



Staff Report

City of New Port Richey, FL
City Council
April 18, 2023

REZONING APPLICATION

Case: Rezoning REZ-2023-02
Owner/Applicant: Eyeconic Ophthalmic Equipment, LLC
Property Location: 1.36 acres located on the northeast corner of Orchid Lake Road and Congress Street
Parcel ID: 33-25-16-0150-00000-0070
Request: Rezoning from C-2, General Commercial District to LI, Light Industrial

SITE INFORMATION

Existing Future Land Use: Industrial
Existing Zoning: C-2, General Commercial
Proposed Zoning: LI, Light Industrial
Existing Use: Vacant
Existing Surrounding Uses: North: Commercial
South: Industrial
East: Commercial
West: Industrial/Government

Analysis

Existing Conditions:

The subject property is 1.36 acres located on the northeast corner of Orchid Lake Road and Congress Street. Surrounding the site on are industrial, commercial and government land uses.

The Future Land Use for the subject property is Industrial.

Proposal:

The applicant is requesting to rezone the property from the current C-2 General Commercial to LI, Light Industrial to construct an office and manufacturing/warehouse building for a medical equipment business. Light Industrial is the appropriate zoning district for the proposed use.

Compatibility with Comprehensive Plan:

The proposal is consistent with the objectives and policies of the following Comprehensive Plan Future Land Use, Housing, Conservation, and Coastal Management.

- Future Land Use Policy 1.7.2 – Industrial land uses shall be restricted to those areas which have adequate transportation service for needed labor supply, materials and product shipment.
- Future Land Use Policy 1.7.3 – Supporting and complementary industries and ancillary commercial services should be located in proximity to each other to accomplish a linkage between industries and services.

Summary and Recommendation:

The Development Review Committee (DRC) reviewed the request and found that rezoning to LI, Light Industrial is consistent with the Comprehensive Plan and Future Land Use Map and therefore **recommends approval of the rezoning request.**

LDRB Review:

The Board is to conduct a quasi-judicial review of this case at its March 16, 2023 meeting. Ex-parte communication shall be disclosed at the beginning of the meeting. The Board may approve the request, approve with conditions, or deny the request.

The LDRB shall make a recommendation to the City Council on this rezoning. The City Council will make the final decision on this rezoning.

Attachments:

1. Rezoning Application
2. Location Map
3. Future Land Use and Zoning Maps
4. Proposed site plan



REZONING APPLICATION

City of New Port Richey
 Planning and Development Department
 City Hall, 5919 Main Street, 1st Floor
 New Port Richey, FL 34652
 Phone (727) 853-1044 * Fax (727) 853-1052

Case #: _____
 Send copy to Pasco County, if w/in 1 mile
 Send to Pasco Schools, if residential

DRC Date: _____
 LDRB Date: _____
 Date Received: _____

- Submit one original signed and notarized application
- Submit original signed and sealed survey
- Submit 1 digital version of application
- Submit application fees: \$850 for rezoning; \$2,500 for rezoning-PDD; \$1,250 for rezoning-PDD (Amendment)
 (Checks made payable to the *City of New Port Richey*)

Property Owner and Representative Information:

Current Property Owner(s): Eyeconic Ophthalmic Equipment, LLC		Phone: 813-927-3709
Owner Address: 7734 Rutillio Ct, Ste B, New Port Richey, FL 34653		
Owner Email Address: terrancesterett@dauntless-contracting.com>		
Owner's Representative(s): Absolute Engineering, Inc.	Relationship to Owner: Consultant	
Representative Mailing Address: 1000 N. Ashley Dr., Tampa, FL 33602		
Representative Email Address: heatherw@absoluteng.com	Phone: 813-224-1516	
Primary contact: <i>(This is the <u>one</u> person to whom the City will send all communication regarding this application)</i> Heather Wertz		

Property Information:

Street Address:		
General Location: Corner of Congress Street and Orchid Lake Road		
Size of Site:	Square Feet:	Acres: 1.36
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal) See Attached		
Parcel Number(s): 33-25-16-0150-000000-0070		

Zoning District: C2	Proposed Zoning District: LI
Future Land Use Category: Industrial	Proposed Future Land Use Category:
Existing Use: <i>(Include # of residential unit and/ or square footage of non-residential uses):</i> Vacant	Proposed Use: <i>(Include # of residential units and/ or square footage of non-residential uses):</i> Office: 4,000 SF; Manufacturing/Warehouse: 9,000 SF

How is proposal consistent with the goals, objectives and policies of the Comprehensive Plan?

The proposed use of Office and Manufacturing/warehouse is compatible with the intent of the Industrial Land Use Category per the Goals, Objectives and Policies of FLU-41.

Submittal Information:
(Please address the following information on a separate sheet and attach to this application)

- Guidelines for Granting a Rezoning. LDC § 5.01.11.**
- The development department, development review committee, and land development review board shall consider all of the following guidelines when making a recommendation to the city council on a rezoning application, and the city council shall consider all these guidelines in determining whether to adopt an ordinance granting such rezoning:
1. Whether the proposed zoning district is one (1) of the zoning districts intended to implement or be consistent with the future land use map designation of the property;
 2. If more than one (1) zoning district implements or is consistent with the future land use map designation of the property, whether the proposed zoning district is the most suitable zoning district;
 3. Whether there are substantial reasons why the property cannot be used in accordance with its present zoning district, or the existing zoning district is otherwise unsuitable;
 4. Whether the proposed zoning district is consistent with the character of the existing land use pattern;
 5. Whether the proposed zoning district abuts a property with a zoning district similar in intensity to the proposed zoning district, or serves as a suitable transition zoning district between two (2) or more different abutting zoning districts;
 6. Whether there are substantial changed or changing conditions in the character of the area where the property is located so that the proposed zoning district is now suitable;
 7. Whether based upon the property's size, shape, or characteristics the proposed zoning district is out-of-scale with the surrounding area;
 8. Whether the proposed zoning district is premature, based upon the existing conditions in the surrounding area;
 9. Whether there is a substantial public need or purpose for the proposed zoning district consistent with the public health, safety and general welfare;
 10. Any other factors that may be relevant to the rezoning, such as its location within an enclave, recent annexation into the city, or to conserve the value of buildings and natural resources;
 11. The totality of the circumstances; and
 12. Any competent substantial evidence presented at the public hearings.

Consistency with Concurrency: The following calculations shall be used to **determine the projected demand** of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type. *(Please fill in blanks.)*

<p>POTABLE WATER - Adopted level of service (LOS) = 152 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p>Residential:</p> <p>Single-family: 152 gal × 2.12 persons/household × _____ units = <u>N/A</u> gal/day/capita (demand)</p> <p>Multi-family: 152 gal × 1.90 persons/household × _____ units = <u>N/A</u> gal/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p>WASTEWATER - Adopted level of service (LOS) = 114 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p>Residential:</p> <p>Single-family: 114 gal × 2.12 persons/household × _____ units = <u>N/A</u> gal/day/capita (demand)</p> <p>Multi-family: 114 gal × 1.90 persons/household × _____ units = <u>N/A</u> gal/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>
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<p>SOLID WASTE - Adopted level of service (LOS) = 6.3 lbs/day/capita (nonresidential uses are included in the adopted LOS).</p> <p>Residential:</p> <p>Single-family: 6.3 lbs × 2.12 persons/household × _____ units = <u>N/A</u> lbs/day/capita (demand)</p> <p>Multi-family: 6.3 lbs × 1.90 persons/household × _____ units = <u>N/A</u> lbs/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p>RECREATION/OPEN SPACE - Refer to the New Port Richey Comprehensive Plan for adopted level of service standards.</p> <p>Single-family: _____ units × 2.12 persons/household = <u>N/A</u> (population projection)</p> <p>Multi-family: _____ units × 1.90 persons/household = <u>N/A</u> (population projection)</p> <p>Sites over five acres in area and zoned MF-30 District shall provide five percent of the total net acreage of the development for recreational purposes. Refer to Section 7.06.07 of the Land Development Code.</p>
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Stormwater Management Refer to the Stormwater Management and Erosion Control Policy and Procedures Manual for standards necessary to comply: LOS = 25-year, 24-hour storm event.

Transportation. Refer to the New Port Richey Comprehensive Plan for the adopted Level of Service Standards. Refer to the Land Development Code for the **requirements of a Transportation Study.**

1. Determine the number of trips generated by the proposed project during the **PM PEAK** hour using the most recent edition of the ITE "Trip Generation" report with no adjustments for internal capture or passerby trips. **Include your calculation(s) here:** See Attached Trip Generation Estimate
2. If the total number of trips is equal to or greater than 50 trips, then a transportation study shall be prepared. The report shall be signed and/or sealed by either a registered professional engineer or a member of the American Institute of Certified Planners.
 - a. If no study is required, the applicant is required to provide only the existing directional **PM PEAK** hour traffic volumes and level of service for the roadways link to which project driveways connect. This information shall include project traffic. **Provide this information here:** Refer to Traffic Study.
 - b. The data shall be in conformance with Notes 3a and 3b of "Existing Conditions" contained in the Land Development Code.
3.
 - a. Existing directional **PM PEAK** hour traffic volumes and LOS on all existing collectors/arterials in study area. **Provide information here:** Refer to Traffic Study.
 - b. Existing turning movement volumes at the impacted intersection(s) and intersection LOS.

Process:

A pre-application meeting will be held with City Staff to ensure the application is complete. Applications must be submitted on Friday by 10:00 am. Once deemed complete, the application will be scheduled for review by the Development Review Committee (DRC). The DRC will review the application for compliance with codes and regulations. Changes may be suggested and additional reviews by the DRC may be necessary. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) and City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about my application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Land Use Plan Amendment. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

Attendance at meetings:

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1039 to find out when this case will be scheduled for these meetings.

Submittal Information Authorization to visit the property:

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

Authorization for owner's representative(s):

I _____, the owner, hereby authorize _____ to act as my representative(s) in all matters pertaining to the processing and review of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 20_____

who is personally known to me and/or produced _____ as identification.


STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: _____

My Commission Expires: _____

Applicant's Affidavit:


I Heather Wertz, the owner or authorized representative, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. It is also acknowledged that the filing of this application does not constitute automatic approval of the request and, further, if the request is approved, I will obtain all necessary permits to comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Owner or Authorized Representative:  Date: 1-10-23


Subscribed and sworn to before me this 10th day of January, 2023

who is personally known to me and/or produced _____ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: 

My Commission Expires: _____





Northeast Corner Orchid Lake Road and Congress Street

Zoning Map

Future Land Use Map

