



Staff Report

City of New Port Richey, FL

City Council

May 16, 2023

REZONING APPLICATION

Case: Rezoning REZ-2023-01 (Aqua Harbor)
Owner/Applicant: ROYAL FIVE HOSPITALITY INC
Property Location: 3.67 acres located on the west side of US Highway 19 and south of Marine Parkway
Parcel ID: 08-26-16-006A-00200-0010
Address: 5015 US Highway 19
Request: Rezoning from HC, Highway Commercial District to PDD, Planned Development District (Residential and Commercial Planned District Subcategories)

SITE INFORMATION

Existing Future Land Use: Highway Commercial
Existing Zoning: HC, Highway Commercial
Proposed Zoning: PDD, Planned Development District (Residential and Commercial Planned District Subcategories)
Existing Use: Hotel
Existing Surrounding Uses: North: Commercial
South: Commercial
East: Commercial
West: Multi-family residential

Analysis

Existing Conditions:

The subject property is 3.67 acres located on the southwest corner of US Highway 19 and Marine Parkway and is adjacent to a water canal. The parcel is L-shaped and is within the designated Coastal High Hazard Area (CHHA). A hotel is presently located on the property. The site is surrounding on three sides by commercial land uses with multifamily land use to the west.

There is an existing pole sign on-site that is a non-conforming structure and will have to be removed prior to completion of any potential development permit.

The intersection of US Highway 19 and Marine Parkway is a major focal point for the City. The area is targeted for redevelopment in the City's U.S. Highway 19 Master Plan. Additionally, a pedestrian bridge crossing US Highway 19 at Marine Parkway has been discussed for future development at this intersection. Redevelopment of this property in the proposed manner will meet this goal in the Master Plan.

Proposal:

The applicant is requesting to rezone the property from the current Highway Commercial (HC) category to a Planned Development District (PDD) with residential and commercial subcategories to accommodate a 96-unit condominium and a 92-room hotel.

According to City's Comprehensive Plan and related Codes, the developer must acquire development credits from the City through the Coastal Transfer of Development Rights program (TDR) to develop residential dwelling units on a property with a land use designation of Highway Commercial. The maximum density allowed would be 30 dwelling units per acre.

The PDD was created to provide an alternative method of land development that is not available within the framework of other zoning districts. This zoning district is intended to support innovative design techniques to preserve/protect environmental features, accommodate a mixture of uses, or facilitate future goals of the Comprehensive Plan.

In 2021, the City adopted design guidelines for multi-family developments in order to encourage quality developments that meet the community standard.

The Development Standards shall be consistent with Exhibit B - Preliminary Site Plan (submitted from Northside Engineering, Sheet C3.2, dated 08/23/21) and have been incorporated as part of the PDD ordinance.

The detailed Development Standards are as follows:

1. Density
 - a. Hotel – 92 units
 - b. Residential (Condominiums) - 96 Condominium Dwelling Units
2. Minimum Building Setbacks
 - a. 10 feet from all property lines
 - b. 15 feet between individual Residential (Condominiums)
 - c. 25 feet between Hotel and Residential (Condominiums)
 - d. 50 feet between Hotel Patio area and Residential (Condominiums).
3. Wetland Setbacks – 25' from jurisdictional wetland line
4. Building Height – Not to exceed 75 feet height from Base Floor Elevation
5. Building design, materials, colors shall be consistent with Resch Conceptual Architectural Elevations, Sheets A2-A3, dated 9/9/21 and 9/10/21, also attached as Exhibit C.
6. Parking
 - a. Hotel – minimum 1.1 spaces per unit
 - b. Residential Unit (Condominiums) – minimum 2.0 spaces per unit
 - c. A minimum 30' turning radius for proper turning radius of emergency vehicles shall be required throughout all parking lots.
7. Landscaping and required buffer plantings may be placed in ROW (subject to approvals by County and private utility providers prior to approval of site plan) and an agreement for the owner to maintain landscape in perpetuity shall be required. If plantings cannot be placed in

- a satisfactory manner agreed upon by all parties involved, then the owner must provide all required landscape on private property.
8. Impermeable Surface ratio shall not exceed 83%.
 9. Sidewalks
 - a. External
 - i. Sidewalk (Roadway side), minimum five foot (5') width, along the length of Marine Parkway (subject to County approval) and Floramar Terrace
 - ii. Sidewalk (Canal Side), minimum six foot (6') width, along entire length of the Canal, from property line to property line.
 - b. Internal
 - i. Sidewalk (min. 5' width) – entirely around all buildings and through parking lot at appropriate locations.
 - ii. Crosswalks – High visibility type of contrasting pavement, installed at all crossing locations.
 10. Site Amenities
 - a. Bike racks – located within 50' (and no more than 120') from Residential (Condominiums) entry doors
 - b. Lighting – to be located along sidewalks to adequately provide illumination for safety and security. Fixtures to be approved by the City.
 - c. Benches – a minimum of three benches shall be located along the Residential (Condominiums) sidewalk adjacent to the canal
 - d. Amenities (as shown on Exhibit B)
 - i. Hotel – Outdoor patio area & outdoor pool; Meeting/event space for Residential (Condominiums) use
 - ii. Residential Unit (Condominiums) – Outdoor pool, dog park, active recreation area (pickleball, tennis, bocce ball, etc.)
 11. Stormwater (Low Impact Design Standards) – shall be underground as approved by SWFMMD
 12. Traffic Stipulations - Access onto Marine Parkway from the development shall be right turn only, unless further engineering analysis provides alternative data.
 13. The existing pole sign on-site shall be removed prior to completion of any potential development permit.

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 1.1.1 – The City shall continue to implement and enforce regulations which recognize the limitations of development in the coastal zone.

Future Land Use Policy 1.1.2 – the City shall promote the efficient use of natural resources and public facilities and services by encouraging the use of innovative land development techniques such as planned development, clustering of land uses and mixed-use development.

Future Land Use Policy 1.2.2 – The City shall encourage a balanced land use mix providing for

a variety of housing styles, densities and open space.

Objective HOU 1.1 - Ensure a sufficient supply and variety of sound, safe, and affordable housing units for existing and future City residents.

Housing Policy 1.1.5 – The City shall continue to allow a variety of residential densities and housing types through the Future Land Use Map and Land Development Code.

Objective HOU 1.3 - Increase the opportunity for all citizens of the city and surrounding areas to purchase or rent decent, safe and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex handicap, ethnic background, age, marital status or household composition.

Coastal Management Policy 2.2.1 – The City shall maintain or reduce allowable density in the Coastal High Hazard Area consistent with the Future Land Use map of the Comprehensive Plan.

Summary and Recommendation:

The Land Development Review Board (LDRB) reviewed the request and recommendation from the Development Review Committee (DRC) at their January 19, 2023 meeting.

The LDRB found that rezoning to PDD Planned Development District (residential and commercial) is consistent with the Comprehensive Plan and Future Land Use Map and therefore **recommends approval with the Development Standards as outlined in the Ordinance.**

It is important to note the following items still need to be addressed:

1. The *Preliminary Site Plan* included in this Staff Report (Exhibit B) does not meet all of the requirements of the Development Standards. Therefore, a *Final Site Plan* that addresses all the Development Standards, must be submitted to, and approved by the Development Review Board (DRC) prior to review of any construction plans.
2. Development Credits from the City's TDR program must be obtained prior to Departmental consideration of any further permitting or review of construction plans.

The Property Owner and Engineer have been made aware of these outstanding items.

Attachments:

1. Rezoning Application
2. Location Map
3. Future Land Use and Zoning Maps
4. Exhibit A - Survey (Guy Hale, Land Surveying, revision dated 04/03/23, digitally signed 04/21/23)
5. Exhibit B - Preliminary Site Plan (Northside Engineering plan, Sheet C3.2, dated 08/23/21)
6. Exhibit C - Conceptual Architectural Plans (Resch Conceptual Architectural Elevations, Sheets A2-A3, dated 9/10/21)



REZONING APPLICATION

ATTACHMENT 1 - 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

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

Feb. 3, 2022

- 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):		Phone:
Royal Five Hospitality, INC		727-849-8551
Owner Address:		
5015 US HWY 19, New Port Richey, FL 34652		
Owner Email Address:		
eric@simone-development.com		
Owner's Representative(s):	Relationship to Owner:	
Paul & Eric Simone	Property Owners	
Representative Mailing Address:		
5015 US HWY 19 N , New Port Richey, FL 34652		
Representative Email Address:	Phone:	
paul@simone-development.com	727-798-0302	
eric@simone-development.com	727-686-8850	
Primary contact: <i>(This is the <u>one</u> person to whom the City will send all communication regarding this application)</i>		
Paul Simone 727-798-0302 & Eric Simone 727-686-8850		

Property Information:

Street Address:		
5015 US HWY, New Port Richey, FL 34652		
General Location:		
LOCATED ON THE CORNER: WEST OF US-19; DIRECTLY SOUTH OF MARINE PKWY DRIVE.		
Size of Site:	Square Feet:	Acres:
	159,865 Sqft	3.67 Acres
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal)		
<small>FLOR-A-MAR SECTION 1-B PB 7 PG 11 LOTS 1 & 2 BLK 2 EXC FOLL DESC POR OF SAID LOT 2 COM MOST SLY COR OF SAID LOT 2 FOR POB TH ALG SWLY BDY OF SAID LOT 2 N65DEG57' 02"W 140 FT TH ALG NWLY BDY OF SAID LOT 2 N24DEG03' 23"E 90 FT TH S65DEG57' 02"E 140 FT TH ALG SELY BDY OF SAID LOT 2 S24DEG 03' 23"W 90 FT TO POB & POR OF SEC 7 & 8 TWP 26 S R 16 E DESC AS COM MOST WLY COR OF LOT 1 BLK 2 OF SAID SECTION 1-B FOR POB TH N24DEG02' 58"E 107.91 FT TH 204.23 FT ALG ARC OF CV L RAD 4 60 FT CHD S53DEG13' 53"E 202.56 FT TH ALG NLY BDY OF SAID LOT 1 BLK 2 210.91 FT ALG ARC OF CV L RAD 340 FT CHD N83DEG43' 04"W 207.50 FT TO POB OR 9234 PG 1626</small>		
Parcel Number(s):		
08-26-16-006A-00200-0010		

Zoning District:	Proposed Zoning District:
MWFCD - Hotel/Motel	Mixed-USE
Future Land Use Category:	Proposed Future Land Use Category:
Mixed-USE	Mixed-USE
Existing Use: <i>(Include # of residential unit and/ or square footage of non-residential uses):</i>	Proposed Use: <i>(Include # of residential units and/ or square footage of non-residential uses):</i>
Hotel/Motel - 122 Units	

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

The new development will improve the city of New Port Richey. This development will allow for new Home-Owners to move into the area. The new hotel will provide an option for people to stay and visit the City of New Port Richey.

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><i>Single-family:</i> 152 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><i>Multi-family:</i> 152 gal × 1.90 persons/household × _____ units = _____ 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><i>Single-family:</i> 114 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><i>Multi-family:</i> 114 gal × 1.90 persons/household × _____ units = _____ 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><i>Single-family:</i> 6.3 lbs × 2.12 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><i>Multi-family:</i> 6.3 lbs × 1.90 persons/household × _____ units = _____ 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><i>Single-family:</i> _____ units × 2.12 persons/household = _____ (population projection)</p> <p><i>Multi-family:</i> _____ units × 1.90 persons/household = _____ (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:** _____.
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:** _____.
 - 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:** _____.
 - 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 _____, **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: _____

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: _____

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 Eric Simonc, 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: [Signature]

Date: 1/18/22

Subscribed and sworn to before me this 18th day of January, 2022

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

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: [Signature]

My Commission Expires: 11/3/2025



- Legend**
- Street (L-labels)
 - Parcel (L-lines)
 - Parcels (Clickable Info)
 - Blocks (Boundaries and Labels)
 - Lot (L-lines)

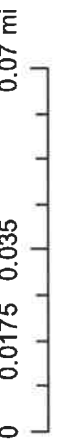


Pasco County Property Appraiser

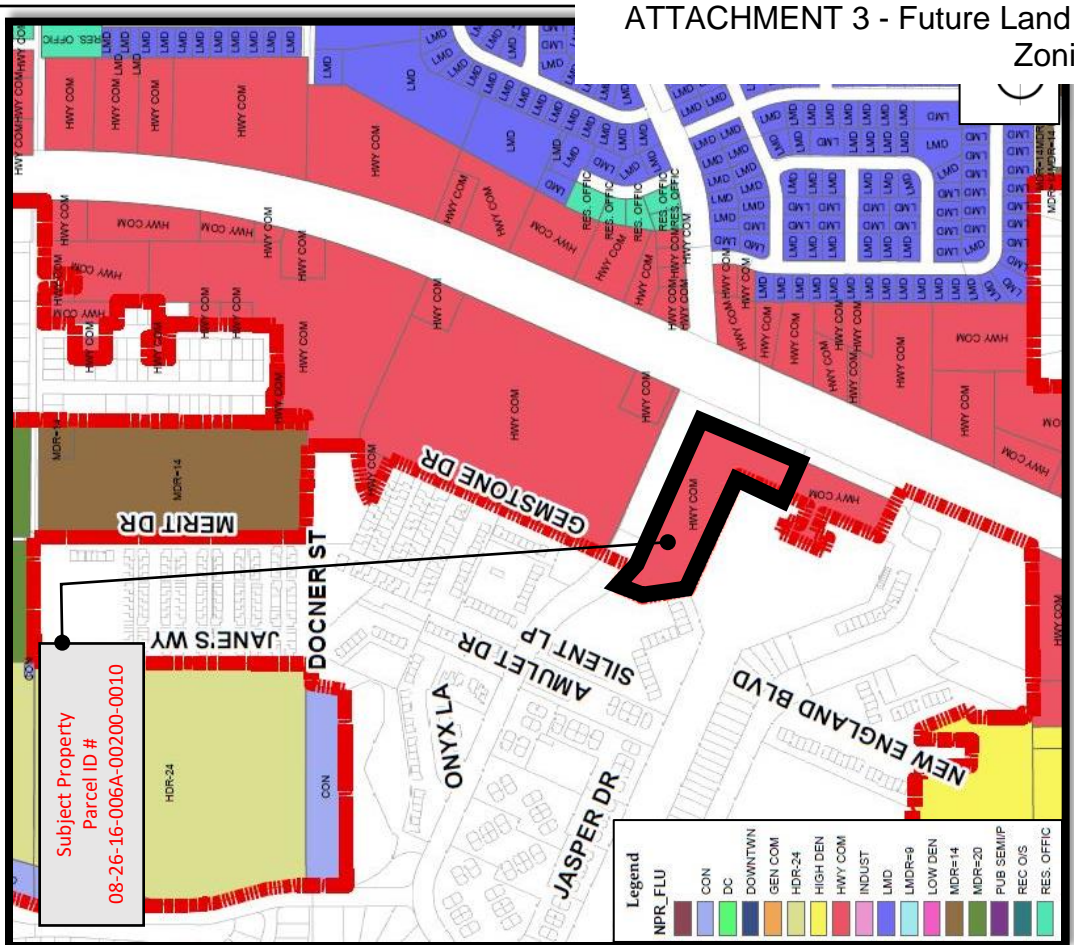
Mike Wells
Property Appraiser
Proudly Serving Pasco County, Florida



1/13/2023, 8:41:51 AM



Future Land Use Map



Zoning Map

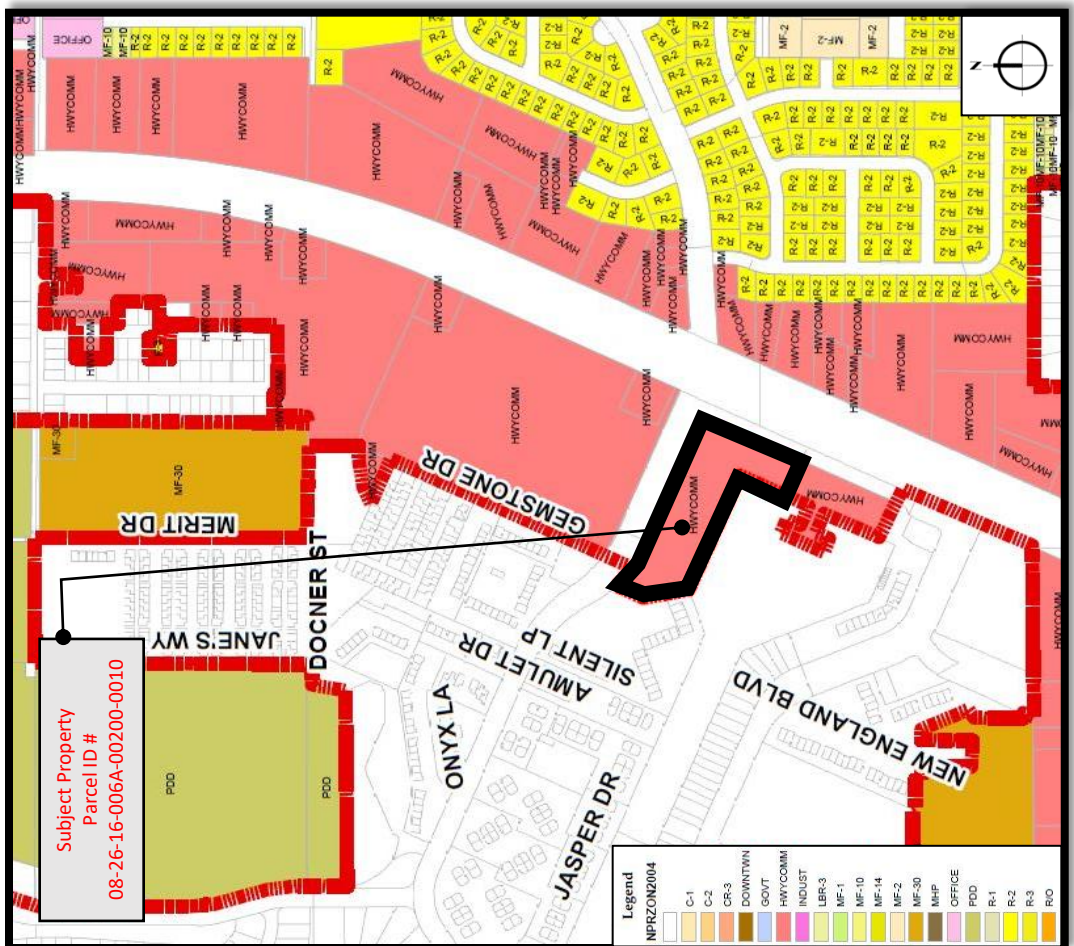
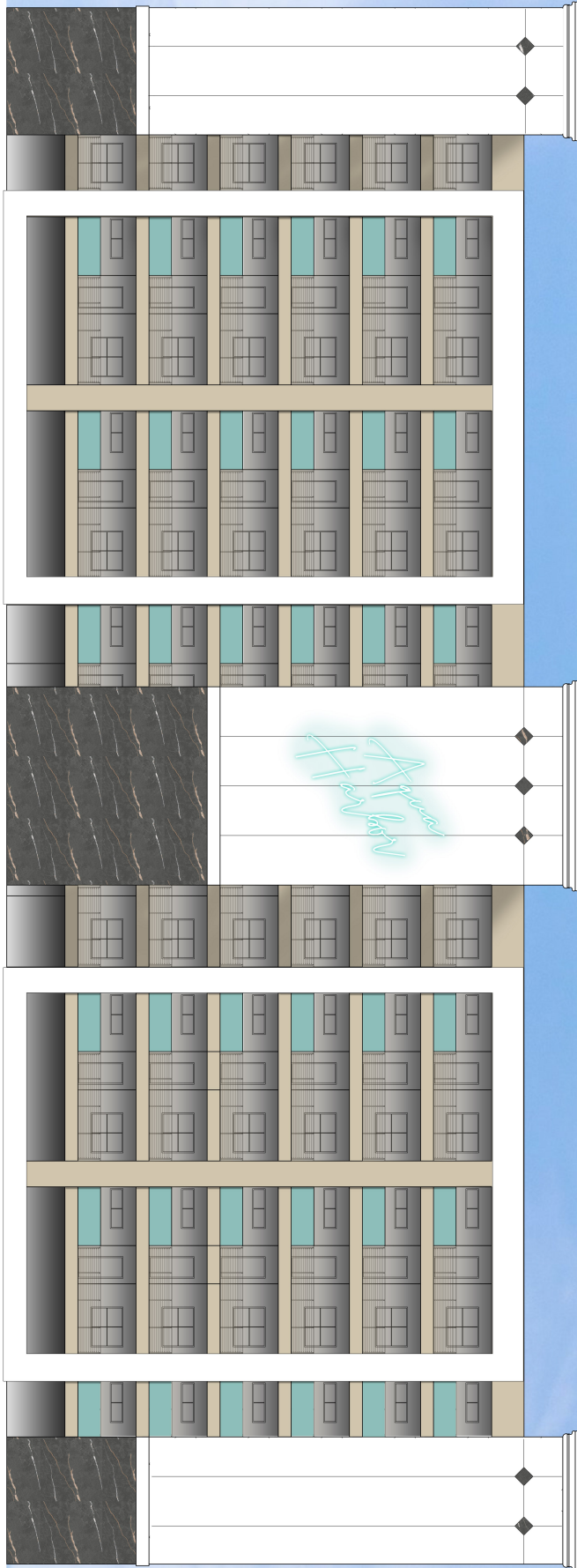


EXHIBIT C - Conceptual Architectural Elevations

REAR / NORTH ELEVATION
SCALE: 1/8" = 1'-0"



DATE	09/07/2023
DESIGNED BY	RESCH
CHECKED BY	RESCH
SCALE	AS SHOWN
NO.	A3

AQUA HARBOR RESORT
 5015 US HIGHWAY 19
 NEW FORT RICHEY, FL. 34652

ELEVATIONS		
REV.	DATE	ISSUE

CONFIDENTIAL
 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.
 AUTHORITY: 50 USC 552A

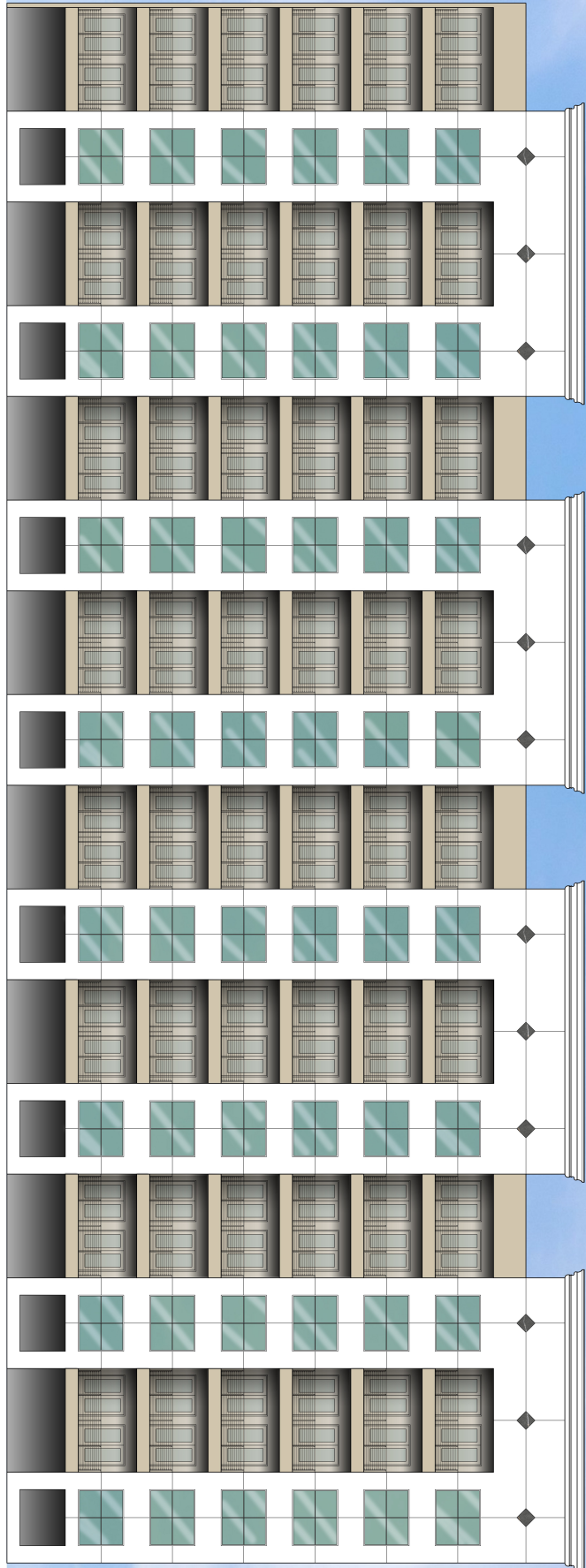
ROBERT P. RESCH, III
 ARCHITECT

2963 Gulf To Bay Blvd, Suite 100
 Clearwater, Florida 33755
 727-320-1854 Office 727-109-0630 Cell
 reschiii@verizon.net reschiii@verizon.net




EXHIBIT C - Conceptual Architectural Elevations

FRONT / SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



AQUA HARBOR RESORT
 5015 US HIGHWAY 19
 NEW FORT RICHEY, FL. 34652

ELEVATIONS

Rev.	Date	Item

CONFIDENTIAL
 THE ARCHITECTURE OF AN ARCHITECT FIRM IS THE PROPERTY OF THAT FIRM AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

ROBERT P. RESCH, III
 ARCHITECT

2965 Gulf To Bay Blvd, Suite 100
 Clearwater, Florida 33755
 T21-310-1854 Office T21-109-0630 Cell
 reschiii@verizon.net reschiiiarchitecture.com




DATE: 09/29/2023
 DRAWN BY: EBF
 CHECKED BY: A2
 2/28/23
 11:56:53 AM