

**1.0 APPLICATION SUMMARY**

Applicant: Todd Pressman, Pressman & Associates, Inc.

FLU Category: RES-20

Service Area: Urban

Site Acreage: 3.51

Community Plan Area: University

Overlay: None

**Introduction Summary:**

The subject site is zoned PD 85-0355, as most recently modified by PRS 96-0370. The existing zoning has two distinct development areas, one parcel permitting multi-family at a density of 12 dwelling units per acre, and the other permitting 35,000 square feet of commercial uses permitted in the C-1 zoning district, an old zoning designation from the previous Land Development code.

The request seeks to update the entitlements of the commercial parcel by allowing uses permitted in the CG, Commercial General District. The request also seeks to add restrictions to the commercial outparcel, including prohibiting gas and service stations & dine-in restaurants. Additionally, drive-thrus will only be permitted in association with a pharmacy or marijuana dispensary.

Existing Approval(s):	Proposed Modification(s):
<ul style="list-style-type: none"> - Permitted Uses: C-1 uses (excluding mini-warehousing) 	<ul style="list-style-type: none"> - Permitted Uses: CG uses with restrictions for the commercial outparcel - Outparcel Restrictions <ul style="list-style-type: none"> ○ Gas and service stations prohibited ○ Dine-in restaurants prohibited ○ Drive-thrus only permitted in association with a pharmacy or marijuana dispensary.

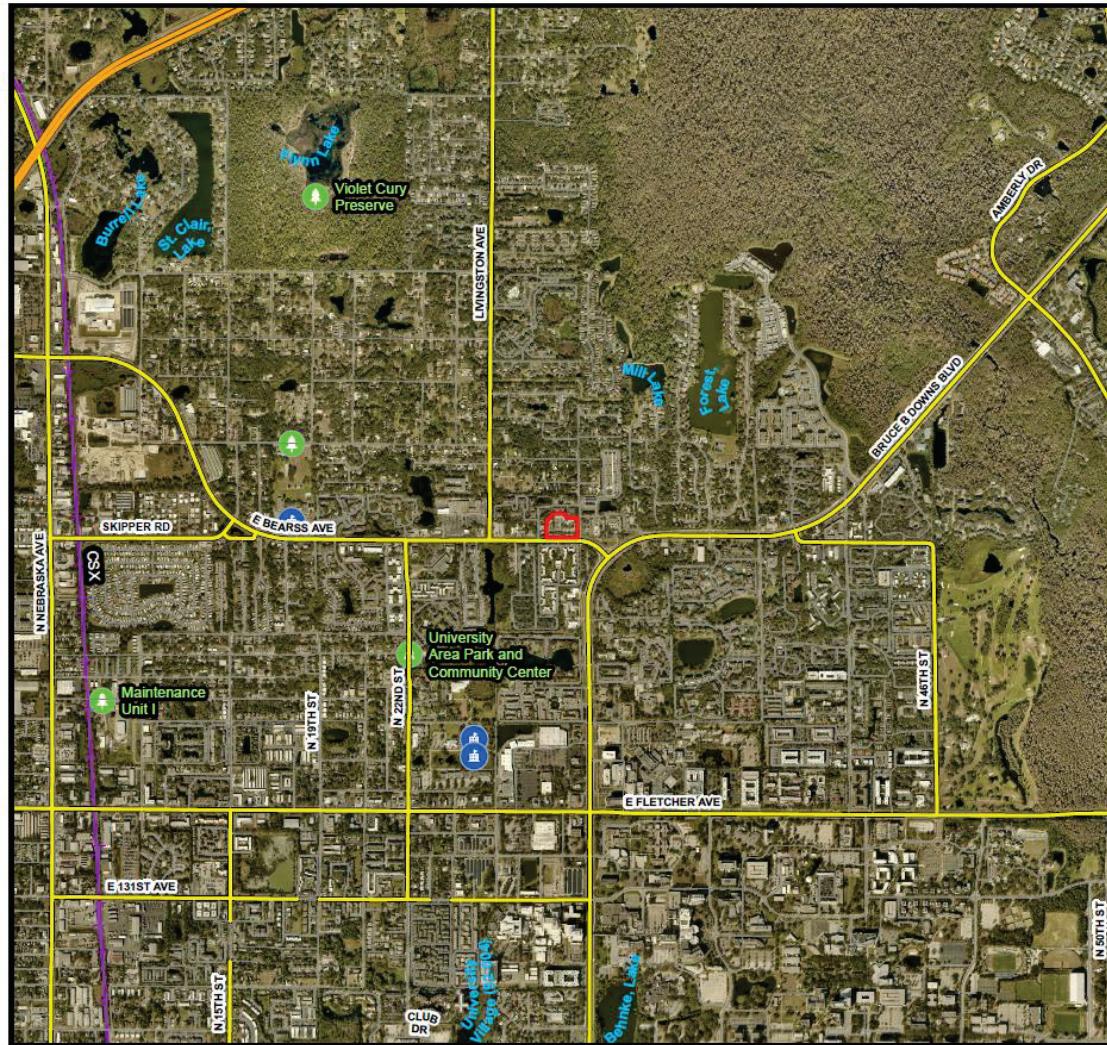
Additional Information:

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

Planning Commission Recommendation: Consistent	Development Services Recommendation: Not Approvable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

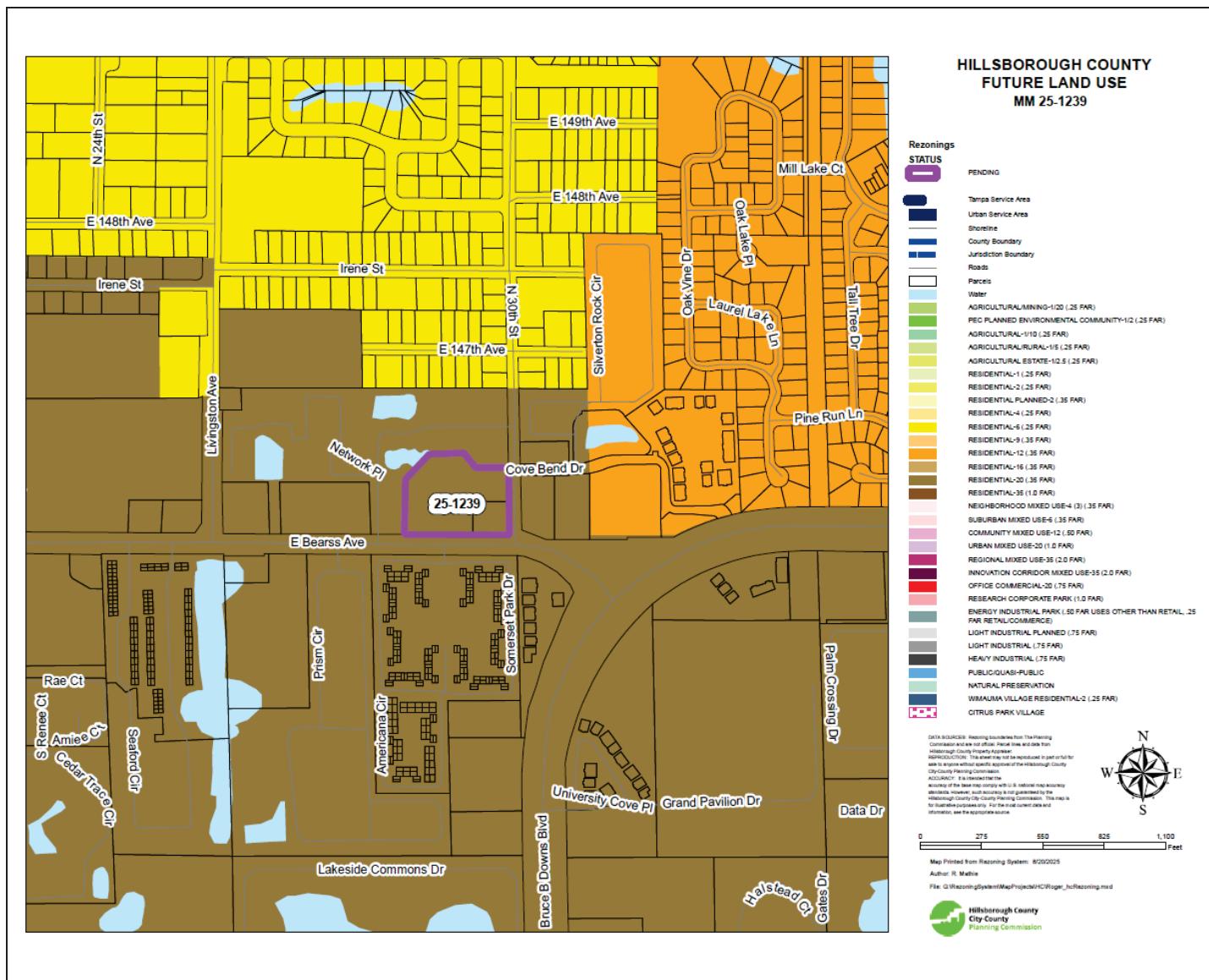


Context of Surrounding Area:

The subject property is located within the Urban Service Area and within the University Community area. Site is located along Bearss Avenue, near the intersection with Bruce B Downs Boulevard. Surrounding area primarily consists of multi-family residential uses, including single-family residential to the north. To the east is a small commercial node, which includes a bank, a fast-food restaurant, a sit-down restaurant, and offices.

2.0 LAND USE MAP SET AND SUMMARY DATA

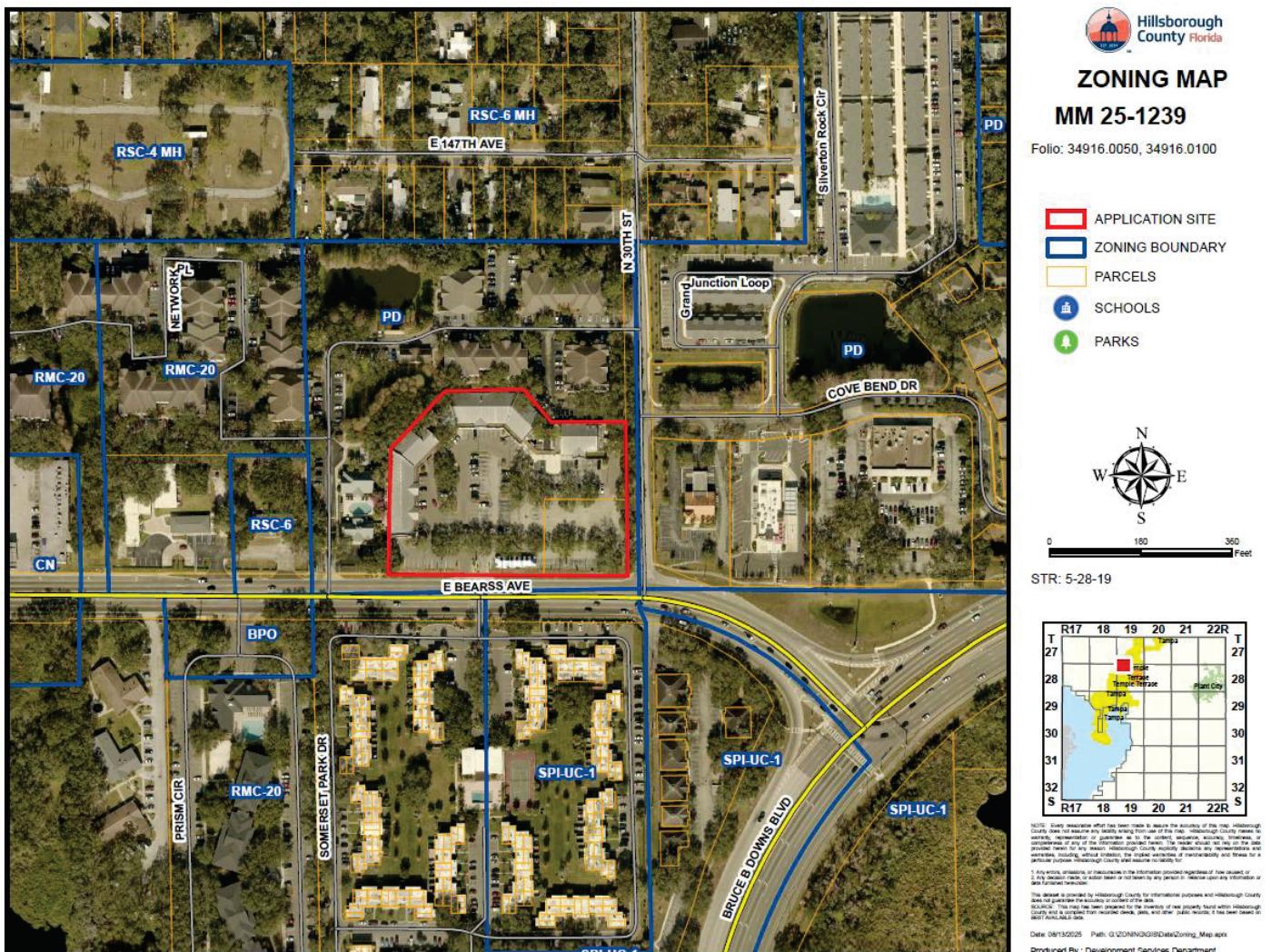
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential- 20 (RES-20)
Maximum Density/F.A.R.:	20.0 dwelling units per gross acre / 0.35 FAR
Typical Uses:	Agricultural, residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use development.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

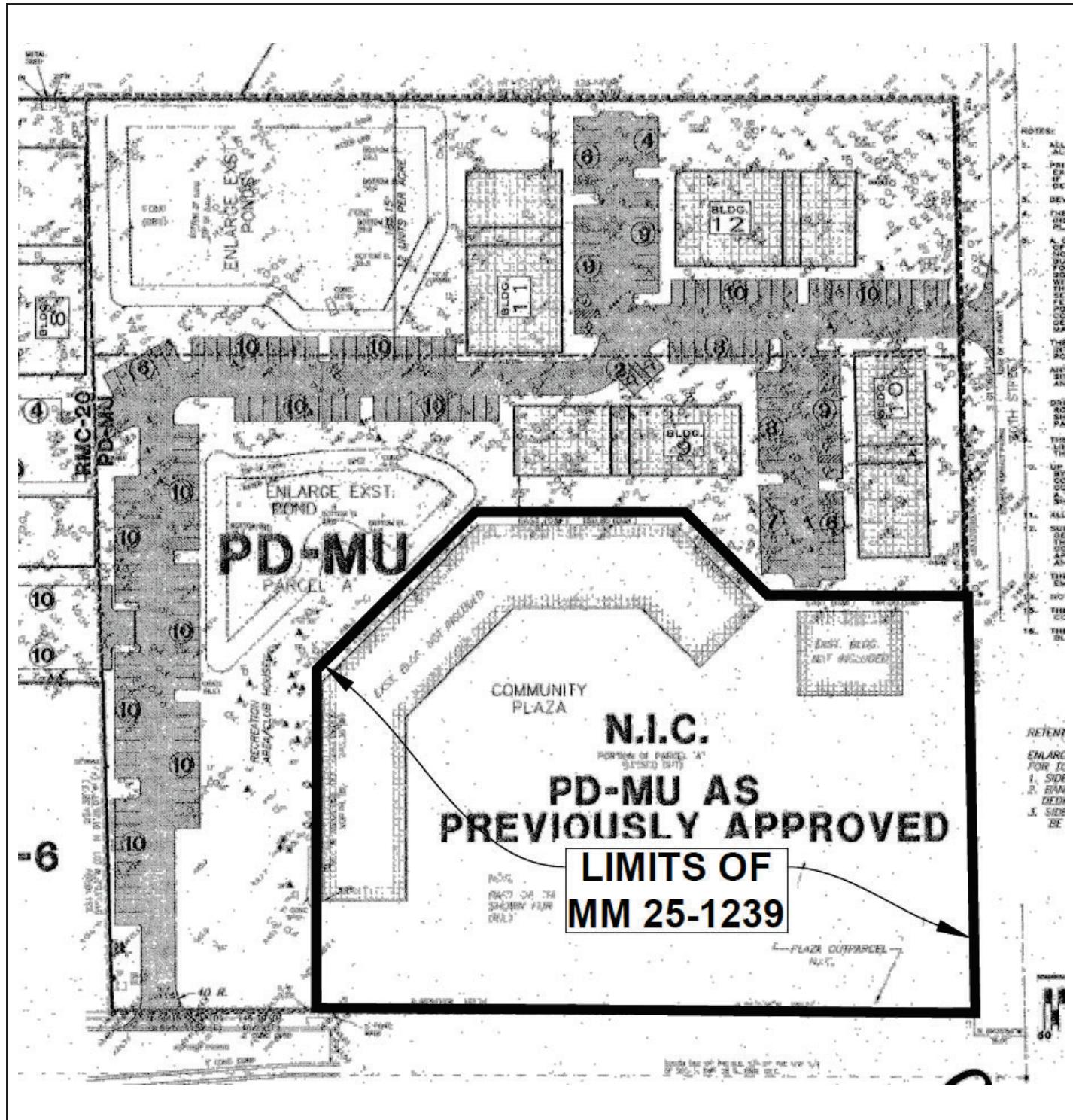


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 85-0355	12 dwelling units per acre	Multi-family residential	Multi-family
South	SPI-UC-1	20 dwelling units per acre	Mixed Use	Multi-family
	RMC-20	20 dwelling units per acre	Multi-family residential	Multi-family
East	PD 89-0117	9 dwelling units per acre / Commercial FAR – 0.13 / Office FAR – 0.22	Office, neighborhood commercial, multi-family	Commercial, multi-family
West	PD 85-0355	12 dwelling units per acre	Multi-family residential	Multi-family

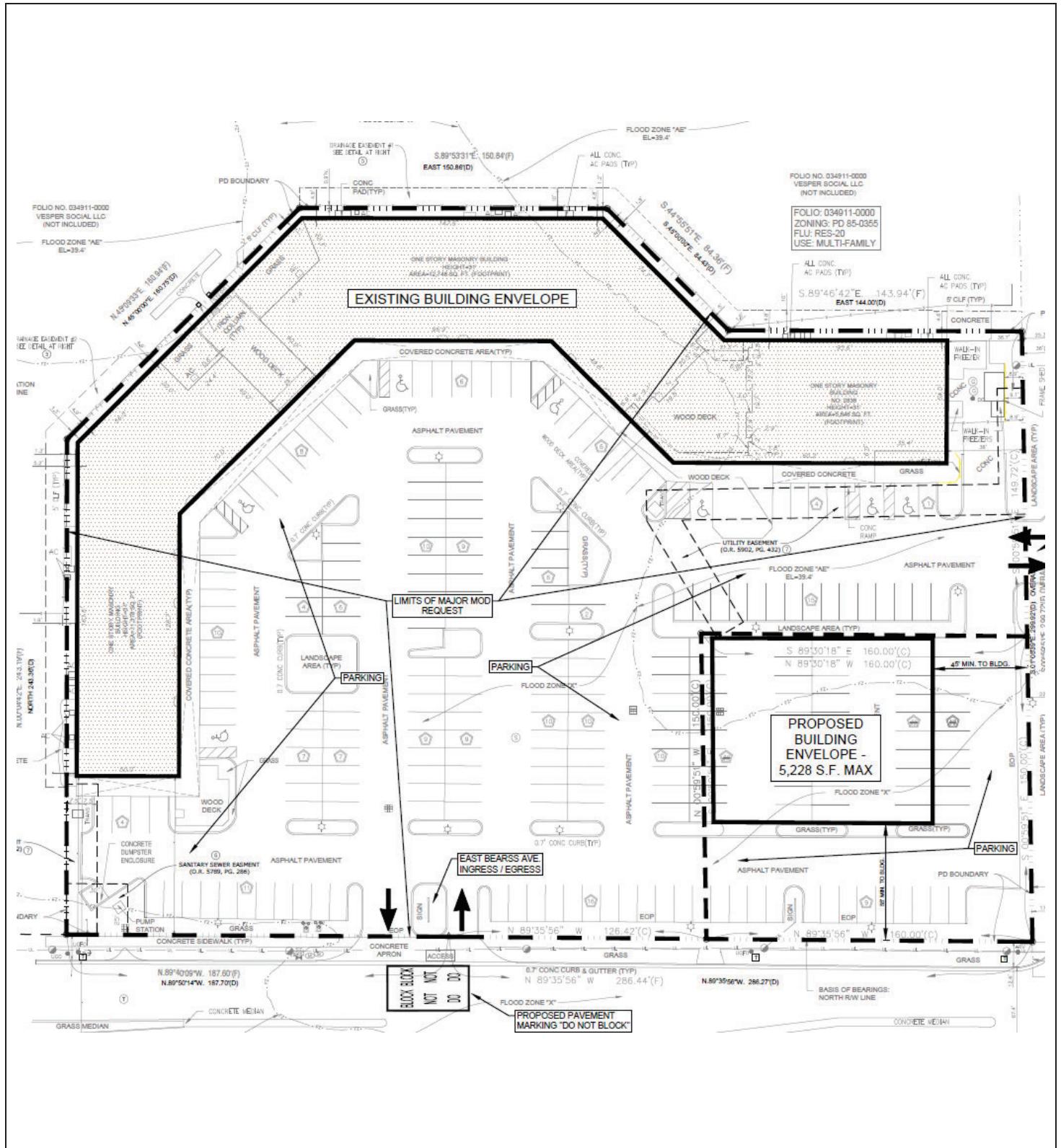
2.0 LAND USE MAP SET AND SUMMARY DATA

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



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Bearss	FDOT Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input 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 TBD
30 th Street	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Road)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other TBD

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	2,421	167	215
Proposed	16,601	1,232	1,275
Difference (+/1)	(+) 14,180	(+) 1,065	(+) 1,060

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South	X	Vehicular & Pedestrian	None	Does Not Meet LDC
East	X	Vehicular & Pedestrian	None	Meets LDC
West	X	Vehicular & Pedestrian	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Bearss Ave./Access Spacing	Administrative Variance Requested	Not Supported
	Choose an item.	Choose an item.

Notes: Additional TRARs were needed but were not filed (or were filed, subsequently withdrawn, and not refiled).

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
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	No Wetlands Present
Natural Resources	<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	
Conservation & Environ. Lands Mgmt.	<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"/> 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 _____			
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"/>			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation				
Design Exc./Adm. Variance Requested	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Off-site Improvements Provided	<input checked="" type="checkbox"/>			
Service Area/ Water & Wastewater				
Urban City of Tampa	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Rural City of Temple Terrace	<input type="checkbox"/>			
Hillsborough County School Board				
Adequate <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	
Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A				
Impact/Mobility Fees (Various Use types allowed. Estimates are a sample of potential development)				
Retail – Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission				
Meets Locational Criteria <input 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	Conditions can only be provided when a minimally sufficient and supportable application has been received.
Locational Criteria Waiver Requested				
Minimum Density Met <input checked="" type="checkbox"/> N/A				

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

Applicant seeks to make modifications to the commercial parcel of PD 89-0355. The current PD permits C-1 uses (except mini-warehouses), which is a zoning designation from the old Land Development Code. The modification will update this to allow CG, Commercial General Uses to coincide with the current code. The request also more clearly defines an outparcel (previously labeled as "Plaza Outparcel) and includes additional restrictions including prohibiting convenience stores with or without gas pumps, dine-in restaurants, and drive-thrus except with associated with a pharmacy or marijuana dispensary.

The site is located along a Major Roadway and is adjacent to another commercial property to the east. Multi-family uses lie adjacent to the subject property in all directions as well. The parcel to the north and west is part of the same Planned Development that allows 12 dwelling units per acre.

The site is currently developed with a shopping center with various commercial uses such as personal service uses, a pharmacy, and a number of sit-down restaurants. The maximum allowed commercial square footage for the PD is 35,000 square foot, of which 29,772 square feet have been constructed to date. The outparcel is currently vacant, but it is proposed to accommodate a 5,228 square foot structure.

The update to CG from C-1 will allow the Planned Development to be up to date with the current Land Development Code. While the change slightly increases the intensity of the site, the location is appropriate for commercial uses permitted in the CG district, given the proximity to a major roadway, acting as a transition from the adjacent multi-family. In addition, the updated language will benefit in applying the development standards of the current Land Development Code.

Development Services does not foresee any compatibility concerns with the proposed Planned Development. However, Transportation Department has expressed numerous concerns with the proposal including safety issues, insufficient analysis and queueing. More information is provided in Section 9.0 of this report.

5.2 Recommendation

Based on the above considerations, staff finds the proposed Major Modification, subject to the conditions, not approvable.

APPLICATION NUMBER:

MM 25-1239

ZHM HEARING DATE:

January 26, 2026

BOCC LAND USE MEETING DATE:

March 10, 2026

Case Reviewer: Jared Follin

6.0 PROPOSED CONDITIONS

N/A

Zoning Administrator Sign Off:



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.

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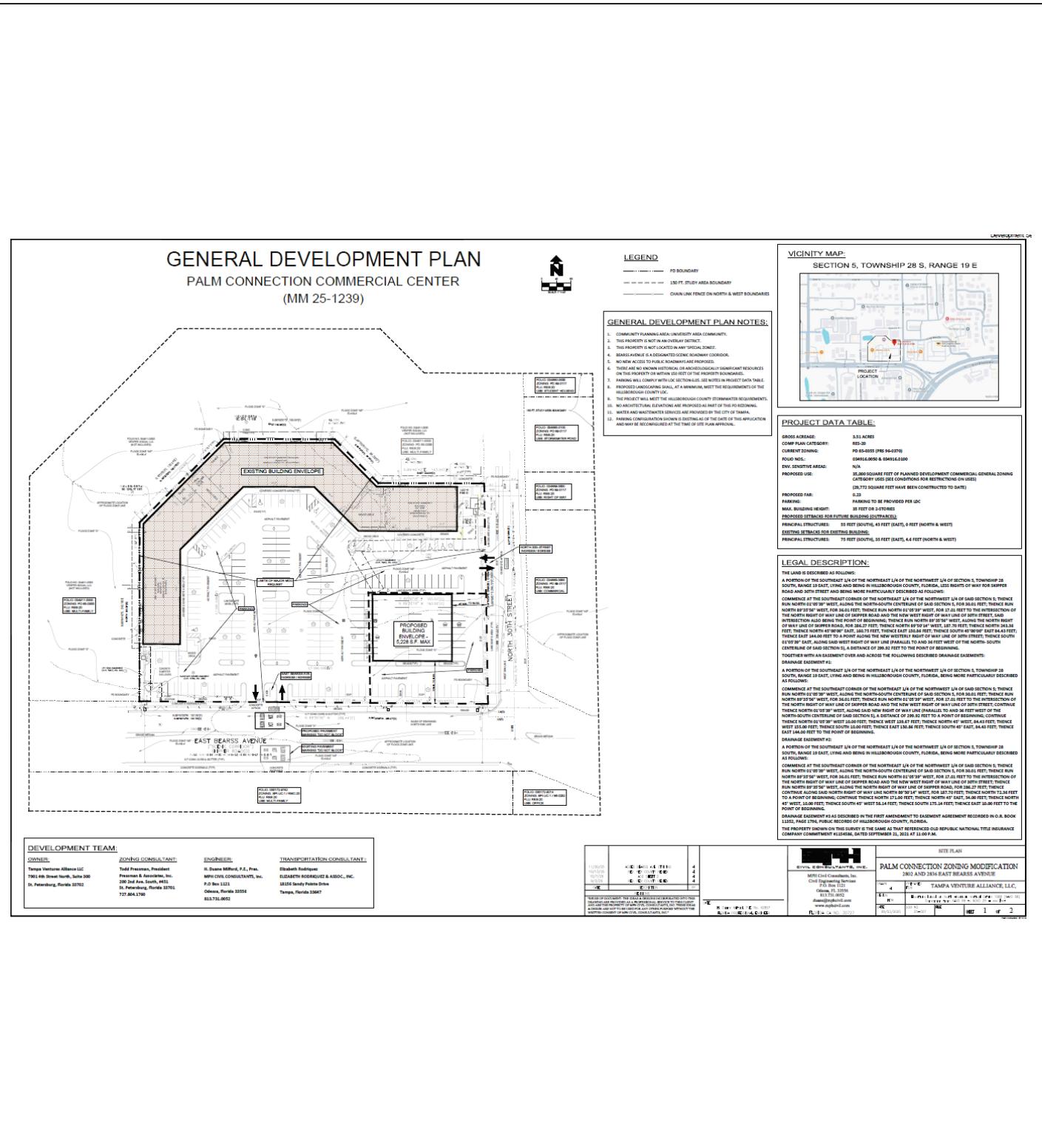
7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

8.0 SITE PLANS (FULL)

8.1 Approved Site Plan

8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan



APPLICATION NUMBER:

MM 25-1239

ZHM HEARING DATE:

January 26, 2026

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March 10, 2026

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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 01/20/2026

Revised: 01/20/2026

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: University Community

PETITION NO: MM 25-1239

This agency has no comments.

This agency has no objection.

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

This agency objects for the reasons set forth below.

RATIONALE FOR OBJECTION

1. Sec. 6.2.1.C.4. requires inclusion of a section called “Safety Considerations” in any required transportation analysis, which shall include “A statement regarding whether or not the applicant is aware of any special safety considerations for the proposed project access, and the extent to which any agencies were consulted regarding same ...” The applicant’s transportation analysis includes such section, but includes the statement that “The applicant is not aware of any special safety considerations for the proposed project access.” This statement is incorrect.
2. As was discussed with the applicant at the sufficiency review meeting held for the project, included in the written Transportation Sufficiency comments which were given to the applicant, and as discussed with the applicant’s transportation professional at subsequent meetings/calls, the applicant was clearly informed and aware that site has access spacing and other unique issues which needed to be addressed.
3. In its sufficiency comments, Transportation Staff stated that the analysis was insufficient and had multiple issues, including that “The study must provide data to support throat depth calculations and evaluate turn lane warrants and safety implications at the project access points (note the unusual striping and pavement markings indicating an intersection blocking problem at Somerset Park Dr.).”
4. Also discussed were staff’s concerns with the extreme queueing which spills back from the eastbound approach to the Bruce B. Downs Blvd. and Bearss Ave. intersection (blocking median openings and causing cars to queue within or otherwise impact eastbound lanes of travel) [see Image 1, below], as well as an apparent problem at the proposed median open (intersection with Somerset Park Dr.) which led to an atypical striping arrangement on the roadway [see Image 2, below], and ongoing problems with the area [see Image 3, below].
5. Sec. 6.2.1.C.8.g. of the Development Review Procedures Manual (DRPM) states, “...transportation review staff may require additional analysis if, in staff’s sole discretion, project development may create traffic safety issues or otherwise result in potentially unsafe conditions, or where necessary to properly analyze project access.” Sec. 6.2.1.C.8.h. requires the applicant to submit “Any additional support information which may be required as determined by Hillsborough County.”
6. Consistent with these regulations, staff required that the applicant’s study address the safety and operational impacts that development intensification would impose, and whether there are any geometric or other changes that would be necessary to allow the site to operate safely and efficiently. The applicant has declined to provide the required data and analysis.

7. The existing eastbound to northbound left turn lane on Bearss Ave. serving the site (and another turn lane onto 30th St.) are substandard in length. Additionally, Bearss Ave. is operating at a volume to capacity ratio of 1.67 for average daily traffic and 1.32 for peak directional traffic. These factors greatly increase the potential for safety and operational impacts and underscores the need for special attention to access management, roadway safety, and proper site design.
8. The applicant submitted a Sec.6.04.02.B. Administrative Variance (AV) to the Sec. 6.04.07 access spacing standards (as it relates to the full median opening).
9. The applicant was advised that the existing site does not meet minimum required throat depth standards per the LDC, and that an additional AV would be required unless the applicant committed to meeting standards at the time of site/construction plan approval. Unlike the Bearss Rd. substandard roadway issue, (i.e. that a determination as to whether and to what extent substandard roadway improvements will be required can be deferred to the site/subdivision stage of the development process), issues surrounding throat depth (particularly with respect to the Bearss Ave access) are inextricably linked to the safe ingress and egress of the site, and therefore linked to the access spacing and special roadway safety issues present at the site. The applicant subsequently submitted such request, but then withdrew the application. No additional or revised application was filed.
10. The applicant has failed to provide the data and analysis necessary for the County Engineer to evaluate whether the AV is appropriate, whether any mitigating improvements (as a part of its AV request) would be needed that would assuage the County Engineer's concerns, and as such the County Engineer informed staff of his intent to deny the request. The applicant has chosen to move forward with this application nevertheless.
11. Staff notes that the County Engineer cannot evaluate these requests as separate and unrelated issues, and does not have the required supporting data and analysis necessary to fully evaluate the access spacing AV which was submitted. As such, this application does not appropriately examine the potential safety or operational impacts of such reduced median opening spacing, and the project cannot meet minimum LDC access connection spacing standards.
12. Given the above safety, operational and other concerns have not yet been addressed, and that the AV (in its current state) is not approvable by the County Engineer, and other AVs are needed which have not been submitted, staff recommends denial of the proposed zoning modification request.

Image 1



Source: Google, 2025

Image 2



Source: Google, 2025

Image 3



Source: Google, 2025

SUMMARY OF REQUEST AND TRIP GENERATION

The applicant is requesting a Major Modification (MM) to previously approved Planned Development (PD) 85-0355, as most recently amended via PRS 96-0370.

The PD is approved for the following uses:

1. Two two-story multi-family development on the northern portion of the project as indicated by the dashed line on the revised site plan shall be restricted to a maximum of 12 dwelling units per acre. However, the entire multi-family portion of the project shall be restricted to a maximum gross density of 20 units per acre.
2. The commercial development of the site shall be restricted to a maximum floor area ratio of 10,000 square feet per acre for a total of 35,000 square feet.
3. Use of the commercial tract shall be restricted to C-1 uses only (excluding mini-warehouses).

Staff notes that the PD further restricts the residential component of the project to a maximum of 70 multi-family dwelling units.

The applicant is proposing to modify the PD to change allowable uses from C-1 zoning district uses (applicable from an old 1980s LDC code) to modern Commercial General (CG) uses. The applicant is also proposing to remove site detail (making the plan a bubble plan), which staff notes would also allow drive-through and other auto oriented uses to be constructed on the remainder of the site (which is not proposed to be restricted), and which were not previously contemplated in the existing approved shopping center form. Lastly, the applicant is proposing restrictions on the outparcel use: specifically, that the only drive-through use which would be allowable is a pharmacy or marijuana dispensary use), that no gasoline or service stations would be permitted, and that the only restaurant uses would permit take-out only (i.e. no on-premises consumption of food would be permitted).

Staff notes that while the overall square footage of proposed uses remains unchanged, the proposed use change would permit additional trip intensive uses (e.g. alcoholic beverage establishments) and potentially increase the maximum trip generation potential of the subject site. The applicant's narrative references a proposed trip cap; however, the proposed conditions do not include such cap. As such, it is unclear exactly what is being proposed for the subject site.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis; however, such analysis did not meet minimum DRPM requirements, did not examine a potential worst-case scenario based on what is being presented in the proposed conditions, nor did the study provide the additional analysis required by staff.

Staff has prepared a comparison of the potential number of peak hour trips generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data for the proposed project is based upon the transportation impacts identified in the transportation analysis, which forms the basis of the trip cap. Data shown below is based on the 12th Edition of the Institute of Transportation Engineer's Trip Generation Manual.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
70 multi-family dwelling units (ITE LUC 220)	515	29	36
35,000 s.f. Strip Retail Plaza <40k (ITE LUC 822)	1,906	138	179
Subtotal:	2,421	167	215

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
70 multi-family dwelling units (ITE LUC 220)	515	29	36

17,500 s.f. Fast-food with drive-through uses (ITE LUC 934)	7,842	582	553
5,500 g.s.f., 16 pump gas station (ITE LUC 945)	7,058	502	434
12,000 g.s.f. Drive-In Bank (ITE LUC 912)	1,186	119	252
Subtotal:	16,601	1,232	1,275

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 14,180	(+) 1,065	(+) 1,060

INFRASTRUCTURE SERVING THE SITE

Bearss Ave. is a substandard, publicly maintained, arterial roadway. The roadway is characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 92-foot-wide right-of-way. There are +/- 5-foot-wide sidewalks along both sides of the roadway in the vicinity of the proposed project. There are no bicycle facilities present along the roadway in the vicinity of the project. The eastbound to northbound left turn lane serving the site is substandard in length, as is the eastbound to northbound left turn lane onto 30th St. There are no right turn lanes into project access connections.

30th St. is a substandard, publicly maintained, local roadway. The roadway is characterized by +/- 11-foot-wide travel lanes in average condition. The roadway lies within a +/- 62-foot-wide right-of-way. There are +/- 4 to 5-foot-wide sidewalks along the west side of the roadway in the vicinity of the proposed project. There are no bicycle facilities present along the roadway in the vicinity of the project.

SUBSTANDARD ROAD – 30TH ST. AND BEARSS AVE.

Bearss Ave. is a substandard arterial roadway. 30th St. is a substandard local roadway. Consistent with recent policy changes, the applicant has chosen to defer a determination as to the extent substandard roadway improvements will be provided, if any, to the site/construction plan review phase.

SITE ACCESS AND PROPOSED ADMINISTRATIVE VARIANCE

The PD is currently serviced via two (2) access connections to Bearss Ave. and two (2) access connections to 30th St. The applicant is not proposing to modify project access.

The existing access does not meet Sec. 6.04.07 LDC access spacing requirements. Staff identified concerns regarding Bearss Ave. and asked the applicant to study existing operational and safety issues present on Bearss Ave. before staff could support a zoning with the potential to intensify project access and result in greater automobile-oriented uses with the potential to cause queuing issues on Bearss Ave. The applicant did not provide the required analysis, as further described in the “Rationale for Objection” section hereinabove.

ROADWAY LEVELS OF SERVICE (LOS) INFORMATION

Roadway	From	To	LOS Standard	Peak Hour LOS
Nebraska Ave.	Bruce B. Downs Blvd.	US 41	D	F

Source: 2024 Hillsborough County Level of Service (LOS) Report.



Hillsborough County City-County Planning Commission

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

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: January 26, 2026	Case Number: MM 25-1239
Report Prepared: January 14, 2026	Folio(s): 34916.0050 & 34916.0100
	General Location: North of East Bearss Avenue and west of North 30 th Street
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-20 (20 du/ga; 0.75 FAR)
Service Area	Urban
Community Plan(s)	None
Rezoning Request	Major Modification (MM) to Planned Development (PD 85-0355) to change the allowable uses to the Commercial General (CG) category and add a building on the out-parcel.
Parcel Size	3.51 ± acres
Street Functional Classification	East Bearss Avenue – County Arterial North 30 th Street – Local
Commercial Locational Criteria	Meets
Evacuation Area	None

Table 1: COMPARISON OF SURROUNDING PROPERTIES

Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Residential-20	PD 85-0355	Light Commercial
North	Residential-20 + Residential-6	PD + RSC-6	Multi-Family + Vacant Land + Single Family
South	Residential-20	RMC-20 + SPI-UC-1	Multi-Family + HOA/Common Property + Public/Quasi-Public/Institutions + Light Commercial
East	Residential-20 + Residential-12	PD	Vacant Land + Light Commercial + Single Family + Multi-Family + Public Communications/Utilities + Public/Quasi-Public/Institutions
West	Residential-20	PD + RMC-20 + RSC-6 + CN	Multi-Family + Light Commercial + Public/Quasi-Public/Institutions

Staff Analysis of Goals, Objectives and Policies:

The 3.51 ± acre subject site is located north of East Bearss Avenue and west of North 30th Street. The subject site is in the Urban Service Area and is not within the limits of any Community Plan. The applicant is requesting a Major Modification (MM) to Planned Development (PD) 85-0355 to change the allowable uses to the Commercial General (CG) category and add a building on the out-parcel.

According to the revised request, which was uploaded into Optix on November 25, 2025, the applicant proposes the following conditions:

1. The proposed outparcel drive thru use will only be allowable for a pharmacy-like or marijuana dispensary use.
2. The following uses are restricted on the out-parcel:
 - No gasoline and service
 - The only food service would be for take-out use only, no dining in

The subject site is located within the Urban Service Area, where Objective 1.1 of the Future Land Use Section (FLUS) directs 80 percent of the County's anticipated growth. FLUS Policy 3.1.3 requires that all new development be compatible with surrounding uses, clarifying that "compatibility does not mean the same as," but rather emphasizes sensitivity to proposed development in order to maintain the character of existing development. The subject site is currently developed with light commercial uses, which are also prevalent in the surrounding area, including properties to the east across North 30th Street and to the west and further south along Bruce B. Downs Boulevard. In addition, multi-family residential and public/quasi-public/institutional uses are located nearby. The subject site is primarily surrounded by the Residential-20 (RES-20) Future Land Use designation, which establish a consistent residential framework in the area. Residential-6 (RES-6) is located to the north, while Residential-12 (RES-12) lies to the east, providing a gradual and compatible transition in residential density surrounding the site. Given this established development pattern, the proposed development is consistent with the intent of FLUS Objective 1.1 and complies with FLUS Policy 3.1.3 by demonstrating compatibility with the surrounding area.

Pursuant to Objective 2.2, the Future Land Use categories establish the maximum allowable intensity or density, as well as the range of permitted land uses within each category. Table 2.2 further defines the character and intent associated with each Future Land Use designation. The subject site is designated Residential-20 (RES-20) on the Future Land Use Map. The RES-20 category provides for the consideration of agricultural, residential, neighborhood commercial, and office uses, as well as multi-purpose projects and mixed-use developments. Development within the RES-20 designation may be considered at densities of up to 20 dwelling units per gross acre or at a nonresidential Floor Area Ratio (FAR) of up to 0.75. With the $3.51 \pm$ acre site, the maximum square feet that may be considered for this site would be 114,671.7 square feet ($3.51 \text{ ac} \times 43,560 \text{ sq ft} = 152,895.6 \text{ sq ft} \times 0.75 \text{ FAR} = 114,671.7 \text{ sq ft}$). As noted above, the maximum allowable FAR that is considered for commercial uses in the RES-20 Future Land Use category is 0.75 and the proposed FAR would be 0.23, therefore, the proposal is consistent with FLUS Objective 2.2.

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, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposal is consistent with the intent of FLUS Objective 4.4 and FLUS Policy 4.4.1, which require that new development be compatible with the surrounding neighborhood. The existing land use pattern in the vicinity is characterized by a mix of commercial, residential, public/quasi-public/institutional uses. FLUS Policy 4.4.1 further provides that any increase in density or intensity must be compatible with existing, proposed, or planned surrounding development, and that development and redevelopment should be integrated with adjacent land uses through the provision of similar or complementary uses, mitigation of potential adverse impacts, enhanced transportation and pedestrian connectivity, and a gradual transition in intensity. According to the revised site plan uploaded into Optix on November 26, 2025, a 5,228-square-foot building is proposed at the southeastern portion of the site on Folio number 34916.0100. The proposed development includes setbacks of 55 feet from the southern property line and 45 feet from the eastern property line. The existing one-story building located on Folio number 34916.0050 will remain in place and maintains established setbacks of 75 feet to the south, 35 feet to the north, and approximately 4.6 feet to the north and west. As noted, the proposed FAR is 0.23. Based on a review of the Future Land Use Section (FLUS) criteria, the proposed Major Modification is designed in a manner that complements

the existing development pattern in the surrounding area. Accordingly, the proposal is consistent with the intent of FLUS Objective 4.4 and complies with FLUS Policy 4.4.1.

The subject site meets Commercial Locational Criteria (CLC) as established in FLUS Objective 4.7. According to FLUS Policy 4.7.2, 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. The closest qualifying intersection to the subject site is East Bearss Avenue and Bruce B. Downs Boulevard, which is 940 feet away from the subject property, therefore it can be considered for up to 0.75 FAR of office or residential support uses or up to a 0.35 FAR or 175,000 square feet, whichever is less intense, for neighborhood serving uses.

Overall, staff finds that the proposed Major Modification is compatible with the existing development pattern found within the surrounding area. 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 proposed conditions by the Development Services Department.

FUTURE LAND USE SECTION

Urban Service Area

Objective 1.1: 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.

Compatibility

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

Land Use Categories

Objective 2.2: The Future Land Use Map (FLUM) shall identify Land Use Categories summarized in the table below, 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.

Relationship to Land Development Regulations

Objective 4.1: 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 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 – 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 4.4.1: Development and redevelopment shall be integrated with the adjacent land uses through:

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

Commercial-Locational Criteria

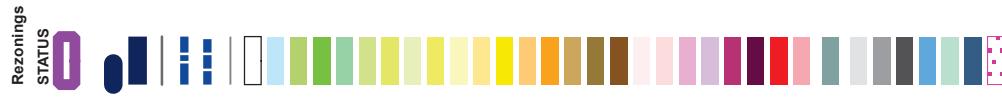
Objective 4.7: To meet the daily shopping and service needs of residents, only neighborhood-serving commercial uses will be permitted within land use categories that are primarily residential or agricultural in nature. Intensive commercial uses (uses allowed within the Commercial Intensive zoning district) 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 4.7.2: *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:*

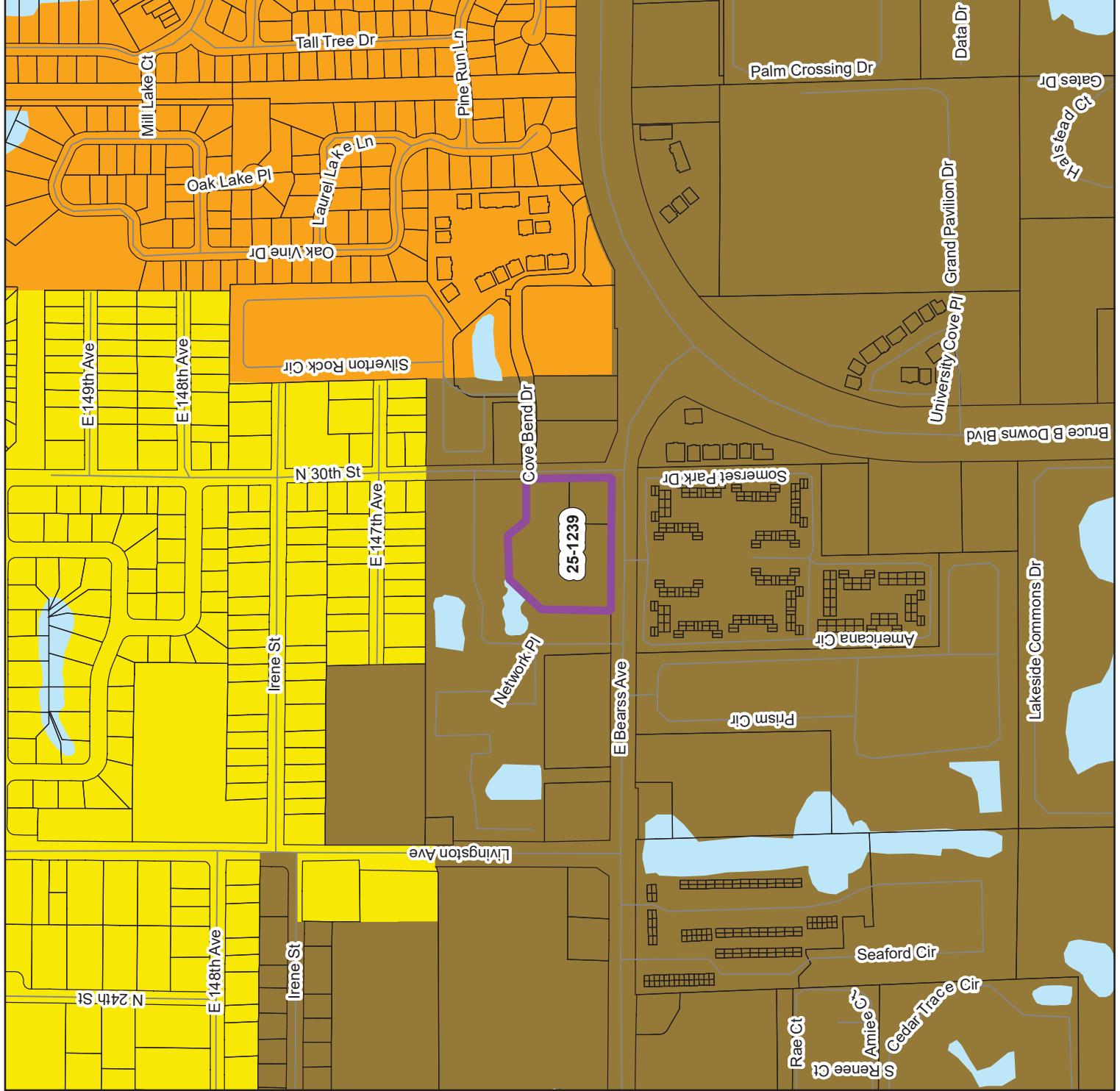
- *50% of the site must front along a roadway with a context classification of suburban commercial, suburban town or urban general context classification in the Hillsborough County Context Classification Map or the Florida Department of Transportation Context Classification Map; or*
- *Within 1,000 feet 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*

HILLSBOROUGH COUNTY FUTURE LAND USE MM 25-1239



0 275 550 825 1,100 Feet

Map Printed from Rezoning System: 8/20/2025
Author: R. Mathie
File: G:\\Rezoning System\\MapProjects\\HCRoger_Inc\\Rezoning.mxd



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Plat lines and data from BESON CONSULTING. This map is not to be used for or relied on for anyone without specific approval of the Hillsborough County City-County Planning Commission.

ACCURACY: It is stressed that the accuracy of the base map comply with U.S. federal map accuracy standards. The base map is not to be used to determine the location of any property or to determine the boundaries of any property. For the most current data and information, see the appropriate source.