

AN ORDINANCE REZONING PROPERTY IN THE GENERAL VICINITY OF 5215, 5301 AND 5311 WEST TYSON AVENUE, IN THE CITY OF TAMPA, FLORIDA, AND MORE PARTICULARLY DESCRIBED IN SECTION 1, FROM ZONING DISTRICT CLASSIFICATION(S) PD (PLANNED DEVELOPMENT) TO PD (PLANNED DEVELOPMENT, RESIDENTIAL, MULTI-FAMILY, SINGLE-FAMILY ATTACHED, RETAIL SALES, SPECIALTY GOODS, CONVENIENCE GOODS, SHOPPER’S GOODS, AND MARINA); PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Tampa held a public hearing as required by law in City Council Chambers, Third Floor, City Hall, 315 E. Kennedy Boulevard, Tampa, Florida, and allowed members of the public to participate by attending in person or “virtually” through the use of communications media technology (“CMT”) to consider the rezoning of the real property described in Section 1 of this ordinance under the terms and provisions of Chapter 27, City of Tampa Code.

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:**

**Section 1.** That the Zoning District Classification upon the following described real property, situate, lying and being in the City of Tampa, County of Hillsborough and State of Florida, more particularly described as follows:

LEGAL DESCRIPTION: (Attached hereto and made a part hereof as Exhibit A),

which is presently zoned PD (planned development) under City of Tampa Code Chapter 27, be changed to ZONING DISTRICT CLASSIFICATION PD (planned development, residential, multi-family, single-family attached, retail sales, specialty goods, convenience goods, shopper’s goods, and marina), as provided for in Chapter 27, City of Tampa Code, and that the zoning map be amended to reflect said change on the above-described legal description and all information shown thereof shall be as much a part of this ordinance as if such information set forth on said zoning map of the City of Tampa was all fully described and set out herein.

**Section 2.** That said Zoning District Classification is hereby amended and to be controlled by the approved, certified site development plan, a copy of which is attached hereto and by reference made a part hereof as Exhibit B.

**Section 3.** That approval of this rezoning shall not release the Applicant/Owner from meeting the requirements of the City of Tampa’s Concurrency Management System Ordinance at the time of actual permitting and development of the rezoned site, if applicable.

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**Section 4.** That the approval of this rezoning shall not release the Applicant/Owner from meeting all other applicable sections of the City of Tampa Code, as such sections relate to the actual permitting and development of the rezoned site.

**Section 5.** That, pursuant to Section 166.033, Florida Statutes, the approval of this rezoning does not in any way create any right on the part of the Applicant/Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the Applicant/Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 6.** That, pursuant to Section 166.033, Florida Statutes, all other applicable state or federal permits must be obtained before commencement of the development.

**Section 7.** That all ordinances in conflict herewith are repealed to the extent of any conflict.

**Section 8.** That if any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

**Section 9.** That this ordinance shall take effect immediately upon becoming a law.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON \_\_\_\_\_.**

ATTEST:

\_\_\_\_\_  
CITY CLERK/DEPUTY CITY CLERK

\_\_\_\_\_  
CHAIRMAN/CHAIRMAN PRO-TEM  
CITY COUNCIL

PREPARED BY AND APPROVED  
AS TO LEGAL SUFFICIENCY BY:

APPROVED BY ME ON \_\_\_\_\_

\_\_\_\_\_  
E/S  
CATE WELLS  
DEPUTY CITY ATTORNEY

\_\_\_\_\_  
JANE CASTOR, MAYOR

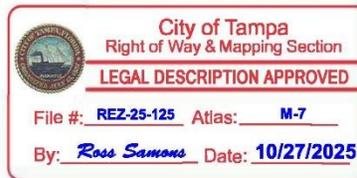


**Application for REZONING (REZ)**  
 Development & Growth Management Development  
 Coordination  
 2555 E Hanna Avenue  
 Tampa, FL 33610  
 (813) 274-3100

**LEGAL DESCRIPTION (use separate sheet if needed) MUST BE TYPED -- DO NOT ABBREVIATE:**

A PARCEL OF LAND LYING WEST OF GOVERNMENT LOT 2, IN SECTION 8, TOWNSHIP 30 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 2, IN SECTION 8, TOWNSHIP 30 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY AND THE WESTERLY PROJECTION OF SAID LOT 2, NORTH 89°14'26" WEST, A DISTANCE OF 2,569.38 FEET; THENCE NORTH 00°45'34" EAST, A DISTANCE OF 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST TYSON AVENUE AND THE POINT OF BEGINNING; THENCE NORTH 89°14'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 923.96 FEET; THENCE LEAVE SAID RIGHT-OF-WAY LINE, THENCE NORTH 00°45'18" EAST, A DISTANCE OF 269.27 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHERLY 57.03 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 197.62 FEET, A CENTRAL ANGLE OF 16°32'06", AND A CHORD BEARING AND DISTANCE OF NORTH 09°01'11" EAST 56.83 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 90°00'00" EAST, A DISTANCE OF 546.57 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY 524.83 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 462.34 FEET, A CENTRAL ANGLE OF 65°02'24", AND A CHORD BEARING AND DISTANCE OF SOUTH 47°13'12" EAST 497.10 FEET TO THE POINT OF BEGINNING.



**Exhibit "A"**