

ORDINANCE NO. 2023-2266

AN ORDINANCE REZONING 27.7 ACRES OF PROPERTY LOCATED ON THE SEAFORST DRIVE AND NORTH OF MARINE PARKWAY, FROM PDD, PLANNED DEVELOPMENT DISTRICT (PLANNED DISTRICT RESIDENTIAL SUBCATEGORY) TO PDD, PLANNED DEVELOPMENT DISTRICT (RESIDENTIAL PLANNED DISTRICT SUBCATEGORY) WITH A SITE PLAN AND DEVELOPMENT STANDARDS REVISION, FURTHER DESCRIBED HEREIN AND IN EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 163 requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 29, 1989, the City Council adopted Ordinance No. 1203, which approved the City's Comprehensive Plan, which includes a 2030 Future Land Use Map; and

WHEREAS, on November 19, 1991, the City Council adopted Ordinance No. 1268, which enacted the City's Land Development Code (LDC), which provides for a Zoning District Map; and

WHEREAS, The LDC addresses the procedure for obtaining a change to the Zoning District Map; and

WHEREAS, the owner, Port Richey Leased Housing Associates III LLP, filed with the Development Department a Zoning District Map (ZDM) amendment application (REZ 22-03) to change from PDD, Planned Development District (Residential Planned District Subcategory) to PDD, Planned Development District (Residential Planned District Subcategory with a revision to site plan) of a 27.7 acre property located on the east side of Sea Forest Drive, approximately 280 feet north of Marine Parkway; and

WHEREAS, this ordinance supersedes Ordinance #1902 which rezoned the property to PDD on July 21, 2008; and

WHEREAS, the Development Department has reviewed the ZDM amendment application and concludes it is consistent with the application filing requirements in the LDC; and

WHEREAS, at a duly noticed City Council regular public hearing, the City Council on first reading considered the Development Department and LDRB staff report and recommendations and all competent substantial evidence presented at the hearing, and approved the Ordinance; and

WHEREAS, at a duly noticed City Council regular public hearing, the City Council on second reading considered the evidence presented at first reading and all competent substantial evidence presented at the hearing, and adopted the Ordinance; and

WHEREAS, notice of this Ordinance and the hearings conducted hereunder has been provided in accordance with Florida law; and

WHEREAS, the City Council has conducted a quasi-judicial hearing, has received evidence pertaining to the rezoning, and has found that the rezoning of the property as provided herein is consistent with the adopted Comprehensive Plan Future Land Use Map designation for the property, is compatible with the use and zoning of the surrounding properties, is consistent with the adopted Comprehensive Plan and the Land Development Code of the City, meets all of the rezoning criteria of the Land Development Code, and is supported by competent substantial evidence.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION I.

The real property described in Exhibit A and further described herein is hereby rezoned as follows:

The zoning for the following described real property referred to as REZ 22-03 in Exhibit A generally located on the east side of Sea Forest Drive south of Cross Bayou Boulevard and north of Marine Parkway, New Port Richey, Florida is hereby amended from *PDD, Planned Development District (Planned District Residential Subcategory)* to *PDD, Planned Development District (Planned District Residential Subcategory) with a site plan and development standards revision* as set forth herein.

SECTION II. Development Standards

The development standards as part of the Planned Development District shall be as follows:

1. Density: 388 multi-family dwelling units for senior residents aged 62 or over
2. Building Setback: 40 feet from all property lines
3. Wetland Buffers: shall be in compliance with Southwest Florida Water Management District requirements
4. Building Height: Not to exceed 75 feet height from Base Floor Elevation
5. Multi-family Design Standards: City's Multi-family Design standards shall be complied with consistent with the illustrations presented on Exhibits B, C and D
6. Parking:
 - a. Auto: a minimum of 1.2 spaces per dwelling unit
 - b. Golf Carts: a minimum of 20 spaces
7. Buffers shall meet city's minimum requirements including a 6' fence and landscaping along the east property line
8. Impermeable Surface Ratio shall not exceed 60%
9. Sidewalks
 - a. External – public sidewalk, minimum five-foot width, along the length of Sea Forest Drive (subject to county approval)
 - b. Internal
 - i. Sidewalk (Minimum 5' width) – along at least one side of each entrance drive, provided around entire building and through parking lot at appropriate locations. A sidewalk shall be provided around all sculpted stormwater ponds, if possible, as approved by Planning Staff
 - ii. Crosswalks: High visibility type of contrasting pavement, installed at all crossing locations

- iii. Boardwalk (minimum 6' width) – installed, as needed, in wetland areas (subject to jurisdictional approval)

10. Site Amenities

- a. Bike racks: at least one located within 50' (and no more than 120') from building entry doors (not including main entry)
 - b. Lighting: to be located along property sidewalks and walkways to adequately provide illumination for safety and security. Fixtures to be approved by the city.
 - c. Benches: to be located adjacent to sidewalks and near landscaping local points
 - d. Water Features/Fountains: a water feature or fountain must be included in all sculpted stormwater ponds over 10,000 sq. ft. surface area
 - e. Gazebo/viewing station: a gazebo or viewing station must be located on all stormwater ponds over 20,000 sq. ft. surface area
 - f. Other amenities: shall comply with the City's Multi-family Design Standards and be consistent with the illustrations presented on Exhibits B and C in the ordinance
11. Landscaping: shall meet the City's minimum landscaping requirements
12. Entrance Drive shall include a landscaped median, be tree-lined and have an architectural focal point (fountain, sculpture, etc.)
13. Stormwater design shall incorporate Low Impact Design Standards
- a. Stormwater Ponds: shall be of a natural, free form undulating design and must incorporate wetland vegetation
 - b. Utilization of porous pavement, infiltration trenches and/or vegetative swales may be incorporated in the design, as approved by City Staff
14. Floor Plans: layouts should be designed to accommodate an aging community

SECTION III. Conditions of Approval

The rezoning shall be subject to the following conditions:

- 1) The list in Section II. above shall take precedence should there be any conflicts between documents, including Exhibits B, C and D.
- 2) All other Codes, requirements, or regulations, including Multi-Family Design Development Standards, shall be met.

SECTION IV. Severability

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

SECTION V. Effective Date

This Ordinance shall become effective as provided by law.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this 20th day of December, 2022.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this 21st day of February, 2023.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor – Councilmember

(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney

EXHIBIT A

LEGAL DESCRIPTION:

A parcel of land being portions of Tracts 10, 11, 34, 35 and 36, according to the Plat of TAMPA-TARPON SPRINGS LAND COMPANY, as recorded in Plat book 1, Page 69, of the Public Records of Pasco County, Florida, lying in Section 7, Township 26 South, Range 16 East, Pasco County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Southeast 1/4 of Section 7, Township 26 South, Range 16 East, Pasco County, Florida, same being the Southeast corner of Tract 12, same also being the Northeast corner of Tract 33, both according the Plat of TAMPA-TARPON SPRINGS LAND COMPANY, as recorded in Plat book 1, Page 69, of the Public Records of Pasco County, Florida; thence N89°53'21"W, along the East-West Centerline of said Section 7, same being the South line of said Tract 12, same also being the North line of said Tract 33 for 439.71 feet to the Southwest corner of said Tract 12, same being the Northwest corner of said Tract 33, same also being the Northeast corner of Tract 34, same also being the Southeast corner of Tract 11, both according to said Plat of TAMPA-TARPON SPRINGS LAND COMPANY, same also being the Northwest corner of that certain property as described in Official Records Book 575, Page 461, of the Public Records of Pasco County, Florida, same also being the POINT OF BEGINNING; thence S00°20'59"W, along the East line of said Tract 34, same being the West line of said Tract 33, same also being the West line of said certain property as described in Official Records Book 575, Page 461, for 986.12 feet to the Southeast corner of Tract 34, same being the Southwest corner of Tract 33; thence S00°22'24"W, continuing along said West line of that certain property as described in Official Records Book 575, Page 461 for 19.76 feet to the Southwest corner of said certain property as described in Official Records Book 575, Page 461, same being the point of intersection with the Northerly line of Parcel 71, as described in Official Records Book 883, Page 1384, as recorded in the Public Records of Pasco County, Florida; thence the following two (2) courses along said Northerly line of Parcel 71; (1) thence S89°53'34"W, for 82.14 feet; (2) thence S05°41'15"W, for 125.19 feet to a West corner of said Parcel 71, same being the Northeast corner of Parcel 72, as described in Official Records Book 883, Page 1398, as recorded in the Public Records of Pasco County, Florida; thence S89°53'34"W, along the North line of said Parcel 72 for 712.96 feet to the point of intersection with the Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of STOVAL ESTATES, as recorded in Plat Book 16, Page 58, of the Public Records of Pasco County, Florida same being the point of intersection with a non-tangent curve, concave Easterly; thence the following two (2) courses along said Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of STOVAL ESTATES and the Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of SEA FOREST DRIVE, PHASE 1B, as recorded in Official Records Book 20, Page 126, of the Public Records of Pasco County, Florida, respectively; (1) thence Northerly along the arc of said curve, with a radial bearing of N82°21'42"E, having a radius of 240.00 feet, a central angle of 07°29'56", an arc length of 31.41 feet, and a chord bearing N03°53'20"W, for 31.39 feet, to the point of tangent; (2) thence N00°08'21"W, for 113.93 feet to the point of intersection with the South line of Tract 35, according to said Plat of TAMPA-TARPON SPRINGS LAND COMPANY; thence leaving said Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of SEA FOREST DRIVE, PHASE 1B, N89°57'35"E, along said South line of Tract 35 for 40.66 feet; thence leaving said South line of Tract 35, N15°03'23"W, for 413.79 feet to the point of intersection with said Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of SEA FOREST DRIVE, PHASE 1B, same being the point of intersection with a non-tangent curve, concave Easterly; thence the following five (5) courses along said Easterly Right-of-Way line of SEA FOREST DRIVE, according to the Plat of SEA FOREST DRIVE, PHASE 1B; (1) thence Northerly along the arc of said curve, with a radial bearing of S89°41'00"E, having a

radius of 300.00 feet, a central angle of 00°01'21", an arc length of 0.12 feet, and a chord bearing N00°19'41"E, for 0.12 feet, to the point of tangent; (2) thence N00°20'22"E, for 588.54 feet to the point of curvature of a curve concave Southeasterly; thence Northeasterly along the arc of said curve, having a radius of 200.00 feet, a central angle of 74°39'02", an arc length of 260.58 feet, and a chord bearing N37°39'53"E, for 242.54 feet to the point of tangent; (3) thence N74°59'24"E, for 329.87 feet to the point of curvature of a curve concave Northwesterly; (4) thence Northeasterly along the arc of said curve, having a radius of 720.00 feet, a central angle of 41°48'41", an arc length of 525.42 feet, and a chord bearing N54°05'03"E, for 513.84 feet to the point of intersection with the East line of said Tract 11, same being the West line of said Tract 12, same also being the point of intersection with a non-tangent line; (5) thence S00°21'05"W, along said East line of Tract 11, same being said West line of Tract 12, for 580.45 feet to the POINT OF BEGINNING.

Containing 1,209,597 square feet or 27.769 acres, more or less.



DOMINIUM Kimley»Horn



BESSOLO
DESIGN GROUP, INC.
ARCHITECTURE • INTERIORS • LANDSCAPING

EXHIBIT B - Amenities

DOMINIUM NEW PORT RICHEY
OVERALL SITE RENDERING
SEPTEMBER, 2022



BOCCÉ BALL

POOL DECK

FIRE PIT

12 ADDITIONAL
PARKING SPACES

16 ADDITIONAL
PARKING SPACES

17 BOCCÉ COURT
PARKING SPACES

WALKING PATH

SEA FOREST DRIVE

PORTE COCHERE

BOULEVARD ENTRY

BARBEQUE

EXHIBIT C -
Facade Rendering



