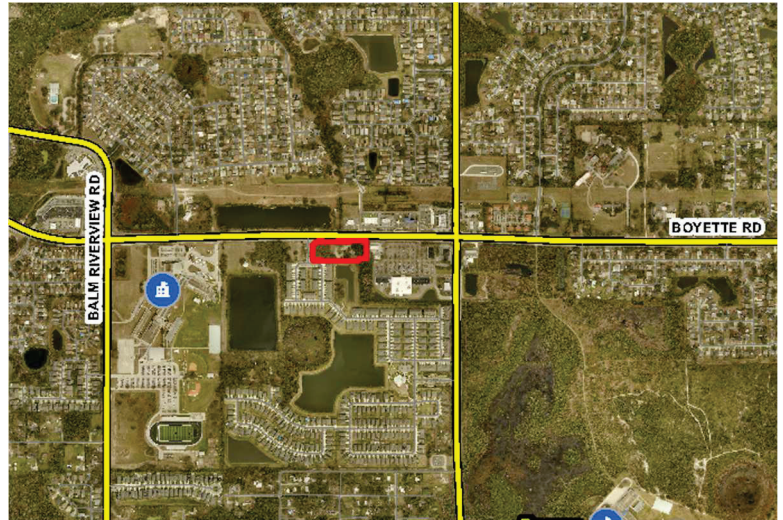




## 1.0 APPLICATION SUMMARY

**Applicant:** LLC Phillips Edison & Company  
**FLU Category:** Residential – 4 (RES-4)  
**Service Area:** Urban  
**Site Acreage:** 3.07  
**Community Plan Area:** Riverview  
**Overlay:** None



### Introduction Summary

POD A, located within PD 15-0694, was modified in 2017 (PRS 17-0490) to allow for up to 50,000 square feet of gross floor area to be used for all Business, Professional Office (BPO) uses and selected Commercial Neighborhood (CN) uses. Major Modifications 22-0224 and 22-0416 were approved in 2022 to allow development to include a kennel (22-0224), car wash (22-0416) and neighborhood serving motor vehicle repair (22-0416) as allowable uses within POD A. The applicant requests modifications to PD 15-0694 to remove the restriction of eating establishments with drive-through and to reconfigure the building envelope within POD A.

Existing Approvals	Proposed Modifications
POD A: the project shall be limited to a maximum of 50,000 square feet the following uses: all BPO uses and the following CN Uses: coffee shop; sub/sandwich shop; hobby shop; consignment store; news stand; jewelry store; antique store; personal services; eating establishments/no drive-thru; home furnishings store; florist; paint store; gift shop; pharmacy; bank/credit union; kennel; neighborhood serving motor vehicle repair; and car wash.	Designate a portion of POD A as POD A1.  Modifications within POD A1 include removing the restriction of eating establishments with drive-through facilities, reconfiguring the building envelope, and shifting the most eastern shared access point north.

### Additional Information

PD Variations	None Requested as part of this application
Waivers to the Land Development Code	None Requested as part of this application

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable, subject to proposed conditions
----------------------------------------------------------	-------------------------------------------------------------------------------------------







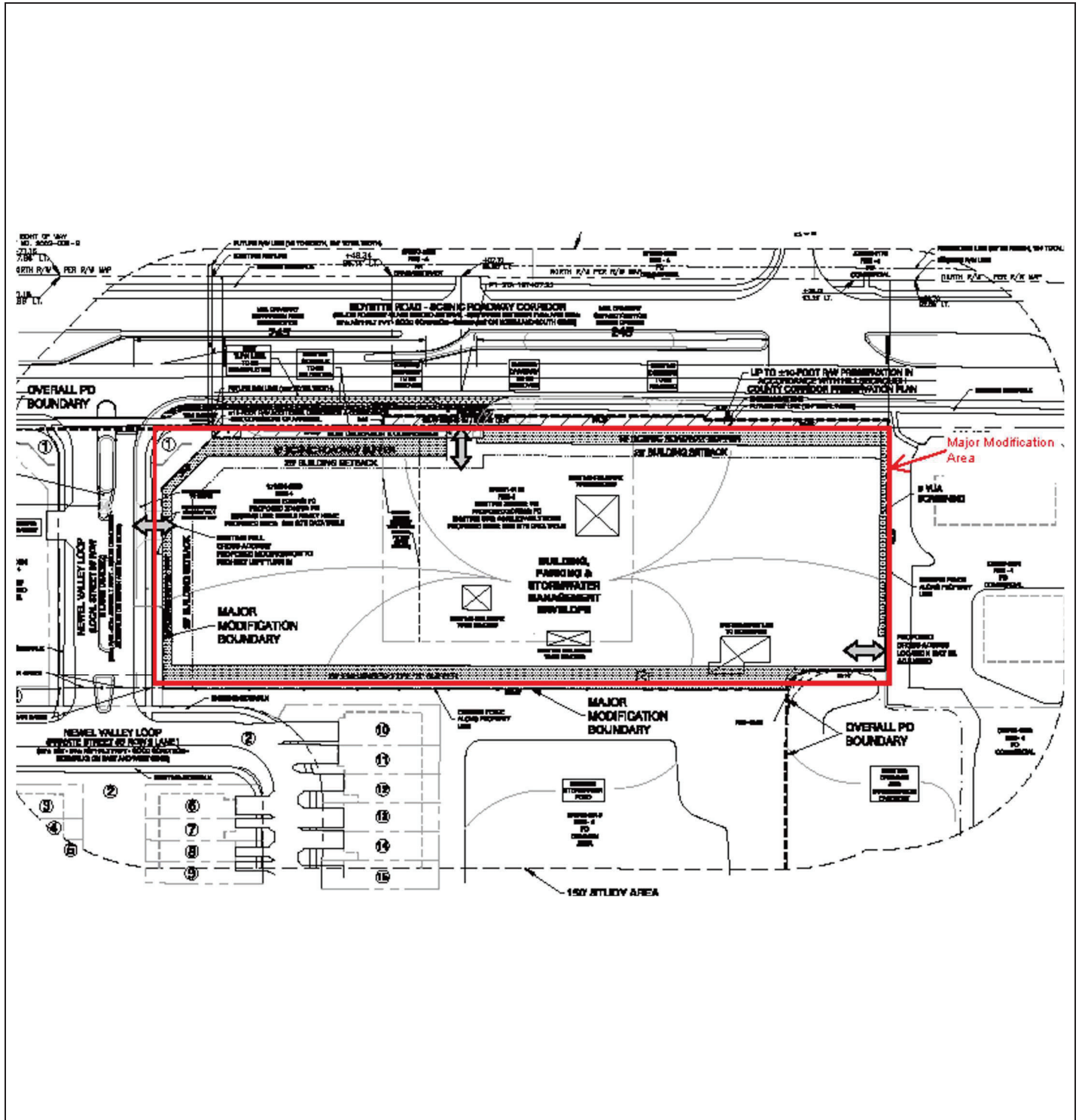


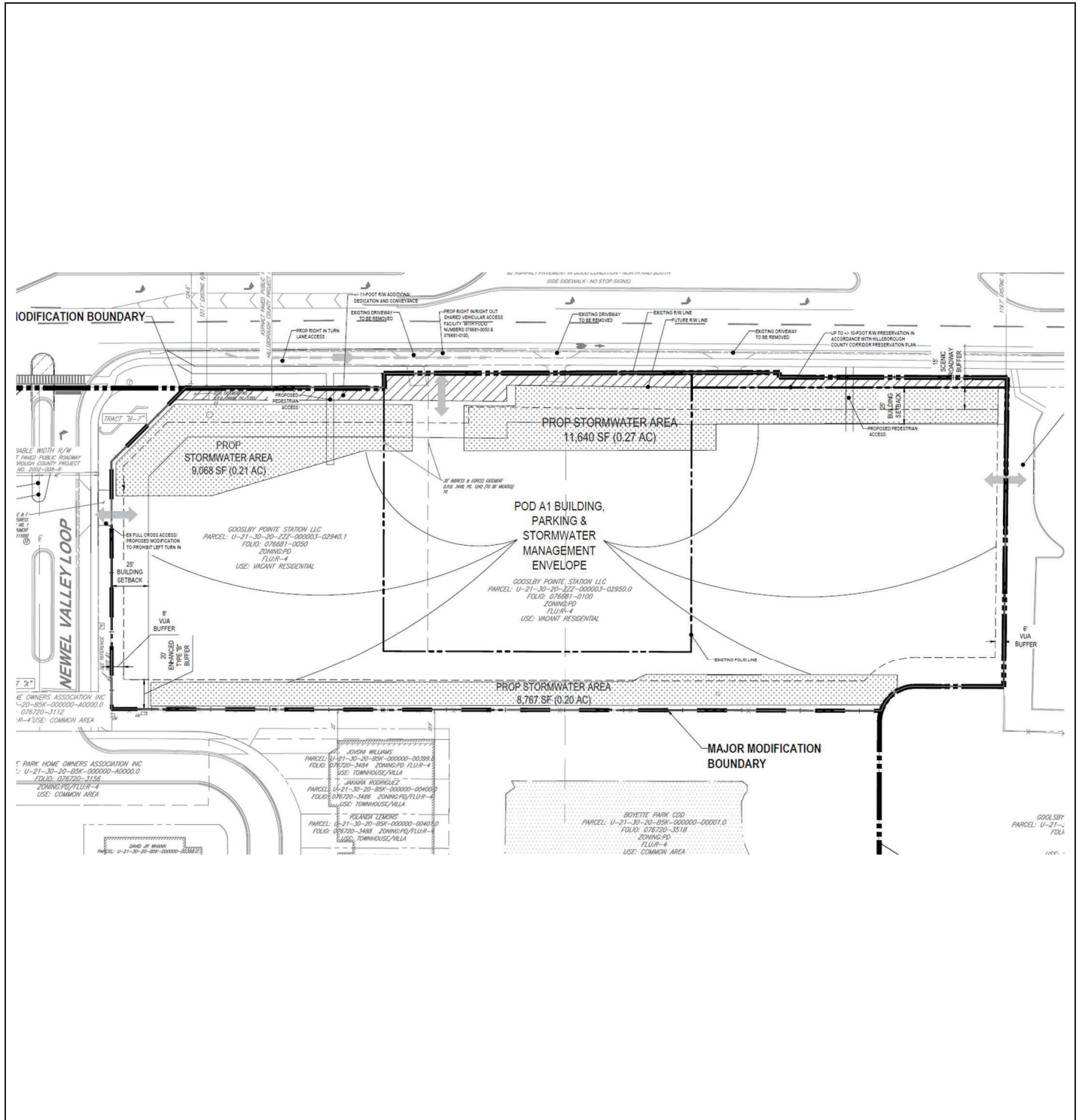




## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)







APPLICATION NUMBER: MM 25-1375

ZHM HEARING DATE: December 15, 2025

**3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)****Adjoining Roadways to Modification Area (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Boyette Road	County Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input checked="" type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Newell Valley Loop	County Local - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other

**Total Project Trip Generation** ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,442	341	453
Proposed	2,727	250	281
Difference (+/-)	(-) 1,175	(-) 91	(-) 172

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

**Connectivity and Cross Access (Modification Area Only)** ☐ Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	Vehicular & Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East		None	Vehicular & Pedestrian	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC
Notes:				

**Design Exception/Administrative Variance** ☒ Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

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

INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Environmental:</b>				
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Environmental Services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environmental Lands Management	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
<b>Public Facilities:</b>				
<b>Transportation</b>				
<input type="checkbox"/> Design Exc./Adm. Variance Requested <input checked="" type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Service Area/ Water &amp; Wastewater</b>				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Hillsborough County School Board</b>				
Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Impact/Mobility Fees</b> Retail - Fast Food w/Drive Thru (Per 1,000 s.f.)      Coffee/Donut Shop w/DT (Per 1,000 s.f.) Mobility: \$104,494      Mobility: \$115,638 Fire: \$ 313      Fire: \$ 313				
<b>Comprehensive Plan:</b>				
<b>Planning Commission</b>				
<input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



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**5.0 IMPLEMENTATION RECOMMENDATIONS****5.1 Compatibility**

The locational criteria waiver request was supported by the Planning Commission as a part of the original PD approval in part due to the restriction of fast-food restaurants. Upon review of the proposed modification Development Review and Planning Commission Staff finds based on the drive-through mitigation measures, that the approval of the requested waiver to the 200-foot separation of drive-through order boxes from residentially zoned property would have limited impact to the residentially developed properties to the south. The conditions of approval include a stipulation that the drive-through order box must be at least 200 feet from any platted townhome lot. The development requirements also include an enhanced Type "B" along the southern boundary to include six-foot tall evergreen plantings with at least a 75% opacity, a six-foot tall PVC fence, and a row of evergreen shade trees ten-feet tall at the time of planting spaced 20 feet apart.

Based on the adjacent zonings and uses identified in the report and the findings described above, staff finds the proposed modification to PD 15-0694 compatible with the existing zoning districts and development pattern in the area.

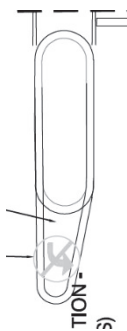
**5.2 Recommendation**

Based on the above considerations, staff recommends approval of the request subject to conditions.

## 6.0 PROPOSED CONDITIONS

Prior to Site Plan Certification the applicant shall revise the site plan to:

1. Include the overall PD Sheet with the certified site with area A1 outlined and called out in red, and include references to MM 25-1325 in red, delete the language to be struck, change all other wording and design element from red to black;
2. Remove the 1st sheet, such that there is only one sheet 2 of 2 present within the plan set.
3. Add a new 1st sheet, work with zoning staff to add the modification area for this sheet (rather than the 1st sheet which was deleted), and correct site data table Pod references on the 2nd sheet (to be labeled as Sheet 1 of 2), such that Pod A1 is also referenced (and any other changes deemed necessary by zoning staff);
4. Modify Sheet 2 of 2 (i.e. the remaining sheet) to restore the access to the previously approved (and code compliant) location, and restore label stating "+/- 11-foot R/W Additional Dedication and Conveyance" to instead use the existing approved language "+/- 11-foot R/W Additional Dedication and Conveyance – See Conditions of Approval";
5. On Sheet 2 of 2, change the label reading "Proposed Vehicular Cross Access with Folio 076720-1304 (May Be Adjusted)" to instead state "Proposed Vehicular and Pedestrian Cross Access with Folio 076720-1304 – See Conditions of Approval".
6. On Sheet 2 of 2, restore the "no left turn arrow" symbology to the site as is shown below and that is shown on the existing approved plan (which staff notes clarifies which left turn is being restricted).



**Approval** - Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted ~~May 19, 2022~~ November 17, 2025.

1. The project shall be limited to the following:

- 1.1 POD A: The project shall be limited to a maximum of 50,000-square feet in total of the following uses, with a maximum of 18,000-square feet being allocated to POD A1:

All Business, Professional Office (BPO) uses AND the following Commercial, Neighborhood (CN) Uses

- Coffee Shop
- Sub / Sandwich Shop
- Hobby Shop
- Consignment Store
- News Stand
- Jewelry Store
- Antique Store



- Personal Services
- Eating Establishment/~~No Drive-Thru~~ Drive-thru facilities are only allowed within Pod A1
- Home Furnishings Store
- Florist
- Paint Store
- Gift Shop
- Pharmacy
- Bank / Credit Union
- Kennel
- Car Wash (1 Tunnel Maximum)
- Motor Vehicle Repair, Neighborhood Serving

1.1.1 Any of the uses listed above may include a drive-through window, except that call boxes associated with restaurant drive-through facilities shall not be located within 200 feet of a platted residential lot. Notwithstanding the above, all such drive-through facilities shall be subject to review and approval of Hillsborough County Development Services to ensure all applicable LDC and TTM standards are met, sufficient queueing is provided, and the site is designed such that traffic is able to safely and efficiently circulate without negatively impacting common access driveways, drive-aisles or adjacent rights-of-way.

1.1.2 The development of entitlements in POD A1 may be contained within multiple buildings.

1.1.3 Notwithstanding anything herein these conditions or on the PD site plan to the contrary, no development within Pods A (east of Newel Valley Loop) or A1 shall be permitted which causes cumulative development within these areas to exceed 2,727 gross average daily trips, 250 gross a.m. peak hour trips, or 281 gross p.m. peak hour trips, nor shall development be permitted within these areas which cumulatively exceed 1,540 net new average daily trips, 135 net new a.m. peak hour trips, or 169 net new p.m. peak hour trips. Additionally:

1.1.3.1 Concurrently with each increment of development within those areas of the project subject to the trip cap, the developer shall provide a list of existing and previously approved uses within those portions of the PD. The list shall contain data including gross floor area, number of students/rooms/seats (if applicable), type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no project identification number exists, a copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impacts for that increment of the development, and source(s) for the data used to develop such estimates. Calculations showing the remaining number of available trips for each analysis period (i.e. average daily, a.m. peak and p.m. peak) shall also be provided.

The development of entitlements in Pod A1 may be contained within multiple buildings.

1.2 A maximum of 424 dwelling units to include single-family detached, single-family attached, townhomes and multi-family units.

1.2.1 Setbacks for the residential structures shall be as follows:

- Front Yard
  - 10 Feet (Front Facing Garages shall have a Front Yard setback of 20 Feet)
  - 10 Feet setbacks for Front Yards that function as a Side Yard
- Side Yard

- 5 Feet

- Rear Yard

- 10 Feet (Alley Loaded Lots with Rear Facing Garages shall have a Rear Yard of 3 Feet)

1.2.2 Minimum lot size for the Single-Family residential development shall be 4,400 square feet with 60% of the lots having a minimum lot size of 5,000 square Feet and minimum lot width of 50 Feet.

1.2.3 Single-Family Residential development shall be limited to 55% building coverage and a maximum height of 35 Feet.

1.2.4 Maximum height for Multi-Family and / or Townhomes shall be 45 Feet.

1.2.5 Only Single-Family residential development shall be permitted within the 250Foot parcel along Leonard Avenue as shown on the General Development Plan. Each of these lots shall have a twenty-five (25) foot rear yard setback along Leonard Avenue.

1.3 Should one car garages be used, the following shall apply:

1.3.1 Homes developed with a one car garage shall have two (2) stories.

1.3.2 A guest parking lot shall be provided at a ratio of 0.25 spaces per each one car garage unit. A minimum of 8 spaces shall be provided unless otherwise specified and/or required by the County.

1.3.3 The guest parking lot location shall be centrally located to the one-car garage units they serve.

1.3.4 Two-car garage units are not required to provide guest parking areas, as required for one-car garage units. However, a variety of two-car garage door designs shall be used within the project with no identical two-car garage doors adjacent to one another.

2. Development Pockets shall be located as shown on the site plan. Prior to Preliminary Plan for any Pocket, the developer shall provide documentation on the total amount of development, residential and/or non-residential development currently approved within the project to ensure compliance with the development thresholds identified herein.

3. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):

3.1 Billboards, pennants and banners shall be prohibited.

4. The following access points shall be required to serve the proposed development as illustrated on the General Site Plan:

A. One (1) right-in/right-out access connection to Boyette Rd. from Pod A (i.e. Newell Valley Loop);

B. One (1) additional right-in/right-out access connection from Pod A to Boyette Rd., which shall be located a minimum of 245 feet east of Newel Valley Loop and 245 feet west of the median opening, as generally shown on the Site Plan; and,

C. One (1) full access connection to McMullen Rd. from Pod B.

All existing access points shall be closed (with curb restoration, sodding, and sidewalk extensions as necessary).

~~5. The developer shall submit a detailed transportation analysis for the entire site, or each increment of development, prior to plat/site/construction plan submittal for any portion of the PD.~~

- ~~6-5.~~ The developer shall construct a minimum 5-foot-wide sidewalk within the McMullen Rd. right-of-way, along the project's boundary.
- ~~7-6.~~ The developer shall construct a minimum 5 foot-wide sidewalk along the project's frontage within the Leonard Ave. right-of-way, between the westernmost extent (of the paved portion) of Leonard Ave. and McMullen Rd. (to the east).
- ~~8-7.~~ Notwithstanding the number/location of external pedestrian access points shown on the PD site plan, sidewalk/bikeway/multi-purpose pathway connections from the internal sidewalk network and/or individual outparcels shall be permitted along the entirety of the project's frontages on Boyette Rd., McMullen Rd. and Leonard Ave.
- ~~9-8.~~ The developer shall construct a minimum 5-foot-wide pedestrian cross access between the internal sidewalk system within Pod B and the Riverview High School Campus. If approval cannot be obtained by the Hillsborough County School District for a direct connection, then the developer shall construct a continuous walkway through Pod A which connects the internal sidewalk network within Pod B to the existing sidewalk within the Boyette Rd. right-of-way. Such walkway shall be located to minimize pedestrian and vehicular conflicts.
- ~~10-9.~~ Within Pods A and A1, pedestrian connectivity shall be provided between uses via an improved surface (such as sidewalks, multi-use paths, pervious concrete, or right-of-way markings) to provide safe, efficient and functional pedestrian access.
- ~~11-10.~~ The developer shall construct a vehicular and pedestrian cross access stub out to folio 076720.1304, as shown on the site plan, along the eastern boundary of Pod A. Notwithstanding the above, Such such cross access shall be constructed to the property boundary prior to or concurrent with vertical development for any commercial uses within Pod A or Pod A1, and except as otherwise may be approved by Hillsborough County at the time of plat/site/construction plan review, such cross access shall align with an existing cross-access stubout or vehicular drive-aisle within the adjacent property..
- ~~12-11.~~ The developer shall install an 8 foot high PVC fence along the entire southern boundary in order to screen the development from Leonard Avenue. Where existing vegetation is not present, the developer shall install 10' high evergreen trees spaced 20 feet on center and a 24 inch hedge spaced three feet on center.
- 11.1 The developer shall install an enhanced Type "B" Buffer along the southern boundary of Pod AA1. This Buffer shall include the following:
- A 6' tall solid PVC privacy fence (finished side out); and
  - 6' tall evergreen plants with overall screening opacity of 75%; and
  - 10' tall evergreen shade trees at a 2" minimum caliper placed 20' on center.
- ~~13-12.~~ This site contains trees that qualify as Grand Oaks as defined by the Land Development Code (LDC). All trees confirmed as a Grand Oak must be accurately located and labeled as such on the submitted preliminary plan/plat through the Site Development/Subdivision Review process. Design efforts are to be displayed on the submitted preliminary plan to avoid adverse impacts to these trees. There may be discrepancies allowed between the General Development Plan and the Preliminary Plan as necessary in order to save trees.
- ~~14-13.~~ All construction traffic shall access the site via Boyette Road and/or McMullen Road except for construction traffic necessary for the installation of sidewalks and landscaping along the southern boundary of the project.
- ~~15-14.~~ An evaluation of the property supports the presumption that listed animal species may occur or have restricted activity zones throughout the property. Pursuant to the Land Development Code (LDC), a wildlife survey of any endangered, threatened or species of special concern in accordance with the Florida Fish and



Wildlife Conservation Commission Wildlife Methodology Guidelines shall be required. This survey information must be provided upon submittal of the preliminary plans through the Land Development Code's Site Development or Subdivision process. Essential Wildlife Habitat as defined by the LDC must be addressed, if applicable, in consideration with the overall boundaries of this rezoning request.

- ~~16-15.~~ Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the Development Services Department a revised General Development Plan for certification which conforms the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.
- ~~17-16.~~ The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- ~~18-17.~~ 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.
- ~~19-18.~~ Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
- ~~20-19.~~ Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
- ~~21-20.~~ Prior to the issuance of any building or land alteration permits or other development, the approved wetland/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).
- ~~22-21.~~ 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.
- ~~23-22.~~ The minimum parking for a kennel use is 1 space per 15 animals, one additional space per employee, and one additional space for each facility vehicle.
- ~~24-23.~~ Water distribution system improvements will need to be completed prior to connection to the County's water system for a kennel approved through MM 22-0224, car wash, or neighborhood serving motor vehicle repair approved through MM 22-0416. No building permits for the kennel, car wash, or neighborhood serving motor vehicle repair facilities shall be issued until the completion by the County of funded Capital Improvement Program projects C32001 - South County Potable Water Repump Station Expansion and C32011 - Potable Water In-Line Booster Pump Station, and the projects are put into operation.
- ~~25-24.~~ Prior to or concurrent with the initial increment of development within Pod A1 or that portion of Pod A east of Newell Valley Loop, the developer shall construct an eastbound to southbound right turn lane on Boyette Rd. into the project's easternmost access on Boyette Rd.

- ~~26-25.~~ The access onto Newell Valley Loop shall be restricted to right-in/right-out/left-out turning movements only. Prior to or concurrent with the initial increment of development, the developer shall extend the existing median nose south and install no left turn signage in order to prohibit southbound to eastbound left turning movements. Final design of this improvement shall be subject to Hillsborough County review and approval.
- ~~27-26.~~ In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve one-half of the needed right-of-way (i.e. the applicant shall preserve up to 10 feet of right-of-way along the project's Boyette Rd. frontage), such that a minimum of 134 feet of right-of-way is preserved in the future condition when accounting for the 10-foot preservation on both sides of the roadway. Only those interim uses ~~permitted by Hillsborough County LDC~~ shall be permitted within the preservation area. The preservation area shall be shown on all future site plans, and building setbacks shall be calculated ~~from~~ from the future right-of-way line.
- ~~28-27.~~ Notwithstanding the above, given that the project is entitled with uses which could exceed the 100-trip threshold whereby a right turn lane will remain required after Boyette Rd. is widened to 6-lanes, and given that the developer desires to place the turn lane within existing County right-of-way which is reserved for future 6-laning, the developer shall (prior to or concurrent with the initial increment of development) dedicate and convey to Hillsborough County a minimum of 11-feet of right-of-way (above and beyond the amount required to be preserved) in specific areas along the project's Boyette Rd. frontage as necessary (such that the turn lane may be relocated once the Boyette Rd. widening occurs).
- ~~29-28.~~ The ingress and egress easement recorded in Official Records of Hillsborough County Book 3448 Page 1242 shall be vacated or otherwise terminated prior to or concurrent with the initial increment of development.
- ~~30-29.~~ A fifteen (15) foot Scenic Roadway Buffer shall be provided along Boyette Road.
- ~~31-30.~~ The carwash facility shall be self-service/automated only and shall be contained within a structure with a roof and at least two sides.
- ~~32-31.~~ Motor vehicle repairs shall be limited to those defined as neighborhood serving by the LDC. Repairs shall be conducted within fully enclosed buildings only.
- ~~33-32.~~ In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

**Zoning Administrator Sign Off:**

*J. Brian Grady*

**APPLICATION NUMBER: MM 25-1375**

ZHM HEARING DATE: December 15, 2025

BOCC LUM MEETING DATE: February 10, 2026

Case Reviewer: Sam Ball

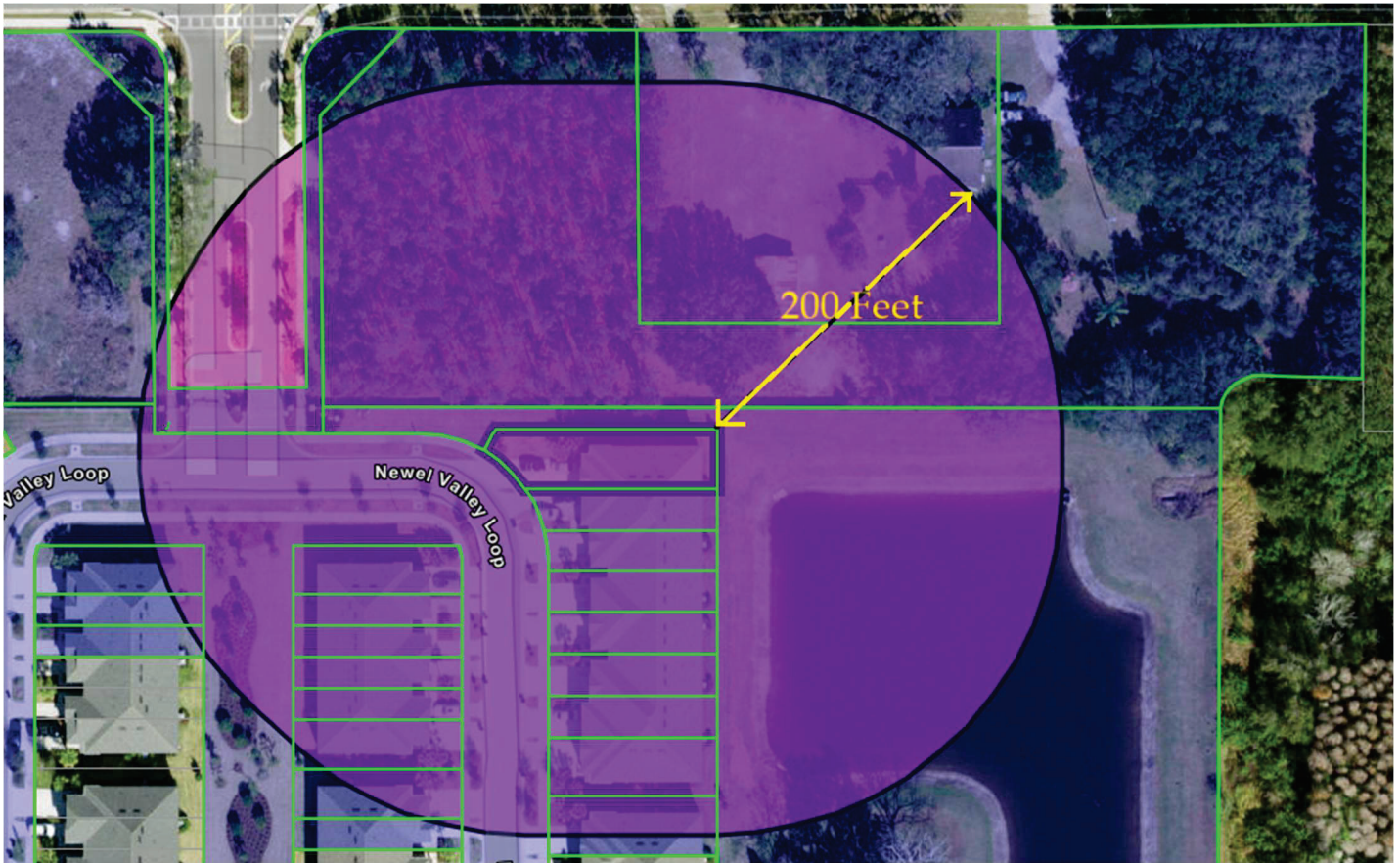
**SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.



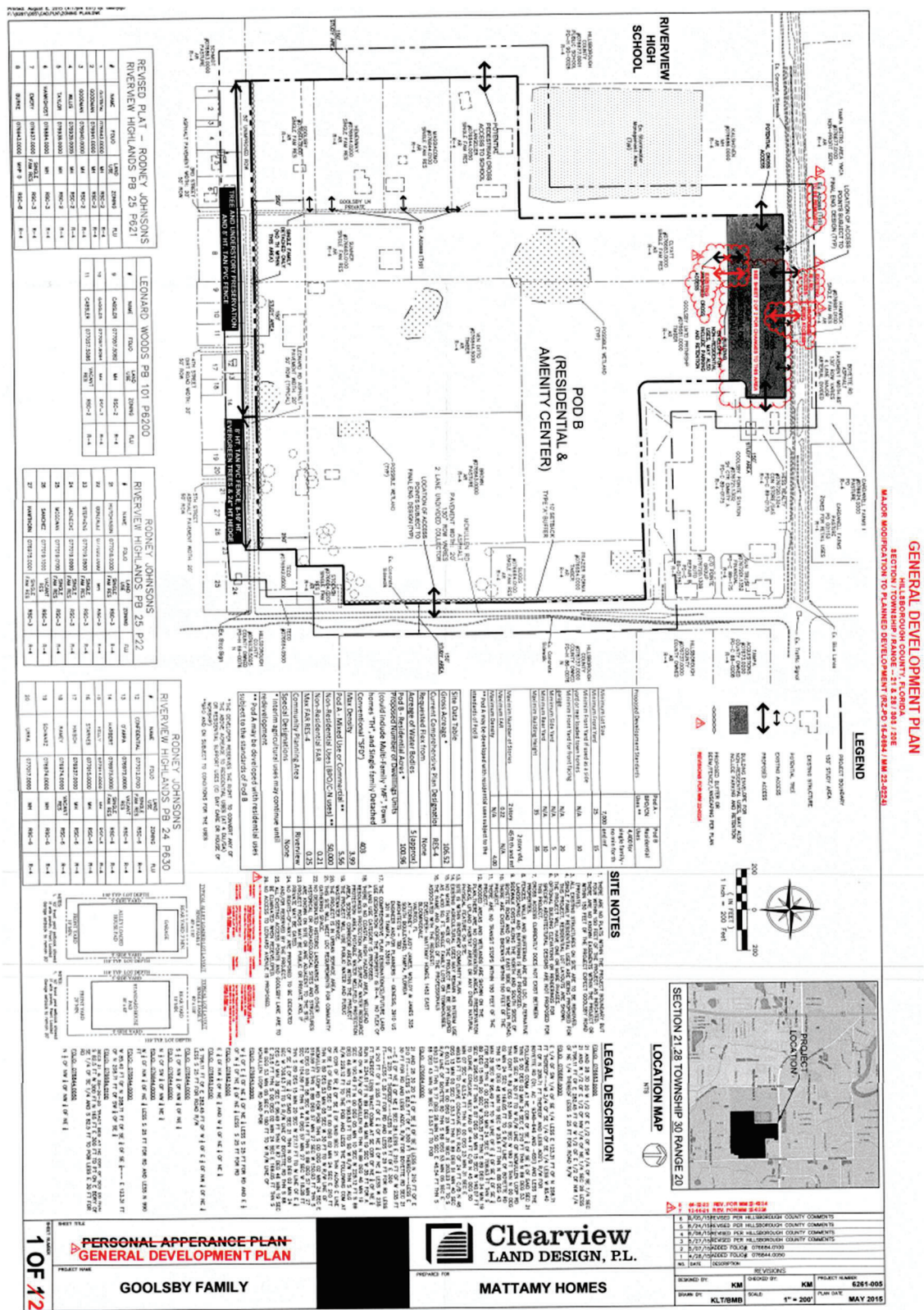
**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS****Wavier from LDC § 6.11.35(B)(1)**

The Applicant is requesting a waiver from the drive-through restrictions of LDC 6.11.35, specifically, that drive-throughs associated with the Site be permitted to be located within 200' or less of residentially-zoned property with the following justification. "This is due to the Site's location as POD A within the greater mixed-use development, where the adjacent POD B to the south is zoned as the residential "pocket". The majority of the actual developed area within POD B that is adjacent to the Site is a stormwater pond and is therefore not actually developed with residential units, except along the west. Accordingly, a drivethrough constructed on the majority of the Site will not actually be adjacent to residentially developed land, even if adjacent to residentially zoned land."



*The area shaded purple represents the area within 200 feet of the nearest platted townhome lot.*

## 8.1 Approved Site Plan (Full)





## 8.2 Proposed Site Plan (Full)

[illegible]



## AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 12/08/2025

*Revised: 12/8/2025*

REVIEWER: James Ratliff, AICP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: RV/ South

PETITION NO: MM 25-1375

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

### **NEW AND REVISED CONDITIONS OF APPROVAL**

#### Revised Conditions

1. The project shall be limited to the following:

- 1.1 POD A: The project shall be limited to a maximum of 50,000 square feet in total of the following uses, with a maximum of 18,000 square feet being allocated to Pod A1:

All Business, Professional Office (BPO) uses AND the following Commercial, Neighborhood (CN) Uses

- Coffee Shop
- Sub / Sandwich Shop
- Hobby Shop
- Consignment Store
- News Stand
- Jewelry Store
- Antique Store
- Personal Services
- Eating Establishment/~~No Drive Thru~~
- Home Furnishings Store
- Florist
- Paint Store
- Gift Shop
- Pharmacy
- Bank / Credit Union
- Kennel
- Car Wash (1 Tunnel Maximum)
- Motor Vehicle Repair, Neighborhood Serving

1.1.1 Any of the uses listed above may include a drive-through window, except that call boxes associated with restaurant drive-through facilities shall not be located within 200 feet of a platted residential lot. Notwithstanding the above, all such drive-through facilities shall be

subject to review and approval of Hillsborough County Development Services to ensure all applicable LDC and TTM standards are met, sufficient queueing is provided, and the site is designed such that traffic is able to safely and efficiently circulate without negatively impacting common access driveways, drive-aisles or adjacent rights-of-way.

1.1.2 The development of entitlements in POD A1 may be contained within multiple buildings.

1.1.3 Notwithstanding anything herein these conditions or on the PD site plan to the contrary, no development within Pods A (east of Newel Valley Loop) or A1 shall be permitted which causes cumulative development within these areas to exceed 2,727 gross average daily trips, 250 gross a.m. peak hour trips, or 281 gross p.m. peak hour trips, nor shall development be permitted within these areas which cumulatively exceed 1,540 net new average daily trips, 135 net new a.m. peak hour trips, or 169 net new p.m. peak hour trips. Additionally:

1.1.3.1 Concurrently with each increment of development within those areas of the project subject to the trip cap, the developer shall provide a list of existing and previously approved uses within those portions of the PD. The list shall contain data including gross floor area, number of students/rooms/seats (if applicable), type of use, date the use was approved by Hillsborough County, references to the site subdivision Project Identification number (or if no project identification number exists, a copy of the permit or other official reference number), calculations detailing the individual and cumulative gross and net trip generation impacts for that increment of the development, and source(s) for the data used to develop such estimates. Calculations showing the remaining number of available trips for each analysis period (i.e. average daily, a.m. peak and p.m. peak) shall also be provided.

*[Transportation Review Section staff is proposing a modification to this condition to reflect the revised entitlement program proposed by the applicant, with additional restrictions to provide a trip cap on non-residential uses and clarify that drive-through uses are subject to review and approval at the time of site/construction plan review (staff notes that it would be highly unlikely all such uses could be accommodated within the site given needed queues and design techniques required to contain queue spillovers within the site before impacting common access drive-aisles and adjacent road rights of way.)]*

4. The following access points shall be required to serve the proposed development as illustrated on the General Site Plan:

- A. One (1) right-in/right-out access connection to Boyette Rd. from Pod A (i.e. Newell Valley Loop);
- B. One (1) additional right-in/right-out access connection from Pod A to Boyette Rd., which shall be located a minimum of 245 feet east of Newel Valley Loop and 245 feet west of the median opening, as generally shown on the Site Plan; and,
- C. One (1) full access connection to McMullen Rd. from Pod B.

All existing access points shall be closed (with curb restoration, sodding, and sidewalk extensions as necessary).

*[While the applicant's narrative did not propose a change in the access location, stating "The location of the vehicular access point for Boyette Road and Newel Valley Loop have been previously approved and no changes to those access points are proposed.", the applicant proposed a modification to this condition to add language reading "If the access point referred to in 4.B from POD A1 to Boyette Rd. cannot meet spacing at site development, the developer shall submit a Design Exception request to the County Engineer". Staff cannot support this request for several reasons. First, all access spacing variances require submittal of a Sec. 6.04.02.B. Administrative Variance (AV) given that the requirement is from Sec. 6.04.07 of the LDC, and is not based on a Transportation Technical Manual (TTM) related requirement,*

which would mean the proper process is not a Design Exception (DE) but rather a variance, and this application's narrative would need to have disclosed the proposed access change. Secondly, the access location shown on the site plan is such that it meets minimum spacing standards per the LDC and is also optimally placed so that it provides access to existing vehicles to the foot of the turn lane which provides for U-turns for westbound traffic from the site. Thirdly, consistent with recent policy direction, all access spacing AVs must be submitted concurrent with a PD zoning or zoning modification and cannot be deferred to the site/subdivision change. Lastly, and most importantly, no Section 6.04.02.B. variance can be supported. Sec. 6.04.02.B.23. requires the issuing authority (County Engineer) to determine that all three variance criteria have been met. Even if the second criteria (b) regarding the variance not being detrimental to the public health safety and welfare could be met, the third criteria (c) specifies that no variance shall be granted unless the reasonable access cannot be provided without the variance. Given that a code compliant access location exists in the currently approved location, it is highly unlikely this burden could be met. For the above reasons staff cannot support the proposed language.]

5. ~~The developer shall submit a detailed transportation analysis for the entire site, or each increment of development, prior to plat/site/construction plan submittal for any portion of the PD.~~

[Transportation Review Section staff recommends deletion of this condition. Staff notes additional analysis/tracking will still be required as a part of the trip cap condition proposed hereinabove, and such study would not provide additional benefit as all turn lanes which would be identified by such analysis have either already been constructed or are proffered to be constructed by the applicant. Staff notes that even without this condition it will still have the ability to request analyses if needed for any additional increment of development if/as necessary at the time of site to determine other applicable requirement (e.g. required throat depth).]

10. Within Pods A and A1, pedestrian connectivity shall be provided between uses via an improved surface (such as sidewalks, multi-use paths, pervious concrete, or right-of-way markings) to provide safe, efficient and functional pedestrian access.

[Transportation Review Section staff recommends modification of this condition to reflect the proposed addition of Pod A1.]

11. The developer shall construct a vehicular and pedestrian cross access stub out to folio 076720.1304, as generally shown on the site plan, along the eastern boundary of Pod A. Notwithstanding the above, Such such cross access shall be constructed to the property boundary prior to or concurrent with vertical development for any commercial uses within Pod A or Pod A1, and except as otherwise may be approved by Hillsborough County at the time of plat/site/construction plan review, such cross access shall align with an existing cross-access stubout or vehicular drive-aisle within the adjacent property.

[Transportation Review Section staff recommends modification of this condition to reflect an unintended omission regarding pedestrian cross access. Staff notes Sec. 6.04.03.Q. of the LDC requires pedestrian cross access to be provided concurrently with vehicular access. Staff is also proposing to clarify intentions for flexibility in the location of the cross access stubout.]

25. Prior to or concurrent with the initial increment of development within Pod A1 or that portion of Pod A east of Newell Valley Loop, the developer shall construct an eastbound to southbound right turn lane on Boyette Rd. into the project's easternmost access on Boyette Rd.

[Transportation Review Section staff recommends modification of this condition to reflect the proposed addition of Pod A1 and clarify the access which the condition is intended to apply to.]

27. In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve one-half of the needed right-of-way (i.e. the applicant shall preserve up to 10 feet of right-of-way along the project's Boyette Rd. frontage), such that a minimum of 134 feet of right-of-way is preserved in the future condition when accounting for the 10-foot preservation on both sides of the roadway. Only those interim



uses ~~permitted~~ allowed by the Hillsborough County LDC shall be permitted within the preservation area. The preservation area shall be shown on all future site plans, and building setbacks shall be calculated ~~form~~ from the future right-of-way line.

*[Transportation Review Section staff recommends modification of this condition to correct a typo and for clarity.]*

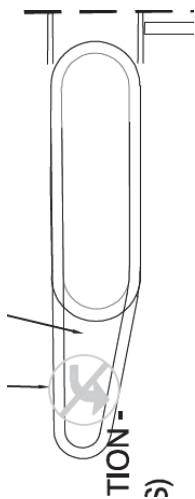
28. Notwithstanding the above, given that the project is entitled with uses which could exceed the 100-trip threshold whereby a right turn lane will remain required after Boyette Rd. is widened to 6-lanes, and given that the developer desires to place the turn lane within existing County right-of-way which is reserved for future 6-laning, the developer shall (prior to or concurrent with the initial increment of development) dedicate and convey to Hillsborough County a minimum of 11-feet of right-of-way (above and beyond the amount required to be preserved) in specific areas along the project's Boyette Rd. frontage as necessary (such that the turn lane may be relocated once the Boyette Rd. widening occurs).

*[Transportation Review Section staff recommends modification of this condition to correct a typo.]*

Other Conditions of Approval:

Prior to Site Plan Certification the applicant shall revise the site plan to:

- Remove the 1<sup>st</sup> sheet, such that there is only one sheet 2 of 2 present within the plan set.
- Add a new 1<sup>st</sup> sheet, work with zoning staff to modify the 2<sup>nd</sup> sheet to remove unnecessary references to MM 22-0224 and add the modification area for this sheet (rather than the 1<sup>st</sup> sheet which was deleted, and correct site data table Pod references on the 2<sup>nd</sup> sheet (to be labeled as Sheet 1 of 2), such that Pod A1 is also referenced;
- Modify Sheet 2 of 2 (i.e. the remaining sheet) to restore the access to the previously approved (and code compliant) location, and restore label stating “+/- 11-foot R/W Additional Dedication and Conveyance” to instead use the existing approved language “+/- 11-foot R/W Additional Dedication and Conveyance – See Conditions of Approval”;
- On Sheet 2 of 2, change the label reading “Proposed Vehicular Cross Access with Folio 076720-1304 (May Be Adjusted)” to instead state “Proposed Vehicular and Pedestrian Cross Access with Folio 076720-1304 – See Conditions of Approval”.
- On Sheet 2 of 2, restore the “no left turn arrow” symbology to the site as is shown below and that is shown on the existing approved plan (which staff notes clarifies which left turn is being restricted).



## **PROJECT SUMMARY AND TRIP GENERATION**

The applicant is requesting a Major Modification (MM) to a +/- 3.07 ac. portion of a +/- 106.52 acre project previously zoned Planned Development (PD) 15-0694, and as most recently modified via MM 22-0416. The project is currently approved for a variety of uses, including 424 single-family detached dwelling units within Pod B, and up to 50,000 s.f. of certain uses within Pod A, including all Business Professional Office (BPO) uses as well as eating establishments (without-drive throughs), home furnishing stores, hobby shops, florists, consignment stores, paint stores, newsstands, gift shops, jewelry stores, pharmacies, antique stores, bank/credit unions, personal service uses, a dog kennel, a (1 bay) car wash and motor vehicle repair (neighborhood serving) uses.

The applicant is requesting to modify the project to allow drive-through uses for eating establishments and all other allowable uses. They are also proposing to allocate a certain portion of the existing approved square-footage to a newly created Pod A1 (transportation staff notes the zoning section is reviewing the acceptability of such request).

As required pursuant to the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis. While the applicant's analysis examines that portion of the project within the modification area, the analysis does not provide a worst-case analysis which represents the maximum potential trip impacts of the wide range of land uses proposed. Given this, and the sensitivity of the access and proximity to adjacent driveways, staff has included a condition restricting development within the modification Area (i.e. Pod A1 and that portion of Pod A east of Newel Valley) to the number of trips studied in the applicant's transportation analysis. This restriction will not permit construction of 100% of the potential entitlements sought by the applicant (e.g. 50,000 s.f. of certain CG uses, although allowed by the land use, would not be permitted due to the trip cap restriction). As such, certain allowable single uses or combinations of allowable uses, could not be constructed if they exceeded the trip cap. It should be noted that if a project consists of multiple parcels, or if a developer chooses to subdivide the project further, development on those individual parcels may not be possible if the other parcels within the development use all available trips.

The trip cap data was taken from the figures presented in the applicant's analysis. Given the wide range of potential uses proposed, it should be noted that the uses which the applicant studied to develop the cap may or may not be representative of the uses which are ultimately constructed. It should be noted that at the time of plat/site/construction plan review, when calculating the trip generation impacts of existing and proposed development, authority to determine the appropriateness of certain Institute of Transportation Engineers (ITE) land use codes shall rest with the Administrator, who shall consult ITE land use code definitions, trip generation datasets, and industry best practices to determine whether use of an individual land use code is appropriate. Trip generation impacts for all existing and proposed uses shall be calculated utilizing the latest available ITE trip generation manual data when possible. At the request of staff, applicants may be required to conduct additional studies or research where a lack of accurate or appropriate data exists to determine of generation rates for purposes of calculating whether a proposed increment of development exceeds the trip cap.

Lastly, it should also be noted that while the trip cap will control the total number of trips within each analysis period (daily, a.m. peak, and p.m. peak), it was developed based on certain land uses assumed by the developer, and those land uses have a specific percentage split of trips within each peak period that are inbound and outbound trips, and those splits may or may not be similar to the inbound/outbound split of what uses are ultimately constructed by the developer. Staff notes that the trip cap does not provide for such granularity. Accordingly, whether or not turn lanes were identified as required during a zoning level analysis is in many cases immaterial to whether turn lanes may be required at the time of plat/site/construction plan review. Given that projects with a wide range of uses will have a variety of inbound and outbound splits during the a.m. and p.m. peak periods, it is generally necessary in to reexamine whether additional Sec. 6.04.04.D. auxiliary turn lanes are warranted. The developer will be required to construct all such site access improvements found to be warranted unless otherwise approved

through the Sec. 6.04.02.B Administrative Variance process; however, in this case the applicant is committing to construct an eastbound to southbound right turn lane on Boyette Rd., regardless of what may be indicated by a transportation analysis. Staff noted in the applicant's study they assigned trips through the adjacent project to the east, where no connection yet exists, and which would only allow for a cross-access connection even if it were to be constructed and fully functional with the initial increment of development (meaning project trips can only travel between sites, no travel through a site). Staff notes the applicant's commitment to construct the turn lane regardless of any study results to the contrary overcomes this objection to the analysis.

Staff has prepared a comparison of the potential number of gross peak hour trips generated under the existing and proposed zoning designations within the modification area, utilizing a generalized worst-case scenario. Data for the proposed project is based in part upon the transportation impacts identified in the transportation analysis, which informs the trip cap referenced above. Existing trip land uses were taken from the 22-0461 analysis, proportionally reduced (by 22.686%, which was calculated by taking the approved project FAR of 0.21 and multiplying it by the acreage of that folio within Pod A which is located outside of the modification area, and dividing the resulting square-footage by the maximum approved entitlements within the project, i.e. 50,000 s.f.), and updated to the 12<sup>th</sup> Edition of the ITE Trip Generation Manual (in order to exclude entitlements within that portion of Pod A outside of the modification area).

Existing Zoning (Modification Area Only):

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 2,319 s.f. Fast Food Restaurant without Drive-Through (ITE Code 933)	955	91	85
PD, 2,165 s.f. Fast Food Restaurant without Drive-Through (ITE Code 933)	893	85	79
PD, 14,071 s.f. Medical Office Uses (ITE Code 720)	496	41	46
PD, 3,866 s.f. Bank w/ Drive-Through (ITE Code 912)	382	38	81
PD, 4,639 s.f. High-Turnover Site Down Restaurant (ITE Code 932)	481	42	43
PD, 11,597 s.f. Pharmacy/Drugstore with Drive-Through (ITE Code 881)	1,235	44	119
<i>Subtotal</i>	<i>4,442</i>	<i>341</i>	<i>453</i>

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Modification Area Trip Cap	2,727	250	281

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(-) 1, 175</b>	<b>(-) 91</b>	<b>(-) 172</b>

Staff notes that the proposed uses being added generate higher peak hour trips than the uses already approved within the existing zoning; however, the trip cap agreed upon with the applicant will limit the maximum intensity of all uses which could be constructed within the modification area, such that a reduction in the maximum trip generation potential within that area is anticipated.

**EXISTING TRANSPORTATION INFRASTRUCTURE SERVING THE SITE (AREA OF MODIFICATION ONLY)**

Boyette Rd. (between US 301 and McMullen Rd Rd.) is a 4-lane, divided, arterial roadway within a +/- 120-foot right-of-way. The roadway is in average condition. There are +/- 5-foot-wide sidewalks on both sides of Boyette Rd. in the vicinity of the proposed project. There are +/- 4-foot-wide bicycle facilities present along both sides of Boyette Rd. in the vicinity of the project.

Along the western boundary of the Major Modification area, Newell Valley Loop consists of a 2-lane, divided, local roadway characterized by between +/- 15 feet and +/- 20 feet of pavement on each side. The roadway lies within a +/- 80-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along both sides of Newell Valley Loop. There are no bicycle facilities along Newell Valley Loop.

**SITE ACCESS AND CONNECTIVITY**

The project is approved for two (2) right-in/right-out connections to Boyette Rd. and one (1) full access connection to McMullen Rd. The developer will also be required to restricting the connection to Newell Valley from the portion of the PD which is the subject of this modification request, such that it permits only right-in/right-out/left-out turning movements. Signage and median modifications will help to enforce this restriction; however, they will not prohibit full access connection for the portion of Pod A located west of Newell Valley Loop. This modification, together with the additional access to Boyette Rd., is anticipated to substantially reduce the amount of amount of traffic on Newell Valley Loop without putting undue trips on Boyette Rd. (i.e. other business and residences within the PD will have full access to the project without having to use collector roadways).

The applicant proposed a modification to Condition 4 to allow flexibility in the right-in/right-out access serving the modification area. Staff cannot support the request for the reasons listed underneath condition 4 in the proposed conditions section hereinabove.

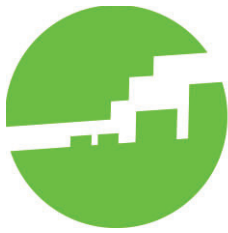
**ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Roadway LOS information for Boyette Rd. is provided below. Newell Valley Loop is not included in the Hillsborough LOS Report. As such, no information on this facility can be provided.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Boyette Rd.	Balm Riverview Rd.	Bell Shoals Rd.	D	D
McMullen Rd.	Balm Riverview Rd.	Boyette Rd.	D	C

*Source: Hillsborough County 2024 Level of Service Report*





**Hillsborough County  
City-County  
Planning Commission**

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

Unincorporated Hillsborough County Rezoning Consistency Review	
<b>Hearing Date:</b> December 15, 2025 <b>Report Prepared:</b> December 4, 2025	<b>Case Number:</b> MM 25-1375 <b>Folio(s):</b> 76681.0050 <b>General Location:</b> South of Boyette Road, west of McMullen Road, and east of Balm Riverview Road
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	Residential-4 (4 du/ga; 0.25 FAR)
<b>Service Area</b>	Urban
<b>Community Plan(s)</b>	Riverview & SouthShore Areawide Systems
<b>Rezoning Request</b>	Major Modification to the northern portion of PD 15-0694 seeking to remove the site's eating establishment drive-thru restriction and allow the ability to include a drive-thru window in connection with any allowable use within the modification area, as well as Motor Vehicle Repair as permitted uses.
<b>Parcel Size</b>	+/- 3.07 acres
<b>Street Functional Classification</b>	Boyette Road – <b>County Arterial</b> McMullen Road – <b>County Collector</b> Balm Riverview Road – <b>County Collector</b>

<b>Commercial Locational Criteria</b>	Meets
<b>Evacuation Area</b>	None

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
<b>Subject Property</b>	Residential-4	PD	Vacant
<b>North</b>	Residential-4	PD + AR	Light Commercial + Multi-Family + Educational + Vacant + HOA/Common Property + Single-Family
<b>South</b>	Residential-4	PD	HOA/Common Property + Single-Family
<b>East</b>	Residential-4 + Natural Preservation	PD + CG + AR + RSC-2	Light Commercial + Heavy Commercial
<b>West</b>	Residential-4 + Public/Quasi-Public	PD + AR	Vacant, Single-Family + HOA/Common Property + Educational

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

The ± 3.07-acre subject site is located south of Boyette Road, west of McMullen Road, and east of Balm Riverview Road. The site is located within the Urban Service Area and is within the limits of the Riverview Community Plan and the SouthShore Areawide Systems Plan. The larger Planned Development (PD) that the site is within is split into two pods, consisting of Pod A and Pod B. Pod A has been relabeled as Pod A1, due to a prior unrelated rezoning removing a portion of the original POD A from this PD. The site is located within Pod A1, which is approved for 50,000 square feet of Business, Professional Office (BPO), and limited Commercial Neighborhood (CN) uses, with a maximum Floor Area Ratio (FAR) of 0.22. The applicant is requesting a Major Modification to the northern portion of PD 15-0694, seeking to remove the site's eating establishment drive-thru restriction and allow the ability to include a drive-thru window in connection with any allowable use within the modification area, as well as Motor Vehicle Repair (Neighborhood Serving and Minor) as permitted uses. No changes to the existing development standards are being proposed. Additionally, the proposed Major Modification clarifies that POD A1 is entitled for 18,000 square feet of development, to reflect the remaining portion of the originally approved 50,000

square feet as belonging to the unrelated parcel to the west which is no longer part of the Planned Development.

The site is in the Urban Service Area where, according to Objective 1.1 of the Future Land Use Section (FLUS), at least 80 percent of new population growth is to be directed. Policy 3.1.3 requires all new developments to be compatible with the surrounding area, noting that “compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.” According to the Hillsborough County Property Appraiser, the site is currently vacant land. There are multiple different land uses surrounding the site, including light commercial to the north and east, multi-family residential to the north, and single-family residential and HOA/Common Property to the west and south. Additionally, there is an educational use to the north of the site across Boyette Road that operates as a children’s daycare. Preliminarily, the request to allow a drive-through window in connection to any allowable use within the modification area gave staff concern due to the residential use that is located to the south of the site. The applicant is requesting a waiver from the restaurant drive-thru restrictions of Land Development Code (LDC) 6.11.35, specifically, that restaurant drive-through’s associated with the site be permitted to be located within 200 feet or less of residentially zoned property. The applicant states that the reason for submitting this waiver is due to the site’s location as Pod A1 within the greater mixed-use development, where the adjacent Pod B to the south is zoned as the residential “pocket”. South of POD A1, there is an existing stormwater pond, that acts as a buffer between the proposed use and some of the residential units. The western portion of POD A1 does not include a stormwater pond and is not buffered in this way from the residential units on that side of the property. To mitigate for this gap in buffering on the western portion of the site, Planning Commission Staff suggested to include a Proposed Condition that limits the drive-through call box potential to the area where the stormwater pond would be a buffer. This would restrict the drive-through call box use from being within 200 feet of a residential unit that exists south of the site in POD B. The applicant agreed to this proposed Condition and there are also additional mitigation measures on the southern boundary of the site that includes a 20-foot buffer and type B screening. The condition to maintain the drive-through call box at least 200 feet away from a residential property is integral to Planning Commission staff’s support of the request.

Per Objective 2.2, Future Land Use categories outline the maximum level of intensity or density, and range of permitted land uses allowed in each category. Table 2.2 contains a description of the character and intent permitted in each of the Future Land Use categories. The subject site is in the Residential-4 (RES-4) Future Land Use category, allowing for the consideration of agricultural, residential, neighborhood commercial, office uses and multi-purpose projects. The site is surrounded on all sides by the Residential-4 Future Land Use category, further supporting the site’s compatibility with the surrounding land use pattern. The proposed uses of Business Professional Office (BPO) and limited Commercial Neighborhood (CN) uses and the proposed Floor Area Ratio (FAR) of 0.22 align with the intent, allowable intensity, and permitted uses of the Residential-4 Future Land Use category..

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUS Objective 4.1, FLUS Policy 4.1.1 and FLUS Policy 4.1.2). However, at the time of uploading this report, Hillsborough County Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

FLUS Objective 4.4 and FLUS Policy 4.4.1 require new development to be compatible to the surrounding neighborhood. In this case, the surrounding land use pattern is comprised mostly of light commercial uses to the north and east, and residential uses to the south and west. Specifically, FLUS Policy 4.4.1 states that

development shall be integrated with the adjacent land uses through the creation of like uses, the creation of complementary uses, mitigation of adverse impacts, transportation/pedestrian connections, and gradual transitions of intensity. With the mitigation measures in place, including the 20 foot buffer and Type B screening on the southern boundary of the site and the condition that any call box associated with a drive-through eating establishment will be at least 200 feet away from a residential property, the request can be seen as compatible with the policies related to neighborhood and community development.

FLUS Objective 4.7 outlines the policies associated with Commercial Locational Criteria. As outlined in FLUS Policy 4.7.2, at least 75% of this subject property is not within 1,000 feet of an intersection of roadways, both functionally classified as a collector or arterial per the Hillsborough County Functional Classification Map. However, FLUS Policy 4.7.3 outlines that non-residential uses in residential land use categories can be considered if they meet certain criteria. One of these criteria applies to neighborhood serving commercial uses that are integrated and connected as part of a larger mixed-use development of at least 10 acres in size. As the proposed Major Modification area is within a larger mixed-use Planned Development (PD 15-0694) that is greater than 10 acres, this policy applies to this site. The site is connected to POD B and the adjacent commercial uses via access points and sidewalk and therefore the request meets this criterion and therefore meets the Commercial Locational Criteria Policies.

FLUS Objective 3.2 and Policy 3.2.4 require community plans throughout the county to be consistent with the Comprehensive Plan. The subject site is within the limits of the Riverview Community Plan and the SouthShore Areawide Systems Plan. The Riverview Community Plan identifies distinct visions for the different districts within the Riverview area. The site falls into the Downtown and Residential Districts on the Riverview District Concept Map. The Downtown District focuses on direct mixed-use developments to create an aesthetically pleasing and pedestrian friendly downtown. The Residential District encourages attractive residential development that complements the surrounding character and promotes housing diversity. The request to remove the existing eating establishment drive-through restriction is consistent with these district visions as the proposed use remains neighborhood serving and maintains a use that is compatible with both the Downtown District Vision and the Residential District vision. Goal 1 of the Riverview Community Plan aims to achieve better design and densities that are compatible with Riverview's vision. For mixed-use commercial residential uses, the plan states to avoid "strip" development patterns for commercial areas, while still maintaining the ability to walk or bike between adjoining commercial areas. The uses within POD A1 will provide development that services the surrounding neighborhood, including the residential uses that are part of the larger mixed-use Planned Development as well as the other commercial uses adjacent to the site. These uses are all connected and supported through sidewalks that allows for continued accessibility between the different uses. In the Cultural/Historic Objective of the SouthShore Areawide Systems Plan, the community desires to promote sustainable growth and development that is clustered and well planned to preserve the area's environment, cultural identity, and livability. The request remains consistent with this goal, as the context-sensitive design elements, mitigation measures, and connections with the nearby developments aligns with the established character of the surrounding area. The request will support the desire for neighborhood serving commercial uses that maintain the cultural identity and overall goals of the SouthShore Areawide Systems Plan.

Overall, staff finds that the proposed use is allowable use in the Residential-4 (RES-4) Future Land Use category, is compatible with the existing development pattern found within the surrounding area and supports the vision of the Riverview Community Plan and the SouthShore Areawide Systems Plan. The



proposed Major Modification would allow for development that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the conditions proposed by the Hillsborough County Development Services Department.

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

### **FUTURE LAND USE SECTION**

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

**Objective 1.1:** Direct at least 80% of new population growth into the USA and adopted Urban expansion areas through 2045. Building permit activity and other similar measures will be used to evaluate this objective.

#### ***Relationship to the Future Land Use Map***

**Goal 2:** Ensure that the character, compatibility and location of land uses optimize the combined potential for economic benefit, fiscal sustainability, protection of natural resources and maintaining viable agriculture. Ensure density and intensities are maintained through the Future Land Use Map.

**Objective 2.1:** The Future Land Use Map is a regulatory tool governing the pattern of development in unincorporated Hillsborough County through the year 2045.

**Policy 2.1.1:** The Future Land Use Map shall identify Future Land Use categories, summarized in Table 2.2 and further described in Appendix A, that establish permitted land uses and maximum densities and intensities.

#### ***Future Land Use Categories***

**Objective 2.2:** The Future Land Use Map (FLUM) Shall identify Land Use Categories, summarized in table 2.2 of the Future Land Use Element, that establish permitted land uses and maximum densities and intensities.

**Policy 2.2.1:** The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

#### ***Compatibility***

**Objective 3.1:** New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE Policy 3.1.3) with the established character of the surrounding neighborhood.

**Policy 3.1.1:** Restrict incompatible land uses to protect established and planned neighborhoods and communities by utilizing planning principles that limit commercial development in residential Future Land Use categories. Commercial and mixed-use in residential Future Land Use categories shall be limited to neighborhood serving guided by the commercial locational criteria in Objective 4.7.

**Policy 3.1.2:** Gradual transitions of intensities and densities 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. Screening and buffering used to separate new development from the existing, lower-density community should be designed in a style compatible with the community and allow pedestrian penetration. In rural areas, perimeter walls are discouraged and buffering with berms and landscaping are strongly encouraged.

**Policy 3.1.3:** Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### **Community Planning**

**Objective 3.2:** Hillsborough County is comprised of many diverse communities and neighborhoods. The comprehensive plan is effective in providing an overall growth management strategy for development within the entire County. Strategies shall be developed that ensure the longrange viability of its communities through a community and special area studies planning effort.

**Policy 3.2.4:** The County shall assist the Hillsborough County City-County Planning Commission in developing community plans for each planning area that are consistent with and further the Goals, Objectives and Policies of the Comprehensive Plan. The community plans will be adopted as part of the Comprehensive Plan in the Livable Communities Element. These community-specific policies will apply in guiding the development of the community. Additional policies regarding community planning and the adopted community plans can be found in the Livable Communities Element.

### **Development**

**Objective 4.1:** Efficiently utilize land to optimize economic benefits while ensuring a choice of living environments and protecting natural resources.

**Policy 4.1.1:** 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 4.1.2:** *Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.*

### **Neighborhood/Community Development**

**Objective 4.4:** *Neighborhood Protection – Enhance and preserve existing neighborhoods and communities. Design neighborhoods which are related to the predominant character of their surroundings.*

**Policy 4.4.1:** *Any density or intensity increases shall be compatible with existing, proposed or planned surrounding development. Development and redevelopment shall be integrated with the adjacent land uses through:*

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

### **Commercial-Locational Criteria**

**Objective 4.7:** *To meet the daily shopping and service needs of residents, only neighborhood-serving commercial uses will be permitted within land use categories that are primarily residential or agricultural in nature. Intensive commercial uses (uses allowed within the Commercial Intensive zoning district) shall not be considered neighborhood-serving commercial. Such developments do not require a Future Land Use Map Amendment to a non-residential category provided they meet the criteria established by the following policies and all other Goals, Objectives and Policies in the Comprehensive Plan. The frequency and allowance of neighborhood-serving commercial uses will be different in the Urban Service Area than in the Rural Area due to the population density, scale and character of the areas.*

**Policy 4.7.1:** *The Urban Service Area, locational criteria must be met to allow neighborhood-serving commercial uses in the following primarily residential land use categories:*

- Residential Planned -2 (RP-2)*
- Residential - 2 (RES-2)*
- Residential - 4 (RES-4)*
- Neighborhood Mixed Use-4(3) (NMU4(3))*
- Neighborhood Mixed Use-6 (NMU-6)*
- Residential - 6 (RES-6)*
- Suburban Mixed Use-6(SMU-6)*
- Residential - 9 (RES-9)*
- Residential - 12 (RES-12)*
- Residential - 16 (RES-16)*
- Residential - 20 (RES-20)*
- Residential - 35 (RES-35)*
- Any rural Future Land Use categories in the Urban Service Area*

**Policy 4.7.2:** *In the above land use categories, neighborhood-serving commercial uses, including office uses, can be considered to the maximum FAR permitted in each Future Land Use category in the following locations:*

- 50% of the site must front along a roadway with a context classification of suburban commercial, suburban town or urban general context classification in the Hillsborough County Context Classification Map or the Florida Department of Transportation Context Classification Map; or
- Within 1,000 feet of the intersection of roadways both functionally classified as a collector or arterial per the Hillsborough County Functional Classification Map. At least 75% of the subject property must fall within the specified distance (1,000 feet) from the intersection. All measurements should begin at the edge of the road right-of-way. The land area within this distance, as measured along both roadways, makes a quadrant (see graphic).

**Policy 4.7.3:** Non-residential uses in the residential land use categories in the USA may also be considered if they meet one of the following:

- An isolated parcel of 10 acres or less fronting on an arterial or collector roadway that is unsuitable for residential development may be considered for office uses. The rezoning must be to a site plan-controlled district or to a zoning district restricting uses to residential scale office.
- Sites which may be unsuitable may include but are not limited to: parcels altered due to the acquisition of adjacent land for public purposes or natural features (rivers, lakes or preservation areas) either of which may isolate a parcel, or if existing development has isolated a parcel along a roadway shown on the adopted Long Range Transportation Plan. Parcels must be ten usable acres or less.
- Neighborhood-serving commercial uses that are integrated and connected as part of a larger mixed-use development of at least 10 acres in size.
- Non-residential uses at the intersection of a major local roadway or a local roadway and an arterial or collector road. All measurements should begin at the edge of the road right-of-way. A Planned Development established by the PEC ½ category shall be exempt from the locational criteria.

#### **LIVABLE COMMUNITIES ELEMENT: RIVERVIEW COMMUNITY PLAN**

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

- Avoid "strip" development patterns for commercial uses.
- Enhance the ability to walk or bike between adjoining commercial areas.

**Goal 2:** Reflect the vision of Riverview using the Riverview District Concept Map. The Riverview District Concept Map will illustrate the unique qualities and land uses related to distinct geographic areas identified as "districts".

**Downtown** - Focus and direct mixed-use development to create an aesthetically pleasing and pedestrian-friendly downtown.

**Residential** – Encourage attractive residential development that complements the surrounding character and promotes housing diversity.

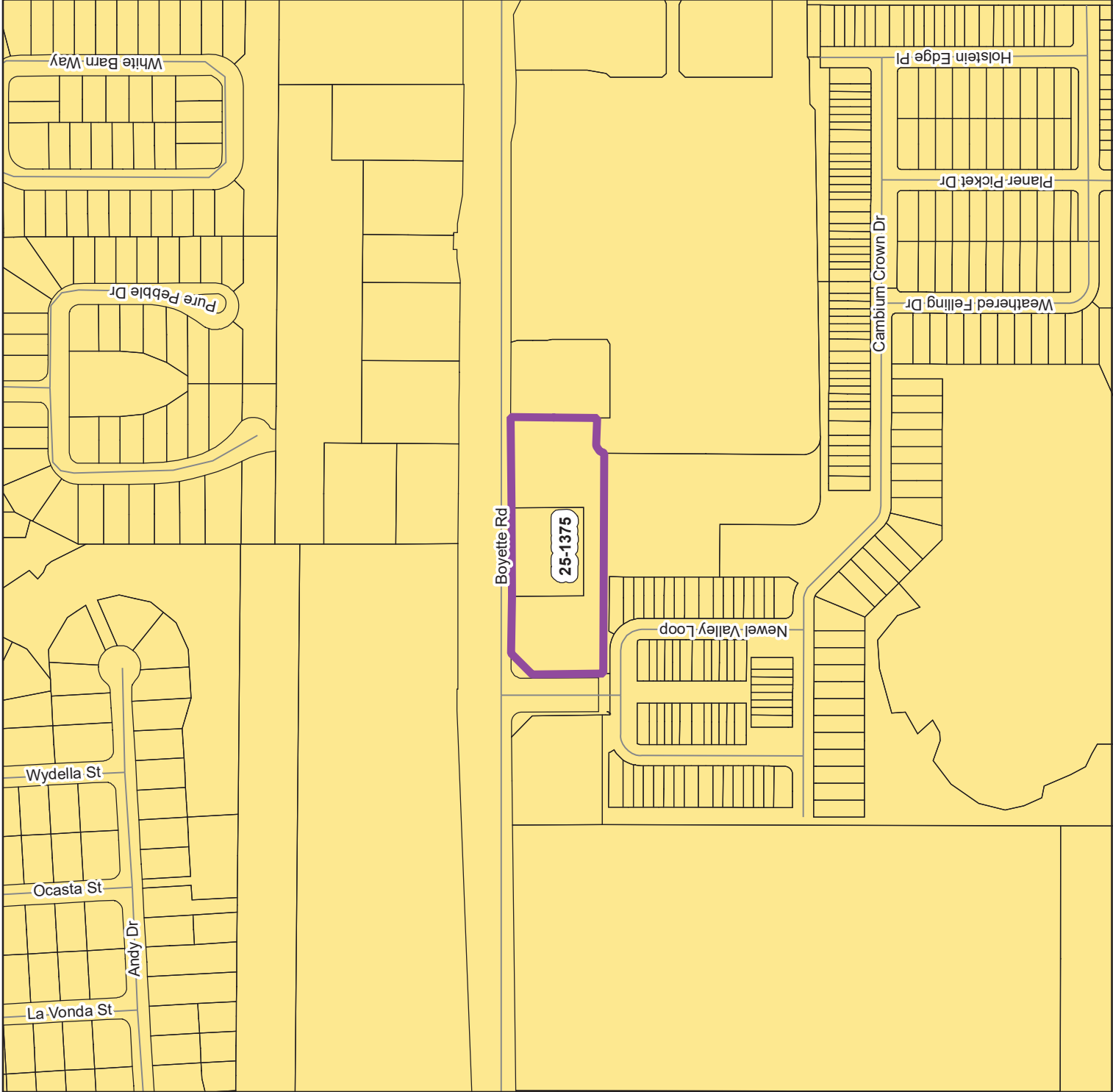
#### **LIVABLE COMMUNITIES ELEMENT: SOUTHSORE AREAWIDE SYSTEMS PLAN**

**Cultural/Historic Objective:** The SouthShore region of Hillsborough County supports a diverse population with people living in unique communities, interspersed with farms, natural areas, open spaces and greenways that preserve and enhance the natural and cultural heritage



- *The community desires to: Promote sustainable growth and development that is clustered and well planned to preserve the area's environment, cultural identity and livability.*

HILLSBOROUGH COUNTY  
FUTURE LAND USE  
MM 25-1375



Rezoning  
STATUS



PENDING



Tampa Service Area



Urban Service Area



Shoreline



County Boundary



Jurisdiction Boundary



Roads



Parcels



AGRICULTURAL/MINING-1/20 (.25 FAR)



PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)



AGRICULTURAL-1/10 (.25 FAR)



AGRICULTURAL/RURAL-1/5 (.25 FAR)



AGRICULTURAL ESTATE-1/2.5 (.25 FAR)



RESIDENTIAL-1 (.25 FAR)



RESIDENTIAL-2 (.25 FAR)



RESIDENTIAL PLANNED-2 (.35 FAR)



RESIDENTIAL-4 (.25 FAR)



RESIDENTIAL-6 (.25 FAR)



RESIDENTIAL-9 (.35 FAR)



RESIDENTIAL-12 (.35 FAR)



RESIDENTIAL-16 (.35 FAR)



RESIDENTIAL-20 (.35 FAR)



RESIDENTIAL-35 (1.0 FAR)



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



SUBURBAN MIXED USE-6 (.35 FAR)



COMMUNITY MIXED USE-12 (.50 FAR)



URBAN MIXED USE-20 (1.0 FAR)



REGIONAL MIXED USE-35 (2.0 FAR)



INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)



OFFICE COMMERCIAL-20 (.75 FAR)



RESEARCH CORPORATE PARK (1.0 FAR)



ENERGY INDUSTRIAL PARK (.50 FAR)



FAR RETAIL/COMMERCE (1.0 FAR)



LIGHT INDUSTRIAL PLANNED (.75 FAR)



LIGHT INDUSTRIAL (.75 FAR)



HEAVY INDUSTRIAL (.75 FAR)



PUBLIC/QUASH-PUBLIC



NATURAL PRESERVATION



WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)



CITRUS PARK VILLAGE

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only and is not intended for use as a legal document. It is intended that the ACCURACY of this map is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, use the appropriate source.



Map Printed from Rezoning System: 9/25/2025  
Author: Samantha Lirides  
File: G:\Rezoning\System\MapProject\HCS\SanLirides\_HCSRezoning.mxd

