, public institution and a school are located to the west across Lake Magdalene Boulevard with Planned Development (PD) and Residential Single-Family Conventional-6 (RSC-6) zoning.
- The applicant requests to rezone the subject property from Residential Single-Family Conventional-6 (RSC-6) to Planned Development (PD) to allow for up to 42 single family lots with a minimum lot size of $7,200 \mathrm{sq}$. ft .


## Compliance with Comprehensive Plan:

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

## Future Land Use Element

## Urban Service Area (USA)

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

Policy 1.2: Minimum Density All new residential or mixed-use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities. Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least $75 \%$ of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

Policy 1.3: Within the USA and within land use categories permitting 4 du/ga or greater, new rezoning approvals for residential development of less than 75\% of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be meet:

- Development at a density of $75 \%$ of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development;
- Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.
- Development would have an adverse impact on environmental features on the site or adjacent to the property.
- The site is located in the Coastal High Hazard Area.
- The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots. ${ }^{i}$

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.

Objective 6: The concept plan is the overall, conceptual basis for the long range, Comprehensive Plan, and all plan amendments must be consistent with, and further the intent of the concept plan, which advocates focused clusters of growth connected by corridors that efficiently move goods and people between each of the activity centers.

## Relationship to Land Development Regulations

Objective 9: All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

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

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

## Provision of Public Facilities-Transportation

Objective 12: All new development and redevelopment shall be serviced with transportation systems that meet or exceed the adopted levels of service established by Hillsborough County.

## 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 16.7: Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

Policy 16.8: The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.

Policy 16.13: Medium and high density residential and mixed-use development is encouraged to be located along transit emphasis corridors, potential transit corridors on the MPO 2050 Transit Concept Map and collector and arterial roadways within the Urban Service Area.

## 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.

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

Policy 12-1.1: Lots on the edges of new developments that have both a physical and visual relationship to adjacent property that is parceled or developed at a lower density should mitigate such impact with substantial buffering and/or compatible lot sizes.

### 5.2 URBAN/SUBURBAN

Goal 13: Make it possible to develop in a traditional urban pattern in designated urbanizing areas of the County.

13-1.4: Where conditions permit, design communities around a grid network of streets, or a modified grid, which will improve interconnections between neighborhoods and surrounding neighborhood-serving uses.

## Conservation and Aquifer Recharge Element

## Wetlands and Floodplain Resources

Objective 4: The County shall continue to apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and other surface waters authorized for projects in Hillsborough County, consistent with the Uniform Mitigation Assessment Method. The County shall work with the Environmental Protection Commission, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Tampa Bay Estuary Program to achieve a measurable annual increase in ecological values provided by the functions performed by wetlands and other surface waters. It shall be the County's intent to maintain optimum wetland functions as well as acreage.

Policy 4.1: The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration.

Policy 4.3: The County shall, through the land planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to prohibit unmitigated encroachment into wetlands.

Policy 4.12: Priority shall be given to avoiding the disturbance of wetlands in the County and to encourage their use only for purposes which are compatible with their natural functions and environmental benefits.

Policy 4.13: Development which impacts wetlands may be deemed appropriate only as a last resort; where:

1. reasonable use of the property is otherwise unavailable and/or onsite preservation of a functioning wetland system is deemed unsustainable;
2. the adverse impact is offset by the benefit of the development to the public such that it is reasonable, in the public interest and an acceptable mitigation plan is proposed.

This determination shall be made by Hillsborough County and/or the Environmental Protection Commission of Hillsborough County.

Policy 4.14: The development review process, part of a comprehensive program for the protection of wetlands, shall make every effort to maintain natural undisturbed wetlands by way of a sequential review process that first evaluates all means of avoiding wetland impacts in regard to a particular
project; if necessary, secondly, evaluates and requires measures to minimize wetland impacts; and if necessary, thirdly, evaluates and requires the mitigation of wetland impacts.

Livable Communities Element

## Greater Carrol/wood-Northdale

## 2. Community Design/Culture

Maintain and enhance community pride by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character. As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.

Goal 2: Reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance.

## Strategies:

- Promote focal points and landmarks that reflect the uniqueness of each neighborhood within community area.
- New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).

Staff Analysis of Goals Objectives and Policies:
The subject property is located on approximately 14.01 acres east of the Lake Magdalene Boulevard and Ehrlich Road intersection. The subject property is within the limits of the Greater Northdale Community Plan and the Urban Service Area. The applicant requests to rezone the subject property from Residential Single-Family Conventional-4 (RSC-4) to Planned Development (PD) to allow for up to 42 single family lots with a minimum lot size of $\mathbf{7 , 2 0 0} \mathbf{s q}$. ft.

The subject property is designated Residential-9 (RES-9) on the Future Land Use Map. The intent of the RES-9 Future Land Use category is to designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments when in compliance with the Goals, Objectives, and Policies of the Future Land Use Element and applicable development regulations and locational criteria for specific land use.

The proposed single-family uses are consistent with the RES-9 Future Land Use category. The subject property is surrounded predominantly by single-family and multi-family development. However, RES-9 is designated as suitable for low-medium density residential development. The maximum allowable density for the subject property is 126 dwelling units. The minimum allowable density is 94 dwelling units. The applicant is proposing 42 single-family detached units. The subject property is located in the Urban Service Area, where $\mathbf{8 0 \%}$ or more of new growth is directed per the Comprehensive Plan (Objective 1, FLUE). The application is not meeting minimum density requirements.

The applicant seeks an exception to the minimum density requirement as outlined in Policy 1.3 (FLUE). The applicant provides a significant amount of historical information concerning the land use categories in the area. The applicant also states that meeting minimum density requirements would result in a multi-family development that would not
be compatible with the residential development pattern in the area. Staff acknowledges that the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area. However, multi-family is located immediately to the east and west across Lake Magdalene Boulevard to the west. Multi-family development would not be incompatible with the existing development pattern.

The proposed single-family residential development is consistent with Objective 16 and Policies 16.1, 16.2 and 16.3. The applicant also requests an access on to Lake Magdalene Boulevard and provides for internal circulation which is consistent with Policy 16.7 (FLUE). However, the application is not consistent with Objective 1 and Policy 1.2 (FLUE) because it does not meet minimum density requirements and does not satisfy the compatibility exception outlined in Policy 1.3 (FLUE).

The request is consistent with Goal 2 of the Greater Carrollwood-Northdale Community Plan which seeks to reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance. New development and redevelopment are required to use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. The proposed residential development is comparable and compatible to the development pattern in the area and is consistent with the vision of the Community Plan.

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

Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the Greater Carrollwood Northdale Community Plan. However, the proposed Planned Development does not meet minimum density requirements and would directly undermine the intent of Urban Service Area (USA) policies in the Future Land Use Element of the Unincorporated Hillsborough County Comprehensive Plan.

## Recommendation

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

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# GENERAL <br> SITE PLAN FOR CERTIFICATION 

Hillsborough
County Florida

HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION
$\square$
Project Name: $\square$ Zoning File: RZ-PD 21-0314 Modification: None
$\square$ Atlas Page: None Submitted: 06-/18/21

To Planner for Review. Kevie Defranc Date Due: $\square$ Contact Person:Dianne Fenech Phone:813-253-5311/ dfenech@heidtdesign.com Right-Of-Way or Land Required for Dedication: $\square$ No

$(\boldsymbol{\sim})$ 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 Kevie Defranc <br> Date: <br> 06/23/21

Date Agent/Owner notified of Disapproval: $\square$



REVIEWER: Richard Perez, AICP
PLANNING AREA/SECTOR: GCN/ Northwest

AGENCY/DEPT: Transportation
PETITION NO: RZ 21-0314

This agency has no comments.

This agency has no objection.

X 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 decrease the number of trips potentially generated by development of the subject parcel.
- Lake Magdalene Blvd. is a substandard collector roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. design exception request (on March 1, 2021). The request was found approvable by the County Engineer on March 26, 2021. If the design exception is approved, improvements will be limited to constructing a 10 -foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project access to Fletcher Ave. If the rezoning is approved, the County Engineer will approve the design exception.
- The applicant is preserving 7 feet of right-of-way along project frontage on Lake Magdalene Blvd.
- Transportation Review Section staff has no objection to the proposed rezoning, subject to the conditions proposed hereinbelow.


## CONDITIONS OF APPROVAL

1. If the RZ 21-0314 is approved, the County Engineer will approve a Section 6.04.02. B. Design Exception (dated March 1, 2021) from the Section 6.02 .07 requirement to improve certain portions of Lake Magdalene Blvd., a substandard collector roadway, to current County standards. Approval of the Design Exception, which was found approvable by the County Engineer on March 26, 2021, will result in improvements limited to constructing a 10 -foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project access to Fletcher Ave.

## PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a rezoning of a portion of a single parcel, totaling $+/-14$ ac., from Residential, Single-Family Conventional - 4 (RSC-4) to Planned Development (PD). The applicant is seeking entitlements for up to 42 single-family detached dwelling units.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a transportation analysis for the subject property. Utilizing data from the Institute of Transportation Engineer's Trip Generation Manual, $10^{\text {th }}$ Edition, and based upon a generalized worst-case scenario, staff
has prepared a comparison of the trip generation potential at project buildout under the existing and proposed zoning designations.

Existing Use:

| Land Use/Size | 24 Hour Two-Way <br> Volume | Total Peak hour Trips |  |
| :---: | :---: | :---: | :---: |
|  |  | AM | PM |
| RSC-4, 56 Single Family Detached Dwelling Units <br> (ITE LUC 210) | 529 | 42 | 55 |

## Proposed Use:

| Land Use/Size | 24 Hour Two-Way <br> Volume | Total Peak Hour Trips |  |
| :---: | :---: | :---: | :---: |
|  |  | AM | PM |
| PD, 42 Single Family Detached Dwelling Units <br> (ITE LUC 210) | 369 | 31 | 42 |

Trip Generation Difference:

| Land Use/Size | 24 Hour Two-Way <br> Volume | Total Peak Hour Trips |  |
| :---: | :---: | :---: | :---: |
|  |  | AM | PM |
| Difference | $(-) \mathbf{1 6 0}$ | $(-) \mathbf{1 1}$ | $(-) \mathbf{1 3}$ |

## TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lake Magdalene Blvd. is a 2-lane, undivided, substandard, collector roadway characterized by $+/-10$ to 11 -foot wide travel lanes in good condition. Along the project's frontage, the roadway lies within a $+/-60-$ foot wide right-of-way. There is a $+/-5$-foot wide sidewalk along the west of the project frontage along Lake Magdalene Blvd. There are no bicycle facilities (or paved shoulders) along Lake Magdalene Blvd. in the vicinity of the proposed project.

The applicant is preserving 7 feet of right-of-way along project frontage on Lake Magdalene Blvd as depicted on the PD site plan.

## SITE ACCESS AND CONNECTIVITY

Access to site will be via a single access connection to Lake Magdalene Blvd. Given the relatively low trip generation potential of the project, turn lanes are not warranted per Section 6.04.04.D. of the LDC.

## REQUESTED DESIGN EXCEPTION

Lake Magdalene Blvd. is a substandard collector roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Design Exception Request (dated March 1, 2021) from the Section 6.02.07 LDC requirement to improve the roadway (between the project driveway and nearest standard roadway) to current Hillsborough County Transportation Technical Manual (TTM) standards. Based on factors presented in the Design Exception Request, the County Engineer found the request approvable on March 26, 2021. If this rezoning is approved, the County Engineer will approve the above referenced Design Exception request. The Design Exception will result in construction of a 10 -foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project ac cess to Fletcher Ave.

## ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information for adjacent roadway sections is reported below.

| Roadway | From | To | LOS <br> Standard | Peak Hour <br> Directional <br> LOS |
| :--- | :--- | :--- | :---: | :---: |
| Lake Magdalene Blvd. | Bearss Ave. | Ehrlich Rd. | D | C |

Source: Hillsborough County 2019 Level of Service Report.

| From: | Williams, Michael |
| :--- | :--- |
| Sent: | Thursday, May 6, 2021 8:34 AM |
| To: | Grady, Brian; Moreda, Joe |
| Cc: | Defranc, Kevie |
| Subject: | RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314 |

Brian - you are correct, I should have said DE.

From: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Sent: Thursday, May 6, 2021 8:15 AM
To: Williams, Michael [WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG); Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Cc: Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Mike,

I assume the reference to Variance below, you meant DE as the staff report indicates DE. Thanks.

## J. Brian Grady

## Executive Planner

Development Services Department

P: (813) 276-8343
E: GradyB@HCFLGov.net
W: HCFLGov.net

## Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG)
Sent: Wednesday, April 28, 2021 6:54 PM
To: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG); Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Cc: Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Joe,
For 94 SFD they would be required to build a left turn lane into the site in accordance with the LDC. Capacity of the road would be good and the Variance would likely still be acceptable. The left turn lane would be difficult to build as there is limited ROW in that corridor. Also, it is very unlikely they could build 94 SFD lots with the size of the site and the stormwater challenges.

Townhomes and multifamily (2-story) are classified the same in ITE for trip generation purposes. When 94 TH/MF units were calculated the numbers were a little bit higher than 42 SFD ( 35 versus 28 entering vehicles in the PM peak), but not enough to require turn lanes or to change the substandard road determination.

Mike

From: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Sent: Wednesday, April 28, 2021 4:37 PM
To: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG); Williams, Michael < WilliamsM@HillsboroughCounty.ORG>
Cc: Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Mike,

The Planning Commission as advised that for consistency purposes the application need another 52 units for a total of 94 units. Therefore, please advise on impacts for a project with a total of 94 units versus the 42 requested. Right now they are asking for single-family detached. Realistically, Townhomes would seem to be the more viable option for a 94 unit project . Not sure what, if any, difference there would be between 94 SFD, 94 TH or 94 multi-family, but we probably need to know if it does make a difference. Thanks.

## J. Brian Grady

## Executive Planner

Development Services Department

```
P: (813) 276-8343
E: GradyB@HCFLGov.net
W: HCFLGov.net
```


## Hillsborough County

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From: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Sent: Wednesday, April 28, 2021 4:05 PM
To: Williams, Michael < WilliamsM@HillsboroughCounty.ORG>
Cc: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG); Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Hi Mike. I stand corrected. The unit count to meet min density is more like 50. I'll ask Brian / Kevie to provide more detail. The applicant is asserting the higher number to meet min density of the Comp Plan may/will generate transportation issues. It will be critical to understand the transportation elements of the added density. Thank you for your assistance.

From: Williams, Michael [WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG)
Sent: Tuesday, April 27, 2021 6:00 PM
To: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Cc: Gormly, Adam [Gormlya@HillsboroughCounty.ORG](mailto:Gormlya@HillsboroughCounty.ORG); Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG); Perez, Richard [PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org); Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org); Tirado, Sheida [TiradoS@hillsboroughcounty.org](mailto:TiradoS@hillsboroughcounty.org)
Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Joe,

According to the Level of Service Report, Lake Magdalene Blvd. operates at LOS C, meaning there is excess capacity since the standard for that road is LOS D. Adding 20 units would be approximately $48 \%$ more units than what is currently proposed. With these additional units, turn lanes into the project would still not be required and the number of access connections required by the LDC would be unchanged. Substandard road improvements, that were the subject of a design exception that was found to be Approvable, would not be impacted by 20 additional units.

One concern may be stormwater. This site will be challenging from a stormwater perspective because there are floodplain impacts that need to be addressed and could prevent getting certain densities.

## Mike

From: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Sent: Tuesday, April 27, 2021 4:30 PM
To: Williams, Michael [WilliamsM@HillsboroughCounty.ORG](mailto:WilliamsM@HillsboroughCounty.ORG)
Cc: Gormly, Adam [Gormlya@HillsboroughCounty.ORG](mailto:Gormlya@HillsboroughCounty.ORG); Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG); Perez, Richard [PerezRL@hillsboroughcounty.org](mailto:PerezRL@hillsboroughcounty.org); Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Hi Mike. Generally speaking, I noticed for this case the roads are substandard and require DE.

We are trying to determine the implementation concerns that could arise if we conclude the case needs to be intensified with more dwellings to recommend approval (which would be in the vicinity of 20 plus additional dwelling units).

Can you provide a brief summary of what (if anything) could be exacerbated with the additional unit count. Also, do we know if there are congestion concerns with this location?

Thank you -JM

From: Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Sent: Tuesday, April 27, 2021 2:00 PM
To: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG)
Cc: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Subject: RE: Discuss RZ-PD 21-0314

Please see the attached Planning Commission review comments, Transportation review comments, and maps for RZ-PD 21-0314, as requested.

## Kevie Defranc

## Senior Planner

Community Development Division
Development Services Department

P: (813) 274-6714
E: DefrancK@HCFLGov.net
W: HCFLGov.net

## Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

From: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Sent: Tuesday, April 27, 2021 10:23 AM
To: Norris, Marylou [NorrisM@hillsboroughcounty.org](mailto:NorrisM@hillsboroughcounty.org)
Cc: Moreda, Joe [MoredaJ@HillsboroughCounty.ORG](mailto:MoredaJ@HillsboroughCounty.ORG); Defranc, Kevie [DefrancK@hillsboroughcounty.org](mailto:DefrancK@hillsboroughcounty.org)
Subject: RE: Discuss RZ-PD 21-0314

You are correct, sorry for the confusion. Guess I should look at my calendar. Thanks.
J. Brian Grady

## Executive Planner

Development Services Department

```
P: (813) 276-8343
E:GradyB@HCFLGov.net
W: HCFLGov.net
```


## Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Norris, Marylou [NorrisM@hillsboroughcounty.org](mailto:NorrisM@hillsboroughcounty.org)
Sent: Tuesday, April 27, 2021 10:22 AM
To: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Subject: RE: Discuss RZ-PD 21-0314
On your calendar, you have a meeting at 10:30am already.

## Marylou Norris

## Administrative Specialist

Community Development Section
Development Services Department

```
P: (813) 276-8398
E: NorrisM@HCFLGov.net
W: HCFLGov.net
```


## Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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## Vsj: <br> CrushCOVIDHE.org

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------Original Appointment-----
From: Grady, Brian [GradyB@HillsboroughCounty.ORG](mailto:GradyB@HillsboroughCounty.ORG)
Sent: Tuesday, April 27, 2021 10:20 AM
To: Norris, Marylou
Cc: Moreda, Joe; Defranc, Kevie
Subject: Accepted: Discuss RZ-PD 21-0314
When: Tuesday, April 27, 2021 1:30 PM-2:00 PM (UTC-05:00) Eastern Time (US \& Canada).
Where: Microsoft Teams Meeting

Hi Marylou,

Joe's e-mail indicated he wanted to have this meeting at 10:30. Did that change?

Rome, Ashley

| From: | Clock, Dessa [clockd@epchc.org](mailto:clockd@epchc.org) |
| :--- | :--- |
| Sent: | Thursday, May 6, 2021 12:04 PM |
| To: | Defranc, Kevie; Rome, Ashley |
| Subject: | RZ PD 21-0314 |

[External]
Good Afternoon,
The revised documents/plans do not change the previously issued comments by EPC Wetlands Division.

Thank you,

## Dessa Clock

Environmental Supervisor I
Wetlands Division
(813) 627-2600 ext. 1158 | www.epchc.org

Environmental Protection Commission
3629 Queen Palm Drive, Tampa, FL 33619
Our mission is "to protect our natural resources, environment, and quality of life in Hillsborough County."
Follow us on: Twitter | Facebook | YouTube
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Andy Schipfer, P.E. Wetlands division
Sterlin Woodard, P.E. AIR division

## AGENCY COMMENT SHEET

| REZONING |  |
| :---: | :---: |
| HEARING DATE: 4/19/2021 <br> PETITION NO.: 21-0314 <br> EPC REVIEWER: Dessa Clock <br> CONTACT INFORMATION: (813) 627-2600 X1158 <br> EMAIL: clockd@epchc.org | COMMENT DATE: 2/9/2021 <br> PROPERTY ADDRESS: 13515 Lake Magdalene <br> Blvd, Tampa, FL 33618 <br> FOLIO \#: 018844-0000 <br> STR: 03-28S-18E |
| REQUESTED ZONING: PD |  |
| FINDINGS |  |
| WETLANDS PRESENT | YES |
| SITE INSPECTION DATE | 10/4/2018 |
| WETLAND LINE VALIDITY | No valid wetland line |
| WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES) | West Lake is located outside of the project boundaries to the northeast. Additional wetland areas exist in the northern portion of the folio. |
| The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included: <br> - Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/ permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. <br> - The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. <br> - Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland |  |

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

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


## INFORMATIONAL COMMENTS:

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

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

Dc/mst

# Hillsborough County 

## P U B L I C S C H O O L S Preparing Students for Life

Adequate Facilities Analysis: Rezoning

Date: March 5, 2021
Jurisdiction: Hillsborough County
Case Number: RZ 21-0314
HCPS \#: RZ-349
Address: 13515 Lake Magdalene Blvd., Tampa
Parcel Folio Number(s): 018844.0000

Acreage: 14.01 (+/- acres)
Proposed Zoning: Planned Development
Future Land Use: R-9
Maximum Residential Units: 42 Units
Residential Type: Single-Family Detached

| School Data | Lake Magdalene <br> Elementary | Adams <br> Middle | Chamberlain <br> High |
| :--- | :---: | :---: | :---: |
| FISH Capacity | 1110 | 1460 | 1991 |
| 2020-21 Enrollment | 693 | 710 | 1391 |
| Current Utilization | $62 \%$ | $49 \%$ | $70 \%$ |
| Concurrency Reservations | 4 | 11 | 24 |
| Students Generated | 9 | 4 | 6 |
| Proposed Utilization | $64 \%$ | $50 \%$ | $71 \%$ |

Sources: 2020-21 40 ${ }^{\text {th }}$ Day Enrollment Count with Updated Concurrency Reservation as of 2/22/2021

NOTE: Lake Magdalene Elementary, Adams Middle, and Chamberlain High currently have capacity for the proposed project.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.

Matthew Pleasant
Department Manager, Planning \& Siting Growth Management Department Hillsborough County Public Schools
E: matthew.pleasant@hcps.net
P: 813.272.4429

## AGENCY REVIEW COMMENT SHEET

NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON the fee schedule at the time of building permit application.

TO: Zoning Review, Development Services
REVIEWER: Ron Barnes, Impact \& Mobility Fee Coordinator
APPLICANT: Gary Miller, David Weekley Homes

DATE: 05/05/2021

PETITION NO: 21-0314

LOCATION: 13515 Lake Magdalene Blvd
FOLIO NO: 18844.0000

## Estimated Fees:

(Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached)
Mobility: $\$ 5,921.00$ * 42 units $=\$ 248,682.00$
Parks: \$1,815 * 42 units = \$76,230.00
School: $\$ 8,227.00$ * 42 units $=\$ 345,534.00$
Fire: $\$ 335.00$ * 42 units $=\$ 14,070.00$
Total Single Family Detached = \$684,516.00

Project Summary/Description:
Urban Mobility, Northwest Park/Fire - 42 Single Family Units

TO: ZONING TECHNICIAN, Planning Growth Management
DATE: 22 Feb. 2021
REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management
APPLICANT: Dianne Fenech PETITION NO: RZ-PD 21-0314
LOCATION: 13515 Lake Magdalene Blvd, Tampa, FL 33618
FOLIO NO: 18844.0000
SEC: $\underline{03}$ TWN: $\underline{28}$ RNG: 18
$\boxtimes \quad$ This agency has no comments.
$\square \quad$ This agency has no objection.
$\square \quad$ This agency has no objection, subject to listed or attached conditions.
$\square \quad$ This agency objects, based on the listed or attached conditions.

COMMENTS: $\qquad$ .


HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

```
-------------------------------X
IN RE:
ZONE HEARING MASTER )
HEARINGS )
)
-------------------------------X
                    ZONING HEARING MASTER HEARING
    TRANSCRIPT OF TESTIMONY AND PROCEEDINGS
BEFORE: PAMELA JO HATLEY
                            Land Use Hearing Master
DATE: Monday, 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
```

5

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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

> D5:

Application Number: Applicant:

Location:
8 Folio Number:
Acreage:
Comprehensive Plan:
Service Area:
Existing Zoning:
Request:
RZ-PD 21-0314

Gary Miller, David Weekley
Homes
13515 Lake Magdalene Blvd. 18844.0000

14 acres, more or less
R-9
Urban
RSC-4
Rezone to Planned Development


Executive Reporting Service
because you're going to see it again when she's going over the details of the project. I did want to orient you. This subject parcel is 14 acres to the east of Lake Magdalene Boulevard and to the south of Ehrlich Road.

The request is for 42 single-family lots. The property has a RES-9 designation on the Future Land Use Map. It is part of a larger parent parcel, which is 60 acres; and interestingly, this one parcel has a split land use designation with R-4 to the north and the subject parcel having RES-9.

Next slide, please. Have to click a few times. So this next slide you can see that the parent parcel to the north is RES-4 as is most of the surrounding land use except for our parcel, the parcel to the east and the parcel to the west which are older Planned Development, which are the RES-9; and there is some Public/Quasi-Public.

The proposed Planned Development poses a balancing of interest and a question of consistency with the Comprehensive Plan. The Planning Commission has found the petition inconsistent based on an interpretation of Policy 1.3 of the Future Land Use Element, which requires that
rezonings meet a minimum density of at least 75 percent of the underlining land use designation.

There are exceptions to that policy and not only do we believe that we meet those exceptions, we believe that we're actually exemplified the reason that you have those exemptions because it would be completely incompatible and inappropriate to put 94 or 100 units on this parcel in the middle of Lake Magdalene neighborhood.

Next slide, please. We have a lot of history on this project that I'm going to go over quickly to provide some context. The circle is our subject parcel in the Horizon 2000 plan. It has suburban development area future land use.

Next slide, please. This is the 1980 to
1984 county zoning map. You can see that the entire area around us is $R-1$, except for the Planned Development to east and the Planned Development to the west of our property.

Next slide, please. This is a 1989 Comprehensive Plan, and you can see even in this plan our property was still suburban density residential. And the only area of high density residential was the Planned Development to the west, which was the Carlton Arms apartment project.

Next slide, please. So this is 1991 zoning conformance; and interestingly, our property was down-zoned to RSC-4. At this time the R-1 category went away, and the properties in the surrounding area were all changed to RSC-4 or RSC-6. And our property actually got the lower designation.

However, at some point during an EM
amendment our property was actually up-planned on the Comprehensive Plan to the RES-9 land use category.

Next slide, please. So we believe that the RES-9 is an anomaly on this property, and it's because we are sandwiched between on the east, 1971 rezoning and on the west, 1983 Planned Development.

Next slide, please. So this is -- the 1971
rezoning was the Carlton Arms apartment project, and it was extremely controversial. It came in, in the summer of 1971, and there were over 600 people showed up in opposition according to the newspaper articles at the time.

The Planning Commission found that
multifamily Euclidean rezoning was incompatible with the development in the area, and the developer actually withdrew it prior to the hearing.

They did come back a few months later with a

Planned Development that had some substantial changes, although it did approve 798 multifamily units in this area.

However, it did add significant amounts of single-family units. In fact, over 60 percent of the new Planned Development was single-family, and it also removed access from the multifamily to make Lake Magdalene.

It previously had the apartments having access to Lake Magdalene, and based upon those changes, the Planning Commission changed its original recommendation and did find it approvable.

However, this project remains today the most intensive development in the Lake Magdalene area. The 1980 rezoning on the other -- on the west side of the property was also extremely controversial. Even though it was only on 9 acres, it still had significant opposition from the surrounding single-family residents.

And there are two important things to note from that. It was approved during 1980, which was a very different time. Under a state law that was in effect for a very brief time, a special act, the Zoning Hearing Officer actually made the final decisions on zoning cases.

That was actually found to be unconstitutional, but this project had already been approved. The other thing that's very interesting is in 1979, the Horizon 2000 plan was amended to create areas of overlay for a potentially suited for high density residential development of up to 20 dwelling units an acre.

This property was part of that area and was actually part of the reasoning it was relied upon by the Zoning Hearing Officer in approving it. That was very short-lived. That was actually gone by 1983, when this project came back for some minor modifications.

In short, we respectfully disagree with the Planning Commission that the property is per se compatible with surrounding areas if there is a similar use next to it. We believe that you have to view the development of the area over time to determine the compatibility.

And then multifamily, if it was ever compatible in this area, is simply no longer compatible. At this point I'm going to turn it over to our planning expert.

MS. BARREIRO: Good evening. Christie Barreiro with Heidt Design. My address is 5904

Hampton Oaks Parkway, Tampa, Florida 33610.
Next slide, please. Next slide. Next slide. Next slide. So these are just some of the article that Rebecca mentioned. The opposition to the 1980 plan.

So as Rebecca mentioned, you've seen this slide previously. We are proposing 42 single-family residential units with a minimum lot size of 7200 square feet. The property is 14 acres. It's located on Lake Magdalene Boulevard, south of Ehrlich, and north of Fletcher. And the property has a Residential-9 Future Land Use category.

Next slide. So this is the Planned Development that was submitted to the County. Again, we are proposing a single access point at Lake Magdalene Boulevard.

We're proposing that the property be gated with private internal streets, and we would also like to submit into the record proposed Planned Development conditions that were submitted to staff on Friday. And I'll do that at the end of the presentation.

Next slide, please. In addition to the conditions of approval, I wanted to mention that
the owner of the remaining parent property has written a letter in support of the single-family development. We've also had a petition signed by multiple residents on the west side of Lake Magdalene Boulevard, again, in support of single-family development and opposing multifamily development.

We also had a Zoom virtual meeting with homeowners associations in the vicinity and have had discussions with multiple residents in the area about this application, including residents located adjacent to the southern property boundary.

And the applicant has agreed to only allow for single-story, single-family homes along the southern property boundary, which would be consistent with the homes that are existing.

Again, we are opposed to Planning Commission staff report. They do find that the single-family use is consistent with the Residential-9 Future Land Use category.

They acknowledge that the proposed Future Land Use -- the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area.

They also say that we are consistent with Objective 16, which is the neighborhood protection objective, including Policy 16.1, 16.2, and 16.3. Again, they believe we're consistent with Goal 2, which is the Greater Carrollwood and Northdale Community Plan, which seeks to reinforce community identity.

And overall, the Planning Commission staff finds that the proposed Planned Development would encourage residential development that complements the surrounding character.

Next slide, please. Next slide. So Planning Commission's only objection is that we are inconsistent with Objective 1, Policy 1.2, which is the minimum density requirement because we have a Future Land Use greater than four dwelling units per acre.

The Comprehensive Plan requires that the density be at least 75 percent of the allowable density. We believe that we fall into Policy 1.3, which says if we meet certain criteria that that 75 percent minimum density doesn't apply.

Next slide, please. Next slide. So I'm going to go through a couple of slides very quickly. This graphic shows the parcel lines in
the surrounding area. So our property is on the eastern side of the plan here. There's a very small red star in West Lake, and our project is just south of that.

As Rebecca mentioned earlier, there are two multifamily zonings that were approved in 1971 and 1980. Everything else in the vicinity of this property is lower density development.

Next slide, please. And as you can see from this list here, most of the approved zonings are between two and three dwelling units per acre, and I will also be submitting those plats into the record as well.

Next slide, please. So as you can see, we believe that we are consistent with Policy 1.3. The proposed project is consistent with the predominantly single-family development pattern of Lake Magdalene; and our application proposing three dwelling units per acre, which, again, is consistent with the plats that $I$ was showing you previously.

Within the thousand foot radius, there has not been any multifamily approvals in over 40 years. It's all been single-family since those 1971 and 1980 approvals. In fact, the connection
in Lake Carlton Arms project required single-family subdivisions added to the east and west of the proposed apartment project to buffer this impact on the surrounding properties, and at the time the Planning Commission recommended there should be no multifamily access onto Lake Magdalene Boulevard.

Again, the Greater Carrollwood Northdale Community Plans expressly seek to preserve the existing suburban scale development pattern.

And there's a couple of bullet points there that we believe state the case of compatible uses, maintaining individual neighborhood characteristics, remain suburban in nature, and new development and redevelopment shall use compatibility design techniques to ensure the appearance, mass, scale of the development is integrated into the existing suburban nature of each development.

Next slide, please. The second bullet point of Policy 1.3 states that if the structure is not planned or programmed to support the development, that'd be another reason not to have the density at 75 percent or greater.

So, again, going back to the Greater
Carrollwood and Northdale Community Plan, one of
the goals is to preserve the existing suburban scale development pattern, and it identifies various activity centers and mobility corridors where higher density would be appropriate.

If you can go to the next slide. This is the concept plan of the Greater Carrollwood Northdale Community Plan, and there's a red circle around our property. And so you can see, it's not located near an existing or planned activity center or multilevel corridor.

So we don't believe that higher density would be appropriate in this location of the plan. Neither the adjacent site of Lake Magdalene Boulevard, nor the surrounding area of the subject property is identified, again, in the activity center or the mobility corridor necessitating the future planned or programmed infrastructures for higher density.

Next slide, please. So the third criteria for not requiring 75 percent density in the Future Land Use category is if the development would have an adverse impact on environmental features on the site or adjacent to the property.

Our site actually has no wetlands on it. The northeast corner of the site is the surveyed
wetland boundary. So we are adjacent to the wetland and also adjacent to West Lake. That's the water body that's northeast of the property.

So we're not adversely affecting that wetland, but any additional residential or development could have more environmental impacts than the existing uses today.

So next slide. In conclusion, I just had two statements. So, again, Rebecca mentioned balancing interest. So the question here tonight is should the Planned Development be held to a minimum density required in Residential-9 Future Land Use that has no basis in the Lake Magdalene area except for the two adjacent zonings to the east and west that were approved 40 and 50 years ago.

Alternatively, should the Planned Development be evaluated on the consistency of the predominantly single-family development pattern and the density of the Greater Lake Magdalene area that exists today.

Next slide, please. So as the applicant, we believe that the second standard is most appropriate. As previously demonstrated, the Planned Development density meets one or more of the exceptions in Policy 1.3.

Suburban scale density is desired and encouraged within the Greater Carrollwood Northdale Community Plan. And feedback from -- that the applicant has received from residents and associations are supportive of the proposed Planned Development and opposed to higher density.

Next slide, please. So as discussed, the Planning Commission has found that the proposed subdivision would be compatible with adjacent uses and the general development plan of the Lake Magdalene area.

The proposed Planned Development would achieve a density closer to the minimum requirement under the current Future Land Use category than if the property were developed in its existing zoning designation of RSC-4.

In this regard, the Planned Development demonstrates a greater consistency with the Comprehensive Plan than currently exists while still being compatible with the Greater Carrollwood and Northdale plan. And that concludes my presentation.

HEARING MASTER HATLEY: All right. I have some questions.

MS. BARREIRO: Okay.


HEARING MASTER HATLEY: And why is that? In other words, are you talking about drainage or --

MS. BARREIRO: No. So with proper planning and proper construction, of course, all of the other approvals will need to go through, the drainage will be consistent with all the requirements and go through those approvals as well.

HEARING MASTER HATLEY: Okay. And so then infrastructure -- infrastructure including but not limited to water, sewer, stormwater, and transportation is not planned or programmed to support development. Is that applicable?

MS. BARREIRO: So it says -- it states, Water, sewer, and transportation, but it says other issues as well. So there is water and sewer in the area.

We do have Steve Henry here with Lincks \& Associates if you have any specific transportation questions. But really, we wanted to point out that, you know, in addition to those three that are specifically mentioned, that we felt that Greater Carrollwood and Northdale Community Plan should be considered also.

Because, again, that plan states that it
should be compatible uses, comparable uses, and we feel that in more recent history Lake Magdalene has been built out as more single-family detached than multifamily.

HEARING MASTER HATLEY: Okay. Thank you. And then the first one, development added a density of at least 75 percent of the category or greater would not be compatible as defined in Policy 1.4 and would adversely impact existing development pattern within a 1,000-foot radius.

So is it your testimony that that provision applies?

MS. BARREIRO: So it was very interesting. Planning Commission staff report, which I'm sure they'll explain in more detail, found that we were not -- that single-family detached was not incompatible with the surrounding development, but it wasn't consistent with Policy 1.2.

So they were acknowledging that single-family is compatible with the area, and so we believe that it's also consistent with the Comprehensive Plan Policy 1.3 for all those reasons that I've stated.

HEARING MASTER HATLEY: Okay. So you aren't stating then that development in a density of

75 percent would not be compatible, but what you're stating is that the single-family homes, the lower density is compatible?

MS. BARREIRO: Correct.
HEARING MASTER HATLEY: Okay. I understand.
Thank you. That's all my questions.
All right, ma'am, I need -- please sign in with the clerk, please. Thank you.

Ms. Kert, do you-all need more time?
MS. KERT: No. I realize that we are -thank you, Madam Hearing Officer. I realize that we are at the end of our time, but we do believe that there are some people to speak on this project, and we would like the opportunity for rebuttal afterwards.

HEARING MASTER HATLEY: Okay. Thank you.
All right. So we'll go to Development Services.

MR. DEFRANC: Good evening again, Kevie Defranc with Development Services.

So for this rezoning application and as the applicant's representative stated, it's to rezone the subject property from the existing RSC-4 zoning district to a new PD zoning district.

And the subject property is approximately

| 1 | located on the east side of Lake Magdalene |
| :---: | :---: |
| 2 | Boulevard. And the property associated with this |
| 3 | rezoning application has a Future Land Use |
| 4 | designation of RES-9, and this category permits |
| 5 | consideration of residential densities up to a |
| 6 | maximum of nine units per acre and on residential |
| 7 | intensities of up to a maximum FAR of . 5 . |
| 8 | A nearby food categories include PQP, |
| 9 | Public/Quasi-Public, and RES-4. And, again, |
| 10 | Planning Commission will go into further detail on |
| 11 | their review. |
| 12 | As you see, the surrounding zoning consists |
| 13 | of adjacent properties zoned RSC-4 to the north, PD |
| 14 | to the east and south; but within the general area, |
| 15 | there are other properties zoned RSC-4, PD, and |
| 16 | RSC-6 to the west. |
| 17 | And the surround development pattern |
| 18 | comprises of existing Agricultural Residential, |
| 19 | which includes single-family and multifamily and |
| 20 | cultural institution uses. |
| 21 | And, specifically, the proposed PD requested |
| 22 | uses include a maximum of 42 single-family |
| 23 | conventional detached residential lots that have a |
| 24 | minimum lot area of 7,200 square feet each and an |
| 25 | interim agricultural, slash, low scale passive |



And that concludes my report and I'm available for questions.

HEARING MASTER HATLEY: Thank you.
All right. We'll go to Planning Commission.
MS. LIENHARD: Thank you. Melissa Lienhard, Planning Commission staff.

The subject property is located in the Residential-9 Future Land Use category. It is in the Urban Service Area and also within the limits of the Greater Carrollwood Northdale Community Plan.

The subject property is designated Residential-9, and the intent of this district is to designate areas that are suitable for low to medium density residential, as well as urban scale neighborhood commercial office, multipurpose projects, and mixed-use developments that are in compliance with the Comprehensive Plan's goals, objectives, and policies.

The proposed single-family use is consistent with the Residential-9 Future Land Use category. The subject property is surrounded predominantly by single-family and multifamily development.

However, Residential-9 is designated as
suitable for low to medium density residential
development. The maximum allowable density for the subject property is 126 dwelling units. The minimum allowable density is 94 dwelling units.

The applicant is proposing 42 single-family detached dwelling units. The subject property is located in the Urban Service Area where 80 percent or more of new growth is directed per Comprehensive Plan Objective 1.

The application is not meeting minimum density requirements as outlined in Policy 1.2. The applicant's seeks an exception to minimum density requirements as outlined in Future Land Use Element Policy 1.3.

The applicant provides a significant amount of historical information concerning the land use categories in the area. The applicant is also stating that meeting minimum density requirements would result in a multifamily development that would not be compatible with the residential development pattern in the area.

Staff acknowledges that the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area. However, multifamily is located immediately

|  | Page 146 |
| :---: | :---: |
| 1 | to the east of the subject property, immediately to |
| 2 | the west of the subject property, as well as |
| 3 | further west along Fletcher Avenue, and further |
| 4 | east north of Fletcher Avenue. |
| 5 | Multifamily development would not be |
| 6 | incompatible with the existing development pattern. |
| 7 | The proposed single-family residential development |
| 8 | is consistent with Objective 16 and the |
| 9 | compatibility policies that are listed under that |
| 10 | objective. |
| 11 | The applicant also requests access onto Lake |
| 12 | Magdalene Boulevard and provides for internal |
| 13 | circulation, which is consistent with Future Land |
| 14 | Use Element Policy 16.7. |
| 15 | However, the application is not consistent |
| 16 | with Objective 1 and Policy 1.2 because it does not |
| 17 | meet minimum density requirements and does not |
| 18 | satisfy the compatibility exception as outlined in |
| 19 | Policy 1.3. |
| 20 | The request is consistent with Goal 2 of the |
| 21 | Greater Carrollwood Northdale Community Plan, which |
| 22 | is to reinforce community identities where |
| 23 | maintenance and enhancements of the community |
| 24 | unique characteristics outside from physical |
| 25 | appearance. |

New development and redevelopment are required to use compatibility design techniques to ensure the appearance, mass, scale of development as integrated with the existing suburban nature of each neighborhood.

The proposed residential development is comparable and compatible to the development pattern in the area and is consistent with the vision of the community plan.

Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the community plan.

However, the proposed Planned Development does not meet minimum density standards and would directly undermine the intent of the Urban Service Area policy in the Future Land Use Element of the Comprehensive Plan.

Based upon those considerations, Planning Commission staff finds the proposed Planned Development inconsistent with the Future of Hillsborough Comprehensive Plan for unincorporated Hillsborough County. Thank you.

HEARING MASTER HATLEY: Thank you.

All right. Are there any persons here or online who wish to speak in support of this application? All right. I don't see any.

Are there any persons here or online who wish to speak in opposition to this application? Please come forward and all together -- I don't know how many there are of you, but all together you'll have 15 minutes.

Please speak into the microphone. Pull it down to meet your mouth, if you need to, and we need your name and your address.

MR. O'NEAL: Thank you for having me. My name is Stanley O'Neal, 13801 Cherry Brook Lane at the corner of Cherry Brook Lane and Lake Magdalene Boulevard.

I reside in one of the two original communities that were built in that area. We do now know -- I think you-all know there is a proposed fire substation for Lake Magdalene area, and that just goes to show of the uncontrolled growth in that area.

I don't believe that Lake Magdalene area should be compared to Northdale, nor Carrollwood. This is definitely more remote, and this is one of the last remaining, you know, undeveloped pieces of
land in that area.
Traffic will be negatively impacted. The traffic now compared to what it was 50 years ago, it's very dangerous even to walk on the sidewalk. Just three weeks ago, a car ran off the road and had there been pedestrians, there would have been deaths. And that's happening more and more frequently.

And this is a pristine, beautiful area. We just don't need continued development of this type in this area. And I appreciate you listening to my comments, and I'll come forth and give you my name. HEARING MASTER HATLEY: Thank you.

MS. HANNAM: Yes. Good evening. My name is Pamela Hannam and I live at 13802 Orange Sunset Drive.

I'm a professional athlete. I walk past this property every single day. It is a beautiful old pasture with old growth, with a tremendous amount of wildlife.

Contrary to what the developers here feel that everything should be under 6 inches of concrete and six stories high, this land should be left as is and should be turned into some sort of a wildife sanctuary where birds and animals actually

|  | Page 150 |
| :---: | :---: |
| 1 | live in that area can be viewed by the public that |
| 2 | lives in that neighborhood. |
| 3 | It's a quiet, beautiful neighborhood. It |
| 4 | does not need 43 or 143 or a million and 43 ugly |
| 5 | little houses stuck on a piece of property. Now, I |
| 6 | understand that the owners of this property |
| 7 | probably need to be rightly compensated to leave |
| 8 | their land pristine. |
| 9 | I just came out of San Diego and some of the |
| 10 | most beautiful land in San Diego is now under |
| 11 | 6 inches of concrete with houses that are a foot |
| 12 | apart, and they've destroyed that place. Let's not |
| 13 | destroy any more of Tampa. This is a beautiful |
| 14 | neighborhood that needs to be left as is. |
| 15 | HEARING MASTER HATLEY: Thank you. All |
| 16 | right. Any -- any other persons, please come |
| 17 | forward. |
| 18 | MS. MCDERMOTT: Hi. My name is Madonna |
| 19 | McDermott, and I'm new to all this. And for the |
| 20 | past two hours, it's -- |
| 21 | MR. GRADY: Ma'am, can you provide your |
| 22 | address for the record? |
| 23 | MS. MCDERMOTT: Sure. |
| 24 | MR. GRADY: And you also need to pull your |
| 25 | mask up, please. |

MS. MCDERMOTT: Okay.
MR. GRADY: Thank you.
MS. MCDERMOTT: My address is 13322 Moran Drive. And I live on the corner of -- the orange grove is my backyard.

So I -- I'm not familiar with all your numbers. It's -- to me it's been like watching paint dry. Let me just say no one contacted me. Okay. My property borders the growth.

I've lived there since 1980. Now, in your letter said about the gopher --

MR. GRADY: Ma'am, could you speak in the microphone?

MS. MCDERMOTT: The gopher tortoise. We have sandhill cranes. We have gopher tortoise. We have coyotes. We have hawks. Like I said, 40 years I have lived there and my -- I love it. It's a beautiful orange grove. Why -- don't we have climate change?

Can't we put something there to fix this? And how come the holes aren't here? They're the owners. Why is this one -- what is it? Daniel Holmes or something? They already have seven different places up by Northdale. Why do they want ours?

Why -- why are they here and the halls are not here? Have they already decided that they're going to to develop it? I'm confused. Can someone explain to me?

HEARING MASTER HATLEY: Ms. McDermott, we're here to hear your testimony. Thank you.

MS. MCDERMOTT: Okay. Well, I guess I'm over. That's it.

HEARING MASTER HATLEY: Thank you, ma'am.
MS. MCDERMOTT: Okay.
HEARING MASTER HATLEY: Are there any other persons who wish to speak in opposition to this application?

MR. LAVIN: Good evening, Hearing Master. My name is Andrew R. Lavin and I live at 13322 Moran Drive. And I -- I love that orange grove. It's in decline and I understand, and it used to be harvested. It's not now harvested, but still there's a lot of wildlife there, like my wife said, and I think it should be -- we could use that as a public -- public park. That would be awesome.

HEARING MASTER HATLEY: Thank you, sir.
MR. LAVIN: Thank you.
HEARING MASTER HATLEY: Please sign in with the clerk. Thank you.

Are there any more persons who wish to speak
in opposition to this application?
Okay. Thank you. We will hear then from Development Services. Any additional comments?

MR. GRADY: Nothing further.
HEARING MASTER HATLEY: All right. The applicant?

MR. BROOKS: Madam Hearing Officer, for the record, Michael Brooks, 606 East Madison. I am co-counsel with Rebecca Kert.

I do want to ask Steve Henry to come up just to just for the record make a presentation. He is the author of the design exception that's part of this application.

None of these -- none of the folks who just spoke specifically -- specifically talked about transportation. They really talked about preservation. But I want Mr. Henry to be on the record.

HEARING MASTER HATLEY: Thank you.
MR. HENRY: Steve Henry, Lincks \& Associates, 5023 West Laurel, Tampa, 33607.

HEARING MASTER HATLEY: Mr. Brooks, we need you to -- okay. Thank you.

MR. HENRY: As indicated, we have received a
and submitted a design exception for Lake Magdalene Boulevard. It doesn't meet the current transportation technical manual standards.

We -- it has been deemed approvable. One of the things that we're doing to help mitigate for that -- basically what we're doing is we are constructing a 10-foot sidewalk on the east side of Lake Magdalene from our project down to Fletcher Avenue.

What we looked at on this road, as far as that it is if we widened it to 12 feet and we added the paved shoulders, you're going to increase the speed on the road. There's already speed bumps there.

So we didn't really want to improve the roads, increase the speeds. I'm sorry. There's no speeds bumps in this one. I'm sorry. I apologize, but we didn't want to increase the speed on the roadway.

So what we did instead was added the pedestrian features, which is the 10 -foot sidewalk on the east side of the road. We also as a part of design exception, we did look at the level of service, although that's not required with today with mobility fees. But it does operate at acceptable level of service today and will continue to operate at acceptable level of service with our project.

That concludes my presentation, unless you have any questions.

HEARING MASTER HATLEY: Thank you, Mr. Henry.

MR. BROOKS: Ms. Hearing Officer, I will be fairly brief. I want to -- from a lawyer's perspective, because I can appreciate the questions that you were asking of the planner -- sorry, my glasses are fogging.

The Planning Commission, as we were discussing and I appreciate the acknowledgement, we did a tremendous amount of digging in the history of this property. The Hall family has owned it for close to 100 years, and they were one of the primary opponents of the Carlton Arms project at the time.

And, obviously, they could have sold the property for more units and maximized that, but that is not their goal. And they don't believe, as we do, that that would be a compatible use of the property.

What gets interesting as we talk about those exceptions that the Planning Commission looks -- is looking at the east and the west of the subject property.

And, obviously, we're talking about whether anywhere in this area, all of these subdivisions date back into the '70s. We gave you into the record a list of all the plats, all of those plats under the original $R-1$ zoning designation into the horizon plan were 7,000-square-foot lot minimums.

Frankly, most of those lots are a little bit larger than what's being proposed. But back to the point, if you look north and south, right, you got a single-family subdivision to the south. One of those residents is here and spoke.

We have been in contact with at least one other person. I'm not sure if that's the same person or not, but in order to -- to improve compatibility, one of the conditions that we're proposing is to actually do single story along that boundary.

So the other thing -- and if you look to the north, it's Residential-4. So which is the -- this is the conundrum. What is consistent -- how do you achieve the greatest consistency of the Comp Plan? You build it at the RES-4 standards, or do you
allow something that is closer to what the historical buildout of that area beginning back in the 1970s was? And we think it's the latter.

Again, north/south versus east/west, and I think it's a very important point. When you look at Carlton Arms, yes, it is adjacent, but the Planning Commission can't -- you know, their answer was that, well, it was a different time and a different code. Well, yes, true.

But the Planning Commission as -- in order to get the support for the Carlton Arms, one of the developer concessions was they built single-family to buffer it from -- in particular from Lake Magdalene Boulevard. And it was not to have access -- direct access, which is why you don't -you don't see any developments along that way. I, you know --

HEARING MASTER HATLEY: Can you finish up in one minute?

MR. BROOKS: Yeah. The -- the conclusion was is that the Planning Commission, you know, sometimes has to take unpopular positions. Well, I'm not in a position where $I$ really want to take a position nor is my client where we want to stand up here and ask for 90 units on that piece of property
that many of these folks have talked about preservation. Well, that's not an option.

But what is an option is developing a consistent with buildout. It is -- it is -- if you look a map, the Hall property is the last vacant tract in that greater area on that segment of Lake Magdalene.

And we believe that is where you need to look for the consistency, particularly that first bullet point you were talking about. The stuff that is adjacent to us, it has no access to Lake Magdalene Boulevard.

There are 60 signatures in support that were put into the record, not only in support but specifically in opposition to multifamily. One of those was also from the Hall family.

So with that, $I$ know this is a difficult -I know this is a difficult case for everyone, but the only -- the only outcome that achieves the greatest consistency with the Comp Plan is one that is the proposal before you. Thank you.

HEARING MASTER HATLEY: Thank you.
All right. That closes the hearing on application PD 21-0314.

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS


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

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

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

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

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

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

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

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

## EXHIBITS SUBMITTED

## DURING THE ZHM HEARING

SIGN-IN SHEET: RR, ZHM, PM, LUHO
$\qquad$ Pamela Jo Harley

PLEASE PRINT CLEARLY THIS INFORMATION UL BE USED FOR MAILING


PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING
 date/time: 5/17/21 bpm HEARING MASTER: Pamela To Harley

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SIGN-IN SHEET: RR, ZHM, PHM, LUHO date/time: 5/17/21 Lem hearing master: Pamela Jo Hartley

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HEARING TYPE: ZHM, PHM, VRH, LUHO
HEARING MASTER:
Pamela Jo Hatley

DATE: 5-17-2021
PAGE: 1 OF 1

| APPLICATION \# | SUBMITTED BY | EXHIBITS SUBMITTED | HRG. MASTER <br> YES OR NO |
| :---: | :---: | :---: | :---: |
| RZ 21-0371 | Todd Pressman | 1. Applicant Rep Presentation Packet | No |
| MM 21-0312 | Clayton Bricklemyer | 1. Applicant Rep Presentation Packet | No |
| MM 21-0312 | Clayton Bricklemyer | 2. Applicant Rep Presentation Packet | No |
| RZ 21-0110 | Todd Pressman | 1. Applicant Rep Presentation Packet | No |
| RZ 21-0110 | Scott Fitzpatrick | 2. Applicant Rep Presentation Packet | No |
| RZ 21-0123 | Michael Horner | 1. Applicant Rep Presentation Packet | No |
| RZ 21-0314 | Christie Barreiro | 1. Applicant Rep Presentation Packet | No |
| RZ 21-0314 | Steve Henry | 2. Applicant Rep Presentation Packet | No |
| RZ 21-0315 | Steve Henry | 1. Applicant Rep Presentation Packet | No |
| RZ 21-0315 | Kami Corbett | 2. Applicant Rep Presentation Packet | No |
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MAY 17, 2021 - ZONING HEARING MASTER
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The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, May 17, 2021, at 6:00 p.m., held virtually.

Pl Pamela Jo Hatley, ZHM , called the meeting to order and led in the pledge of allegiance to the flag.
A. WITHDRAWALS AND CONTINUANCES

Brian Grady, Development Services, reviewed changes/withdrawals/continuances.
D.3. MM 21-0169

Ramela Jo Hatley, ZHM, sought verification of continued agenda item D.3. MM 21-0169.

Pamela Jo Hatley, ZHM, announced D. 3 MM 21-0222 was continued to June 14, 2021.

Brian Grady, Development Services, made comments on how to proceed.

?
Pamela Jo Hatley, ZHM, calls proponents/opponents on MM 21-0169.
1
Pamela Jo Hatley, ZHM, continued MM 21-0169 to June 14, 2021.
Brian Grady, Development Services, reviewed withdrawals/continuances.
I
Pamela Jo Hatley, $Z H M$, reviewed the meeting procedures.
Assistant County Attorney Mary Dorman overview of oral argument/ZHM process.

Pamela Jo Hatley, ZHM, oath.
B. REMANDS - Not Addressed.
C. REZONING STANDARD (RZ-STD):
C.1. RZ-STD 21-0371

Brian Grady, Development Services, calls RZ 21-0371.
且Todd Pressman, applicant rep, presents testimony, submitted exhibits.
且Pamela Jo Hatley, ZHM, questions to applicant rep.
［组Todd Pressman，applicant rep，answers questions and continues testimony．

RChristopher Grandlienard，Development Services，staff report．

Melissa Lienhard，Planning Commission，staff report．
Pamela Jo Hatley，ZHM，calls proponents．
绩Alan Moyer，proponent，presents testimony．
（T）David Schanz，proponent，presents testimony．
且Stephanie Mortellaro，proponent，presents testimony．

R
Pamela Jo Hatley，ZHM，calls opponents．
Elizabeth Belcher，opponent，presents testimony．
目Grace McComas，opponent，presents testimony．
Pamela Jo Hatley，ZHM，calls for Development Services．
Brian Grady，Development Services，made remarks．
且Pamela Jo Hatley，ZHM，called for applicant rep．
Brian Grady，Development Services，added comments．
期Todd Pressman，applicant rep，gave rebuttal．
阻Pamela Jo Hatley，ZHM，closes RZ 21－0371
C．2．RZ－STD 21－0577
Brian Grady，Development Services，calls RZ 21－0577．
［国Tyler Hudson，applicant rep，presents testimony．
Pamela Jo Hatley，ZHM，questions to applicant rep．
Tyler Hudson，applicant rep，answers questions and continues testimony．
且Christopher Grandlienard，Development Services，staff report．
Melissa Lienhard，Planning Commission，staff report．


EBrian Grady，Development Services，calls RZ 21－0123．
驻Michael Horner，applicant rep，presents testimony．
Scott Hinrichs，applicant rep，presents testimony．
宸Gregory Soulliere，applicant rep，presents testimony．
Thevie Defranc，Development Services，staff report．
组Melissa Lienhard，Planning Commission，staff report．
目Pamela Jo Hatley，ZHM，calls proponents／opponents
Edgardo Hernandez，opponent，presents testimony．
［1 Myrtle Cail，opponent，presents testimony．
目Pamela Jo Hatley，ZHM，calls Development Services／applicant rep．
目 Michael Horner，applicant rep，gave rebuttal．
Pamela Jo Hatley，ZHM，closes RZ 21－0123．
［ C ZHM Breaks
2HM Resumes Hearing
D．4．MM 21－0312
艮Brian Grady，Development Services，calls MM 21－0312．
Clayton Bricklemyer，applicant rep，presents testimony．
（tania Chapela，Development Services，staff report．
Melissa Lienhard，Planning Commission，staff report．
Ramela Jo Hatley，ZHM，calls proponents／opponents／Development Services／applicant rep／closes MM 21－0312．

D．5．RZ－PD 21－0314
（titian Grady，Development Services，calls RZ 21－0314．
Rebecca Kert，applicant rep，presents testimony．
［Thristie Barreiro，applicant rep，presents testimony．Pamela Jo Hatley，ZHM，eqestions to applicant rep．
Rebecca Kert，applicant rep，answers zHM questions．
Kevie Defranc，Development Services，staff report．
It Melissa Lienhard，Planning Commission，staff report．
f Pamela Jo Hatley，ZHM，calls proponents／opponents．
䀠Stanley O＇Neal，opponent，presents testimony．
R Pamela Hannam，opponent，presents testimony．

MONDAY，MAY 17， 2021

Madonna McDermott，opponent，presents testimony．
Andrew Lavin，opponent，presents testimony．
Pamela Jo Hatley，ZHM，call Development Services／applicant rep．
目Michael Brooks，applicant rep，gave rebuttal．
Steve Henry，applicant rep，gave rebuttal．
Michael Brooks，applicant rep，gave rebuttal．
Pamela Jo Hatley，ZHM，closes RZ 21－0314．
D．6．RZ－PD 21－0315
Brian Grady，Development Services，calls RZ 21－0315．
팝
Kami Corbett，applicant rep，presents testimony．
目Steve Henry，applicant rep，presents testimony．
Kami Corbett，applicant rep，presents testimony．Israel Monsanto，Development Services，staff report．
Melissa Lienhard，Planning Commission，staff report．
且Pamela Jo Hatley，ZHM，calls for proponents／opponents／Development Services／applicant rep．

Kami Corbett，applicant rep，made rebuttal．
Pamela Jo Hatley，ZHM，closes RZ 21－0315．

## D．7．RZ－PD 21－0319

R
Brian Grady，Development Services，calls RZ 21－0319．
Clayton Bricklemyer，applicant rep，presents testimony．
置Pamela Jo Hatley，ZHM，questions to application rep．
Clayton Bricklemyer，applicant rep，answers question．
圈Michelle Heinrich，Development Services，staff report．

Melissa Lienhard，Planning Commission，staff report．Pamela Jo Hatley，ZHM，calls for proponents／opponents
Shameyah Francis，opponent，presents testimony．
B
Andrea Waller，opponent，presents testimony．
［具
Brian Grady，Development Services，made comments．
상
Rick Gnatowsky，opponent，presents testimony．
，
Edith Salter，opponent，presents testimony．
组Carol Strachan，opponent，presents testimony．
I
Michael Salter，opponent，presents testimony．
组Jim Ladner，opponent，presents testimony．
E
Pamela Jo Hatley，ZHM，call Development Services
细
James Ratliff，Development Services，transportation staff report．
Pamela Jo Hatley，ZHM，calls applicant rep．
Clayton Bricklemyer，applicant rep，gave rebuttal．
组Peter Pensa，applicant rep，gave rebuttal．
Steve Henry，applicant rep，gave rebuttal．
「䛼
Pamela Jo Hatley，ZHM，closes RZ 2I－0319．
D．8．MM 21－0344
组Brian Grady，Development Services，calls RZ 20－1282．
Thyler Hudson，applicant rep，presents testimony．
组Steven Beachy，Development Services，staff report．
Melissa Lienhard，Planning Commission，staff report．
RHamela Jo Hatley，ZHM，calls proponents／opponents／Development Services／applicant rep／closes RZ 20－1282

## ADJOURNMENT

Pamala Jo Hatley, ZHM, adjourns the meeting.
 plan submitted March 29, 2021.

1. The project shall be developed with up to 42 single-family conventional detached residential units. Interim agricultural use and low scale passive agricultural uses shall be permitted.
2. Development standards shall be as follows:

Minimum lot area: 7,200 sq. ft.
Minimum lot width: 60 feet
Maximum building height: 35 feet*
Minimum front yard: 10 feet ( 20 feet from garage)**
Minimum side yard setback: 5 feet
Minimum rear yard setback: 10 feet***
Maximum lot coverage: 55 percent
*All buildings on lots that abut the south project boundary shall be one-story.
** Side facing/loading garages shall be permitted a minimum front yard setback of 10 feet. The front facing façade of the side facing/loading garage shall be architecturally finished with the same material/style as the main dwelling and shall have at least two windows.
*** Minimum rear setback of 5 feet for accessory structures and 3 feet for pool enclosures.
3. The internal roadways shall be private and may be gated.
4. The internal roadways and stormwater ponds shall be developed in substantial conformance with the layout depicted on the General Site Plan. Minor deviations may be permitted when based upon engineering needs.
5. Buffer and screening shall consist of the following:

A 5 foot wide buffer with Type A screening shall be provided along the northern, eastern and southern PD boundaries, as depicted on the General Site Plan.
A 10 foot wide buffer with Type A screening shall be provided along the western PD boundary, as depicted on the General Site Plan.
A 4 foot high black metal, picket fence shall be provided along the northeast PD boundary adjacent to the offsite wetland/lake, as depicted on the General Site Plan.
6. If RZ-PD 21-0314 is approved, the County Engineer will approve a Design Exception dated February 26, 2021, and found approvable on March 26, 2021, for Lake Magdalene Boulevard substandard roadway improvements. As Lake Magdalene Boulevard is a substandard collector roadway, the developer will be required to make certain improvements to Lake Magdalene Boulevard consistent with the Design Exception.
7. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
8. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
9. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
10. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
11. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

## Hall Family Holdings，LTD．

1103 South Dakota Avenue
Tampa，Florida 33606
（813）254－7003

May 14， 2021

## VIA EMAIL：gradybrahillsborougheounty org AND FEDEX

Mr．J．Brian Grady

Executive Planner
Development Services Department
601 E．Kennedy Blvd．，Tampa，FL 33602
RE：Planned Development Petition 21－0314
13135 Lake Magdalene Boulevard
I am writing this letter on behalf of Hall Family Holdings，LTD，owner of an approximately 21－ acre parcel of land that has been in the Hall family for nearly 100 years．A portion of our family property is the subject of Rezoning Petition No．21－0314．

We want it to be known that our family supports the development of single－family homes on the subject property．Weekley Homes has done a thoughtful job designing an attractive single－ family subdivision that is consistent with the character of the neighborhood and minimizes noise and congestion．

Our family would prefer single family development to multi－family development on the subject land，and feels that it is more compatible with the neighborhood．

We appreciate consideration of our family＇s support for the Weekley project，and respectfully request that Hillsborough County favorably review and approve their lower density，single family project proposed by Rezoning Petition No．21－0314．

Respectfully，
HALL FAMILY HOLDINGS，LTD．
By：JCHW，INC．
I．min长撽亚
David R．Hall，III
President


PETITION

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

Please sign this petition to request that the land at 13515 Lake Magdalene Blvd. Tampa FL 33618 be developed for single family homes ONLY!

ADDRESS

(3) Ruhaw pudgy Rickeobrotirn 378." "


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Qatriwe In truly Patricia MCNally 3204 valley oaks Dr
form fosearly John Loscalzo 320 C Valley oases Dr










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Beverly zerneat 3144 Vale pals de 33618
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Cha L. Ban' Ana L. Garcia 3148 Valley Oaks Dr-Tpa. 33418
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## GREATER CARROLLWOOD-NORTHDALE COMMUNITIES PLAN



Figure 22- Greater Carrollwood - Northdale Boundary Map This Community Plan was prepared by the citizens of greater Carrollwood-Northdale area in an era of constrained government funding. Today, it takes far more than government to improve a
community. Improvements start with the residents themselves, requiring local organization and leadership in defining needs, priorities and actions. Our Community Plan is our first and major step in this process. The goals, strategies, projects contained within are for planning purposes only and reflect the expressed desires of the community. These do not become part of Hillsborough County's program or budget until specifically adopted or funded by the Board of County Commissioners. It is our intent to investigate and identify funding opportunities both private and public in the implementation of our vision.

## HISTORY

The history of the Community Plan is best considered when placed in context with the character of the distinct neighborhoods of Carrollwood, Carrollwood Village, Northdale and Lake Magdalene.

Lake Magdalene is surrounded by, and takes its name from, a 206-acre freshwater lake. As a northwestern suburb of Tampa, Lake Magdalene welcomed enough residents to receive its first post office in 1888, followed by a scattering of schools and churches. Most notably the United Brethren Church (now Lake Magdalene United Methodist) started in 1895 by Reverend Isaac W. Bearss. The rustic qualities of Lake Magdalene remained until the 1960s when residential construction in Tampa pushed northward. By 1990 almost 16,000 people lived in Lake Magdalene.

In approximately 1957, the first pioneer planned development was built as original Carrollwood: 983 homes were built with access to 200-acre Lake Carroll. The area boasted amenities unheard of at the time: a planned school, neighborhood parks, lake access, winding roads, and lake views. Until the 1980's, Carrollwood was known as Lake Carroll being named after the lake located at the eastern edge of the community. The founder, Matt Jetton, purchased approximately 325 acres of citrus nursery land with a vision of creating housing to relieve crowding in south Tampa. The community spread westward during the 1970's and 80's when Mr Jetton decided to purchase 2,000 more acres today known as Carrollwood Village. The first single-family homes in Carrollwood Village, were all custom-built around the golf course near Carrollwood Village Drive.
Carrollwood Village was unique in that it was one of the first building projects in Hillsborough County to involve study and planning by such experts as traffic engineers, school planners, and environmentalists, to determine its regional impact upon the community.

Sometime around 1946 Walter Wyman "Willie" Ragg, Sr. purchased 1,300 acres of land known today as Northdale. Willie maintained the dairy farm until the early 1960's when he closed that portion of the farm and from then on ran it purely as a cattle ranch.

In 1949 Walter Wyman "Wy" Ragg, Jr. was born and lived in a $\log$ cabin on the property along with three generations of Raggs.

In the 1970's Mr. Ragg decided to sell the ranch. Criterion Corporation purchased the entire acreage of Ragg Ranch with the exception of 10 acres where the family continued to live in the log cabins that today are occupied by Bob Sierra Family YMCA. In 1977, after development had started, the log cabins were relocated on Lake Shore Drive. Ragg Road which leads to the YMCA pool campus was named in Willie's honor.

## VISION

The Greater Carrollwood-Northdale Communities Plan completed in 2009 resulted in development and redevelopment opportunities reflected our vision for an aesthetically pleasing, well designed, transit supported, mixed use activity centers and residential neighborhoods which created our vibrant and economically sustainable community.

We continue to protect and maintain our suburban lifestyle while also maintaining our individual neighborhood characteristics. We continue to recognize and preserve our assets such as pristine lakes, parks and our community golf courses. As we have grown, we built our community in a smart manner where land use and infrastructure grew together.

Each community kept its character through continued enforcement of regulations. Protection of our residential areas is maintained by not allowing the proliferation of commercial into the residential areas, but rather focusing it into community activity centers. We continue to keep each neighborhood interconnected by way of sidewalks, landscaped trails, bicycle paths and pedestrian overpasses/underpasses.

We enjoy our walkable, family friendly, community focal points at the community activity centers that bring everyone together from their distinct communities; they include landscaped open space, shops, offices, parking on upper floors, and entertainment opportunities.

Our major corridors, especially North Dale Mabry Highway and Florida Avenue, transformed into vibrant pedestrian friendly environments that serve as gathering places for adjacent neighborhoods. Now our transportation system better serves us with safe and timed signalization on our major highways as well as alternative modes of transportation such as a light rail system that connect us to the rest of the Tampa Bay area.

Our Carrollwood-Northdale community pride remains strong by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character.

The following themes and goals are listed in order of priority.

## 1. Community Growth/Revitalization

Encourage development and redevelopment opportunities that reflect the citizens' vision for an aesthetically pleasing, well designed, transit supported, mixed use activity centers and residential neighborhoods which promote a vibrant and economically sustainable community.

Goal 1: Establish sustainable community activity centers that allow the citizens to live, work and play all within walking distance.

## Strategies:

- Discourage new development of strip commercial in our community, mixed use development and redevelopment shall be focused at identified community activity center or intersections complying with the locational criteria.
- Priority shall be given to the following locations as community activity centers identified for revitalization and redevelopment using Transit Oriented Development (TOD) techniques: near the intersections of North Dale Mabry Highway and Handy Road, North Dale Mabry Highway, Florida Avenue and Fletcher Avenue/ Bearss Avenue, and at the intersections of Lynn Turner Road and Erhlich Road, and Gunn Highway and Nixon Road. (see concept map)
- Establish incentives for redevelopment and revitalization programs (i.e. façade enhancement) for community activity centers, especially within non-residential portions along North Dale Mabry Highway and Florida Avenue.
- Encourage higher density development and redevelopment to coordinate with the adopted transit plans (TBARTA Master Plan) at community activity centers, especially along Dale Mabry Highway and Florida Avenue.
- At Handy Road along Dale Mabry Highway, allow expansion of existing commercial and residential uses; encourage hotels with family-friendly amenities; and multi-story buildings designed with retail and restaurants on ground floor and offices or residential on the upper floors.
- Create and adopt a redevelopment overlay for North Dale Mabry and Florida Avenue Corridors. Features of these overlays include:
- Improve address numbering and readability.
- Traditional neighborhood development (TND) standards or form based codes to the extent possible for development and redevelopment projects.
- Architectural design standards for the redevelopment of the corridors.
- Sustainable building practices such as green roofs, cisterns, Florida Friendly landscaping, etc.
- Community facilities and residential support uses with appropriate parking and functional open space.
- Incentives for adaptive reuse of existing facilities and redevelopment activities.
- Explore transportation methods to improve cross access between businesses and to connect the network along Dale Mabry instead of single access points directly from Dale Mabry.
- Transportation planning methods to discourage traffic on North Dale Mabry Highway and Florida Avenue, especially circulator busses, or through identification of alternative network of parallel alleys or feeder/frontage roads.
(Below) The TOD principle of designing places for people-a pleasant walking environment is created with street trees and human-scaled building elements.

- Support nonresidential architectural design that is consistent throughout the community.(i.e. appearance of a simple upscale professional area, not rural setting)
- Discourage expansion of commercial along North Dale Mabry Highway when not located in an identified activity center or redevelopment overlay area.

Transit Oriented Development (TOD) is:

- Dense - Higher densities should be concentrated within walking distance ( $1 / 4$ to $1 / 2$ mile) of stations
- Designed for people - All transit users are pedestrians at one end of their trip, so transit oriented development is by necessity pedestrian friendly in its design
- Diverse - Providing a variety of uses within walking distance of the transit station allows transit riders to complete their daily activities without use of an automobile

(Above) The TOD principle of diversity promotes vertical mixed use, such as buildings with retail on the bottom and office or residential on the upper levels.

Community Activity Centers shall be designed for people and:

- Offer a variety of uses
- Focus around existing and planned infrastructure and transit
- Provide access across property lines with interconnected parking areas that allow cross traffic of people and cars
- Encourage the location of buildings that are highly accessible to pedestrians, bicyclists and other forms of transportation
- Encourage the development of parking garages

Commercial Redevelopment and Revitalization areas shall be designed with the pedestrian in mind, allowing people to walk and bike to their destinations. Another component of redevelopment is the provision of functional public open space. As
redevelopment intensifies, additional public open space needs to be provided to accommodate meeting and recreation needs of the areas as well as providing an

aesthetic quality to the area.
(Above) The integration of retail uses on the lower level with office uses on the upper floors is one local example (Main Street at Hampton Lakes off Race Track Road) of vertically-integrated mixed use.

## 2. Community Design/Culture

Maintain and enhance community pride by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character. As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.


Goal 2: Reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance.

## Strategies:

- Promote focal points and landmarks that reflect the uniqueness of the each neighborhood within community area.
- New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).
- Preserve the character and integrity of existing neighborhoods through increased code enforcement.

- Streetscapes along our roadways shall be consistent with the adopted Livable Roadways Guidelines document.

Livable Roadways provide:

- Active uses that promote pedestrian activity and offer a balance to meet peoples' daily needs
- Safe, continuous sidewalks on both sides of the street
- Street furnishings such as benches, trash receptacles, pavement treatment such as brickwork, texture, pavers, landscaping, transit shelters and lighting appropriate to the setting
- Direct routes between destinations that minimize conflicts between pedestrians and automobiles
- Designate and establish gateways/community entry signs at specific points that identify each neighborhood within the area's boundary consistent with the county's sign ordinance.
- Reduce illegal signage by enforcing sign ordinance along North Dale Mabry Highway and Florida Avenue.
- Define a standard set of measurements for the display of commercial signage i.e. type, height, size, colors, lighting, style, etc., which shall reflect the character of the area and minimize obstructions of views especially along major corridors such as Dale Mabry Highway, Bearss Avenue, Handy Road, Florida Avenue and Fletcher Avenue.
- Encourage the integration of active and passive open spaces within the residential and commercial areas that enhance the community's livability.

Goal 3: Support historic preservation efforts as a means of adding economic, social and educational value to our community.
Strategies:

- Preserve our historic landmark site; the 1948 Hamner Fire Tower at W Fletcher Ave \& N Boulevard.

- Build on our strengths such as our educational, cultural, recreational assets (e.g. tight knit communities with several outside walkways)
- Preserve and expand each neighborhood's culture and traditions (i.e. parades in old Carrollwood, Village Fest and the Northdale Family Fun Festival \& Parade.)
- Ensure that each neighborhood's historic resources are protected, preserved and enhanced.
Hamner Tower Park


## 3. Transportation/Walkability

Plan and implement transportation concurrent with development, which provides connectivity, and promotes transit-friendly, safe, efficient design, emphasizing alternative modes of transportation thus meeting the needs of all citizens.

Goal 4: Provide a well maintained, safe and efficient road and street network.

## Strategies:

- Relieve traffic congestion by improving the timing of signalization along Dale Mabry Highway and other major corridors (Erhlich/Bearss, Florida, Fletcher, Linebaugh/Busch, and Lynn Turner) to be uniform and consistent with real time control, traffic surveillance cameras at major intersections along Dale Mabry Highway, etc.
- Install Intelligent Transportation Systems (ITS) to improve transportation safety and mobility through the integration of a broad range of wireless advanced communications technologies. Familiar ITS technologies include electronic toll collection, in-vehicle navigation systems; rear-end collision avoidance systems and dynamic message signs.
- Identify opportunities and support the construction of a north/south route corridor to relieve congestion. Study Lynn Turner/Anderson Road and North

Boulevard Avenue as potential alternatives. (see concept map) Implement by adding this corridor to the adopted Corridor Preservation Map.

- Enhance traffic safety features of the roadway network to relieve traffic accidents, in particular those involving pedestrians and bicycles. Special consideration should be given to the intersections along Dale Mabry Highway such as Handy Road and to intersections along Florida Avenue, such as Bearss and Fletcher Avenues. Methods could include additional signage, traffic calming techniques, stricter enforcement of red light violations, cameras and/or a pedestrian over/underpass.
- Design roadways in a manner that incorporates the multimodal concepts expressed by the Livable Roadway Guidelines to the fullest. (i.e. use traffic calming techniques in appropriate locations such as Northdale Blvd. and Brushy Creek Road from Lynn Turner to Carrollwood Meadows to reduce vehicle speed and discourage cut through traffic.) Traffic calming, through design alternatives rather than speed humps should be incorporated in new developments and redevelopment.
"First fix the streets, then the people and businesses will follow."
- Dan Burden, Walkable Communities, Inc.
(Above and below)


The Livable Roadway concepts of active uses, continuous sidewalks and street furnishings are highlighted.


- Provide traffic congestion relief to those areas that are high volume during peak hours. (i.e. Sheriff directing traffic at churches and schools, additional traffic signals where warranted, etc).
- Study opportunities to improve traffic flow on Lynn Turner Road; consider adding a center turn lane.
- Construct pedestrian/bicycle overpasses/underpasses along North Dale Mabry Highway at community activity centers. (see concept map)
- Construct pedestrian refuge islands in Florida Avenue at bus stops to facilitate safe crossing of the road by bus patrons and others.
- Improve safe turning movements along Dale Mabry Highway. (e.g. consider adding a left turn arrow on northbound Dale Mabry Highway at Northdale Boulevard and addition of turn arrows at Northdale Boulevard/Hoedt Road.)
- Implement community preferred traffic calming techniques along Northdale Boulevard and Brushy Creek Blvd. The community prefers traffic calming through design alternatives, speed limits, enforcement, or technology such as cameras over the use of speed humps/tables.
- Implement street and multi-modal improvements as the area redevelops such as benches, covered bus stops, improved cross walks, pedestrian over/underpasses
- Provide adequate roadway network, bicycle lanes and sidewalks to ensure appropriate capacity to the neighborhoods (such as Lake Magdalene, Carrollwood, and Northdale).
- Provide maintenance of the major corridors and roadway network.
- Improve traffic flow and circulation near schools (e.g. EJ Essrig) by increasing and/or lengthening the drop off/pick up lanes, improving enforcement of the speed limit, and preventing school overflow traffic from blocking through traffic on the perimeter roadways.
- Support the "Adopt a Road" program.
- Improve ingress and egress to Jimmy B Keel Library.

Goal 5: Create a walkable environment that is safe and convenient through the connection of sidewalks, crosswalks, paths and trails that link both natural and built environments.

## Strategies:

- New development will provide pedestrian infrastructure and amenities that connect to existing facilities along roadway network. Priority shall be given to designing in a manner that fosters safe walkable/biking along Dale Mabry Highway, Bearss Ave, Fletcher Ave. Linebaugh Ave, Gunn Hwy and Handy Road.
- Use the adopted Livable Roadways Guidelines to maximum extent possible to accomplish Goal 5.
- Provide interconnected system of parks, open spaces and other amenities that is easily accessible and pedestrian friendly, with special attention to the Upper Tampa Bay trail and other greenways/trails on the adopted Greenways and Trails Master Pan.
- Provide sidewalks along both sides of roadways connecting to public parks. (such as along Four Oaks Road to Timberlane Park, Lake Park etc).
- Ensure that pedestrian facilities such as sidewalks and trails are implemented concurrent with or before the vehicular improvements. Prioritize pedestrian circulation and facilities over vehicular improvements.
- Provide direct and multiple street and sidewalk connections within development projects and their building entrances as well as to adjacent projects to form a cohesive connected and integrated development pattern.
- Provide pedestrian access to the cultural amenities and other assets within the neighborhoods such as the Carrollwood Cultural Center, parks such as Northdale Park and Lake Park, libraries, existing shopping areas and future community activity centers.
- Focus efforts on building facilities that will complete the existing sidewalk, bicycle, pedestrian and trail network.

Goal 6: Improve and expand public transportation opportunities, which allow convenient access throughout the area and region. Ensure that these facilities are attractive, maintained and meets the needs of its users.

## Strategies:

- Endorse and implement the Tampa Bay Area Regional Transportation Authority (TBARTA) Master Plan adopted May 22, 2009 (including mid-term and long-term regional networks and long-term vision network).
- Provide effective public transportation throughout the area (service that frequent e.g. 20 minute stops).
- Increase transit along the Dale Mabry corridor at the intersections of Northdale Boulevard, Fletcher Avenue, Handy Road, Linebaugh Avenue and Bearss Avenue and Hudson Lane (entrance to Old Carrollwood.)
- Provide different modes of transportation in a system that is functional and supports all the neighborhoods within the community. Addition of pedestrian connections, electric cart paths, trails, bike lanes, and HOV lanes are strongly desired.
- Support the provision for high frequency light rail transit along the North Dale Mabry Highway corridor. Light rail is ultimately preferred; bus rapid transit at a minimum.
- Support future expansion of Bus Rapid Transit service on North Florida Avenue.
- Support the development of bus or rail transportation to the Tampa International Airport, University of South Florida, Hillsborough Community College, Downtown (including Channelside and Ybor City), and Westshore district.
- Design and locate transit stops consistent with the Livable Roadway Guidelines throughout the community. Prioritize locating transit stops within proposed community activity centers. (See concept map).

Goal 7: Ensure that new development is compact, contiguous, and concurrent with available public facilities and services and promotes the integration of uses to provide increased connectivity thereby discouraging sprawl and maximizing the use of public infrastructure.

## Strategies:

- Provide for Transit Oriented Development, as mentioned in Goal 1, built in character with our neighborhoods and allows residents to live, work and play in close proximity.
- Explore establishing a Multimodal District along North Dale Mabry including the community activity centers.
- Ensure the area has adequate density to accommodate the future transit system.


## 4. Recreation/Leisure/Environment

Enhance and protect the scenic value of environmental and recreational assets. Provide adequate opportunities for open space, recreation and leisure activities now and in future. Ensure these connect to other systems outside of the community.

Goal 8: Preserve and maintain sufficient open space to serve the recreational needs of the community and to protect the environment and natural resources.

## Strategies:

- Prioritize the continued management and maintenance of parks, trails and recreational facilities as it is critically important to the community.
- Maintain the scenic value of the many community lakes.
- Preserve and improve all of the existing recreational facilities and park space with special attention to Roy Haynes Park, Lake Park and Northdale Park.
- To ensure future recreational enjoyment, explore acquisition of Lake Park by Hillsborough County from City of St. Petersburg.
- Implement the county's adopted Greenways and Trails Master plan.
- Promote adding a connection between the Upper Tampa Bay Trail and the Northdale Lake Park Trail.
- Explore the creation of a new greenway link or trail along Brushy Creek.
- To ensure an efficient and safe network of public walking trails with detailed directional and identification signage, especially in relation to the Upper Tampa Bay Trail and the proposed Brushy Creek Trail.
- Link local bicycle routes with the routes of neighboring areas where feasible.
- Ensure access and adequate parking for all public open spaces and trail facilities.
- Maintain a management program for water quality of community lakes, creeks and waterways including improved stormwater management control and debris removal in storm inlet system. Provide maintenance through the continued support of the Pond Watch, Lake Management Program and Stream Water watch programs and the Adopt a Pond program that also helps volunteers clean up and restore the natural habitat in their stormwater ponds.
- Continue to develop new community parks and neighborhood parks with desired recreational facilities and programs (including dog parks and community gardens) as well as trails connecting neighborhoods within our community to the park facilities.
- New development and redevelopment should integrate
recreation and open space into projects.
- Support the continued operation of the Northdale Golf Course. In the alternative, encourage another recreational use.
- Protect and preserve the communities' natural and environmental assets (i.e. lakes, creeks, tree canopies).

Goal 9: Facilitate the provision and maintenance of public facilities to serve every neighborhood in the community plan area.

## Strategies:

- Continue to promote, maintain and support existing assets in the community such as: Jimmy. B. Keel Library, Carrollwood Cultural Center, and area golf courses.
- Support the continued enhancement of programs and services at the Carrollwood Cultural Center; explore the addition of library services.
- Develop design standards for public use/facilities which provide open space, attractive landscaping and encourage design features that are considerate of the existing environment.


## 5. Government Services/Support

Provide high quality, safe, public services and adequate infrastructure for our community.
Goal 10: Provide consistent, adequate and high quality public services equally through our service area.

## Strategies:

## Infrastructure

- Ensure that services are provided and maintained such as water, sewer, roadways etc.
- When redevelopment occurs provide connections to reclaimed water when capacity is available.
- Provide basic infrastructure (i.e. sidewalks, street lighting, reclaimed water, water, and wastewater) to the Four Oaks neighborhood, and any other area with the same sort of infrastructure deficiencies, such as neighborhoods along the North Florida Avenue corridor and east of North Boulevard. Explore the establishment of a Special Assessment District to finance the implementation.
- Require the use of underground electrical in all new construction in the community plan area.
- Provide sidewalks on both sides of the road; make those along Casey and Lowell a priority for access to the Carrollwood Cultural Center.


## Public Safety

- Support the creation of a neighborhood crime watch program in each neighborhood.
- Increase the presence of law enforcement personnel to ensure a safer environment for the citizens.
- Implement Crime Prevention through Environmental Design standards into all new development and redevelopment to provide safer neighborhoods.


## Services

- Maintain adequate level of services such as sheriff, fire rescue, and libraries, and a community center for the entire community plan area. Emphasize programs
 over physical facilities.
- Increase code enforcement in the upkeep of properties.
- Maintain and preserve our natural resources such as Sweetwater Creek and along Casey Road.
- Locate a senior center in the Northdale neighborhood.


## Education

- Promote and enhance educational opportunities for students and adults with appropriate funding, advertising, and access.
- Support continued funding of educational opportunities offered at all community and library facilities (e.g. Jimmy B. Keel Library).


Figure 22A - Greater Carrollwood-Northdale Communities Plan Concept Map

## Actual Buildout Lake Magdalene

## (predominantly suburban style low density single family)

Exhibits

## - Plat Map copy

- Cherry Creek Unit 1 Plat (24 SF on 8.9 acres: 2.69 DU/acre) 1972
- Lake Magdalene Arms Estates - Section 1 Plat (59 SF on 21.6 acres: 2.73 DU/acre) 1973
- Lake Magdalene Arms Estates - Section 2 Plat (59 SF on 21.58 acres: 2.73 DU/acre) 1973
- Cherry Creek Unit 2 Plat (43 SF on 14 acres: 3.07 DU/acres) 1974
- Cherry Creek Unit 3 Plat (109 SF on 42.42 acres: 2.569 DU/acre) 1974
- Rolling Green Village Plat (29 SF on 14.87 acres: 1.95 DU/acre) 1976
- Tarawood Plat ( 104 SF on 38.88 acres: 2.68 DU/acre) 1978
- Lake Magdalene Woods Plat (33 SF on 13.32 acres: 2.47 DU/acre) 1987
- Huntcliff Subdivision Plat (10 SF on 3.87 acres: 2.58 DU/acre) 2017


## PLAT MAP




PLAT Book 45 Pg40-3


PLAT BooK 45 Pg 41-2

## LAKE MAGDALENE ARMS ESTATES SECTION TWO

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PLAT BOOK 65 PAGE $20-5$

PLAT. BOOK 6ッ PAGL Nッ-7



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REZ $21-0314$
13515 Lake Magdalene Boulevard

REZ 21-0314 13515 Lake Magdalene Blvd.
Single-Family Conventional-4 (RSC4) to Planned Development (PD) to allow up to forty-two (42) single family lots with a minimum lot size of 7,200 sq ft.
The property contains approximately fourteen acres and is located east of Lake Magdalene Boulevard and south of Ehrlich Road
The property has a Residential-9 (RES-9) designation on the Fulure Land Use Map.
The subjectl property is part of an approximately sixty (60) acre parent parcel that the Planning Commission assigned two different Land Use categories. Residential-4 (RES-4) and Residential-9 (RES-9).



> REZ $21-0314$ 13515 Lake Magdalene Blvd. Horizon 2000 Plan Subject Property located in Suburban Development Area Future Land Use Area.


Subject Property located in Subject Property $\left.\begin{array}{l}\text { Decated } \\ \text { Suburban }\end{array}\right)$ Rensity (SDR) Future Land Use Area. Surrounding properties are
predominately SDR, except for the
1971 Planned Development for
Carlton Arms which Was High
Density Residential (HDR).

ArcGIS Web Map


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13515 Lake Magdalene Blvd.
The subsequent revised rezoning request included two single-family subdivisions to the east and west of se ones of loeloud jueuruede әपł
 development in the area. Direct access from the apartment project to Lake Magdalene Blvd. was also eliminated.
With these revisions, the Planning Commission changed its ariginal recommendation of denial to the rezoning. However. the project remains today the most intensive development in the Lake Magdalene area.



REZ $21-0314$
13515 Lake Magdalene Blvd.
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 allow up to forty-two (42) single family lots with a minimum lot size of 7.200 sq fi.

The property contains approximately fourteen acres and is located east of Lake Magdalene Boulevard and south of Ehrlich Road

The property has a Residential-9 (RES-9) designation on the Future Land Use Map.

The subject property is part of an approximately sixty ( 60 ) acre parent parcel that the Planning Commission assigned two different Land Use categories: Residential-4 (RES-4) and Residential-9 (RES-9).


REZ 21-0314
13515 Lake Magdalene Blvd.

Hillsborough County City County Planning Commission staff report:

- The proposed single-family uses are consistent with the RES-9 Future Land Use category.
- The proposed single-family residential development is consistent with Objective 16 and Policies 16.1, 16.2 and 16.3. The applicant also requests an access on to Lake Magdalene Boulevard and provides for internal circulation which is consistent with Policy 16.7 (FLUE)
The request is consistent with Goal 2 of the Greater Carrollwood-Northdale Community Plan which seeks to reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance. New development and redevelopment are required to use compatibility design techniques to ensure the appearance (architectural style), mass and scale of

 pattern in the area and is consistent with the vision of the Community Plan.
Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the Greater Carrollwood Northdale Community Plan.
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 1.2: Minimum Density: All new residential or mixed-use land use categories within he USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.
Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least $75 \%$ of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.
Policy 1.3. Within the USA and within land use categories permitting 4 du./ga or greater new rezoning approvals for residential development of less than $75 \%$ of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be meet:
- Development at a density of $75 \%$ of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern
within a 1,000-foot radius of the proposed development;
- Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.
- Development would have an adverse impact on environmental features on the site or adjacent to the property.
- The site is located within the Coastal High Hazard Area.
- The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots.



CONSISTENCY WITH FLUE POLICY 1.3
The Proposed Development is consistent with the following exceptions to Policy 1.3:

Development at a density of $75 \%$ of the category or greater would not be compatible (as
defined in Policy 1.4 and would adversely impact with the existing development pattern within
a 1.000 -foot radius of the proposed development. a 1,000-foot radius of the proposed development.

- Within the 1,000 radius and beyond, there has not been a multi-family or small lot single-
family rezoning approved in $40+$ years.
- In fact, in connection with the 1971 Carlton Arms project, single-family subdivisions were
added to the east and west of the proposed apartment project to buffer its impact on the
surrounding properties. At the time, the Planning Commission recommended there
should be no direct multi-family access onto Lake Magdalene Boulevard.
- The GREATER CARROLLWOOD-NORTHDALE COMMUNITIES PLAN expressly seeks
to preserve this existing suburban Scale development pattern:
"We continue to protect and maintain our suburban lifestyle while also maintaining our individual neighborhood characteristics.
- "As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.
"New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (..e. transitions,

$>$ Infrastructure (Including but not limited to water, sewer,
stormwater and transportation) is not planned or programmed
to support development.


[^1]

Figure 2an - Greater Cmmollwood-Northdale Communithes Plon Comocpt Map

$>$ Development would have an adverse impact on
environmental features on the site or adjacent to the property.
While the subject property does not directly touch West Lake, majority of the land is under single ownership.
CONCLUSIONS
Should the planned development be held to minimum
density requirements of a RES-9 FLU designation that has
no basis in the Lake Magdalene area except for adjacent
rezonings to the east and west that were approved over 50
years ago?
\&lternatively, should the planned development be evaluated
on its consistency with the predominant single-family
development pattern and density of the greater Lake
Magdalene area?
The Applicant believes this second standard is most
appropriate:
PAs previously demonstrated, the planned development
density meets one or more of the exceptions to Policy
1.3.
Suburban scale density is desired and encouraged within
existing neighborhood with the GREATER
CARROLLWOOD-NORTHDALE COMMUNITIES PLAN.
>Feedback received by the Applicant from residents and
associations are supportive of the proposed planned
development and opposed to higher density.

As discussed，the Planning Commission found that the
proposed subdivision would be compatible with adjacent uses
and the general development patten in the Lake Magdalene
area．
The proposed planned development would achieve a density closer to the minimum requirement under the current future land use category than if the property were developed under its existing RSC－4 zoning．In this regard，the planned
 Comprehensive Plan than currently exists．



Rome, Ashley

| From: | Hearings |
| :--- | :--- |
| Sent: | Monday, April 19, 2021 1:34 PM |
| To: | Timoteo, Rosalina |
| Cc: | Rome, Ashley |
| Subject: | FW: ZHM application number RZ-PD21-0314 |

Connor MacDonald, MURP
Planning \& Zoning Technician
Development Services Department (DSD)

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P: (813) 829-9602 | VoIP: }3940
M: (813) 272-5600
E: macdonaldc@hillsboroughcounty.org
W: HillsboroughCounty.Org
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Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602
Facebook \| Twitter \| YouTube \| Linkedln \| HCFL Stay Safe
Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Roni Lacuesta [tccmaint@tampacovenant.org](mailto:tccmaint@tampacovenant.org)
Sent: Monday, April 19, 2021 1:14 PM
To: Hearings [Hearings@HillsboroughCounty.ORG](mailto:Hearings@HillsboroughCounty.ORG)
Subject: RE: ZHM application number RZ-PD21-0314
[External]
To: Zoning Hearing Master
Re: Public Hearing to rezone property at 13515 Lake Magdalene Blvd
Ref: App \# RZ-PD21-0314
Date: 4/19/2021 at 6:00pm
From: Ronaldo Lacuesta
Facilities Supervisor
Tampa Covenant Church
13320 Lake Magdalene Blvd.
Tampa, Florida 33618
(813) 217-1896

Dear Zoning Hearing Master,
My name is Ronaldo Lacuesta, I am the Facilities Supervisor for Tampa Covenant Church which is located at 13320 Lake Magdalene Blvd. Tampa, Florida 33618. I represent our church community that meets at this address and the entity of

Tampa Covenant Church in regards to concerns to this application to rezone the property located at 13515 Lake Magdalene Blvd. Tampa, Florida 33618. We would like to officially log our concerns to said rezoning and consequent construction of residences that the said development might incur unwanted additional input of stormwater towards the stormwater drain system of Nundy Rd from Lake Magdalene to the entire length of the drainage to Bay lake. Our neighborhood has a history of flooding during the rainy season due to the increment of residences around our area and the inadequate provision and distribution of the stormwater drain. We have worked to mitigate this issue over the last decade however flooding is still an issue. We are concerned if the proposed construction by the developer has a built in provision for their drainage that would not overwhelm our already current problematic drainage system? Will they guarantee that they will be responsible in mitigating the whole Nundy drain system if they will use our drainage as part of their plan to alleviate runoff water from their development? As it stands we have indication that runoff water on the eastside of the property maybe draining towards the west unto the Nundy rd. drain system. We would like to go on record of these concerns and ask that the developer would put in contingencies in their development plan to expand and resolve this drainage issue without adding to the overwhelmed drainage system of Nundy Rd. and Bay Lake.

Sincerely,
Ronaldo Lacuesta
Facilities Supervisor
Tampa Covenant Church
13320 Lake Magdalene Blvd.
Tampa, Florida 33618
(813)217-1896

Sent from Mail for Windows 10

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[^0]:    ${ }^{i}$ CPA 10-17 - Clarification of Policies on Minimum Densities

[^1]:    Neither the adjacent segment of Lake Magdalene
    Boulevard nor the area surrounding the subject property is identified as either an activity center or mobility corridor necessitating future planned or programmed

    ## infrastructure to support higher density development.

