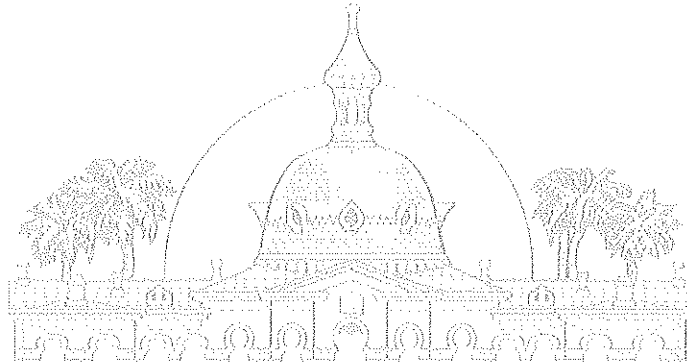


*Future of Hillsborough
Comprehensive Plan Text Amendment Application*



Direct to:

**THE
PLANNING
COMMISSION**

Hillsborough County City-County Planning Commission
601 E. Kennedy, 18th Floor
P.O. Box 1110
Tampa, Florida 33601-1110
Phone: (813) 272-5940
Website: www.theplanningcommission.org

Future of Hillsborough Comprehensive Plan Text Amendment Application

INSTRUCTIONS

1. Submit 2 Hard Copies of the application . If you'd like to complete this application via electronic file, please request the application from Terry Eagan at Eagan@plancom.org
2. If possible submit 1 electronic file (if possible) of the complete application using the Microsoft Word format.
3. For detailed information regarding the Plan Amendment process and requirements see the **Procedures Manual and Fee Schedule for Plan Amendments to the Future of Hillsborough Comprehensive Plan** available from the Planning Commission and on-line at <http://www.theplanningcommission.org/> under Hillsborough County/Plan Amendment Procedures manual.

RECOMMENDED FEE SCHEDULE FOR PLANNING COMMISSION SERVICES

Text Amendments

- \$1,000
- **Plus** Actual Cost of Advertising in newspaper of general circulation
- **Plus** Actual Cost of Advertising in 2 minority or neighborhood newspapers

Future of Hillsborough Comprehensive Plan Text Amendment Application

Please PRINT or TYPE the information required to complete the application


I. GENERAL PROCESS INFORMATION

Submission Date: 8/30/07

Plan Amendment Cycle: Round 1 Year 2008

Applicant's Name: Vincent A. Marchetti - Foley & Lardner LLP
Address: 100 North Tampa Street / Suite 2700
Tampa, FL 33602
Phone: (813) 229-2300
Email: VMarchetti@foley.com OR
cwalden@foley.com

I declare that the information and statements made herein, in the attachments are full and honest disclosures, to the best of my knowledge and belief. This application, with all attachments, is herewith submitted for consideration by the Hillsborough County City-County Planning Commission and the Board of County Commissioners and represents a petition by the undersigned for approval of an amendment to the Plan.

Applicant's Signature:  Date 8/31/07

I. PROPOSED TEXT AMENDMENT

Attach copy of proposed text. If the text amendment revising and existing Plan Goal, Objective or Policy show the revisions using underline for added text and ~~strikeout~~ for deleted text.

Future Land Use Element

Effected Comprehensive Plan Element(s) _____

Explain why the text amendment is being proposed.

This Text amendment is filed to provide for reasonable extension
of public utilities into the Rural Service Area under very specific
circumstances and where unique parcel characteristics exist.
Particular emphasis to be on location, size, proximity of lines,
frontage on Collector roadways and protection of Wellfield.

Is there an associated Future Land Use Map Amendment? If so, explain reason for change.

A companion Map amendment request has also been filed by the applicant for consideration of a RES-1 to NMU-3 amendment permitting mixed use development at the intersection of Van Dyke Road and Gunn Highway. This Map amendment is predicated on allowing reasonable extension of public utilities.

III. PRE-SUBMITTAL INFORMATION

A. Pre-Application Conference - Pre-application conferences shall take place at least 15 days prior to the actual filing of the plan amendment.

Meeting held with:

LPA Staff Person: _____ Date: _____

Pre-Application Conference Form - Copy signed by the Reviewer and Applicant must be attached to this application

B. Application Conference - Applicant is required to schedule an application conference with the LPA staff to submit an application for a plan amendment on or prior to the submittal. It is recommended that the conference take place at least two days prior to the submission deadline to allow time to gather any missing data or materials.

Application Conference Document

Met with:

LPA Staff Signature: _____ Date: _____

FOR DEPARTMENT USE ONLY

APPLICATION NO.: CPA -

FEES PAID:

ACCEPTED BY:

ACCEPTANCE DATE:

MICHAEL D. HORNER & ASSOCIATES

PLANNING CONSULTANTS

14502 North Dale Mabry Highway • Suite 200 • Tampa, Florida 33618

Telephone: (813) 962-2395 • Fax: 961-3924

email: MHorner2@tampabay.rr.com

August 30, 2007

Mr. Robert Hunter, FAICP, Executive Director

The Planning Commission

601 E. Kennedy Blvd., 18th Floor

Tampa, FL 33602

**RE: Proposed Hillsborough County Future Land Use Text Amendment
Shannon Properties / County Wide Amendment/ Companion to Map
Amendment**

Dear Mr. Hunter:

This letter is to supplement the Land Use Map and Text Amendment Applications filed by Vincent A. Marchetti, Foley & Lardner LLP in connection with the above-referenced property regarding the map amendment to change the Comprehensive Plan designation on the Unincorporated Hillsborough County Future Land Use Map and a text change to the Future Land Use Element of the Hillsborough County Comprehensive Plan. Please see our separate application and transmittal letter for the Map amendment filing under separate cover as well. This amendment and text change would facilitate development on 4 parcels in the Keystone-Odessa area in Northwest Hillsborough County. The map amendment proposes that the parcel be designated NMU-3. The text amendment proposes the expansion of public water and public sewer services in limited instances outside of the Urban Service Area (USA) to facilitate certain mixed use developments under very specific development characteristics and requirements.

These parcels are within Section 23 and 14 of Township 27 and Range 17 . They are owned by Mr. Thomas Shannon of Shannon Properties, Inc. under County folio numbers 975.0000, 976.0000, 977.0000 and 2108.0000 totaling approximately 58 acres. These parcels are currently designated Res-1 and are located at a major commercial activity center at Van Dyke Road and Gunn Highway where a commercial shopping center, retail stores, financial institutions, car wash and other commercial uses exist and others proposed. This is a signalized intersection and is subject to significant traffic volumes throughout the day, particularly during peak hours as well as providing access further east to the Suncoast Parkway and Veterans Expressway.

Currently, these parcels are vacant and utilized for Agricultural purposes with greenbelt exemption Due to the lack of large parcels of land within the Keystone-Odessa area

which are located at two major Collector roadways, this site provides a unique opportunity for consideration of a mixed use development in this area that offers consistency and compatibility with adjoining land uses, development and existing zoning patterns. Extending existing public sewer and water lines into this tract, at the expense of the developer, would permit reasonable use of this assembled parcel for mixed use development allowing both residential and commercial/office development while offering protections to Lake Keystone, the water table, and furthering the intent of the Wellfield protection area by not mandating individual septic tanks and wells be placed in such close proximity to environmentally sensitive lands.

The proposed text changes apply primarily under the Policy AA-4 provisions relative to extending public utilities into the Rural Service Area and follow separately with applicable recommended strike-line language for consideration. The intent of these text changes is to restrict public water and sewer line extensions into the Rural Service Area under very restrictive criteria which will essentially eliminate over 95% of County parcels for application of similar consideration relief. These proposed criteria include, but are not limited to, extended road frontage along designated roadways, location at major Collector roadway intersections, having a minimum parcel size of 50 acres, requiring PD site plan controlled zoning approval for mixed use and requiring that existing facilities be within 500 feet with adequate capacity. Additionally, these provisions apply to those parcels having unique environmental characteristics under existing Policy language such as being within a designated Wellfield Protection Area and allowing for protections of water resources, surface waters and groundwater, and therefore will continue to serve the general needs of the community while maintaining adequate protections for the public. Additional language is proposed to permit these considerations within the Keystone-Odesa planning area where currently precluded as well as other 'textual' language that appears overly restrictive for creative development opportunities.

We respectfully request your studied review and consideration of these FLUE (Future Land Use Element) text changes which we believe are both appropriate and reasonable while maintaining significant restrictions for the protection of existing environmental resources and efficiently utilizing existing public utilities in place. We look forward to working with your staff on the review of these recommended changes and any revisions deemed reasonable for consideration.

The following Information and Documentation is provided for your review as well as additional demographic, land use and support information provided within the separately filed Map amendment application on behalf of the client:

- 1) Completed application including Legal Description and Deeds**
- 2) A print of a recent aerial is included for general review.**
- 3). A separate strike-line proposal through applicable Policies which are being proposed for amendment and text change.**
- 3) An Environmental Overview prepared by Landmark Engineering for review**

and consideration of Plan Policy issues and application. A general location map showing the general location of the site.

3) The authorization affidavit and filing fees as required for consideration..

If there are any questions or if you need additional information, please do not hesitate to contact me at 813-962-2395 or via email provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Horner", written over a horizontal line.

Michael D. Horner, AICP
MDH/mjb

cc: Vincent A. Marchetti, Foley & Lardner LLP
Shannon Properties, Inc.