

ORDINANCE # 2017-2109

AN ORDINANCE REZONING APPROXIMATELY 2.82 ACRES OF PROPERTY GENERALLY LOCATED EAST OF CIRCLE BOULEVARD, WEST OF ADAMS STREET AND NORTH AND SOUTH OF CENTRAL AVENUE, AND LOCATED SOUTH OF CENTRAL AVENUE AND EAST OF ADAMS STREET, AND INCLUDING 30 FEET OF VACATED CENTRAL AVENUE RIGHT-OF-WAY LOCATED EAST OF CIRCLE BOULEVARD AND WEST OF ADAMS STREET FROM: R-2 RESIDENTIAL DISTRICT (0.743 ACRES), DOWNTOWN DISTRICT (1.77 ACRES), MF-14, MULTIFAMILY RESIDENTIAL DISTRICT (0.173 ACRES) AND RIGHT-OF-WAY (0.143 ACRES) TO: PDD, PLANNED DEVELOPMENT DISTRICT (RPD, RESIDENTIAL PLANNED DEVELOPMENT DISTRICT SUBCATEGORY); FURTHER DESCRIBED HEREIN AND IN EXHIBIT A; PROVIDING DEVELOPMENT STANDARDS IN EXHIBIT B; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Growth Management Act of 1985 requires that each municipality in the state shall prepare and adopt a Comprehensive Plan of the type and in the manner set out in the act; and

WHEREAS, the City of New Port Richey has adopted a Comprehensive Plan pursuant to the Growth Management Act of 1985; and

WHEREAS, the Land Development Review Board (Local Planning Agency) and the City Council of New Port Richey has reviewed this rezoning as REZ2017-01, also attached as Exhibit A, as set forth under Chapter 163 F.S. and Chapter 166 F.S.; and

WHEREAS, the City Council of the City of New Port Richey finds and declares that this rezoning, also attached as Exhibit A, is consistent with the adopted Comprehensive Plan;

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

SECTION I.

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

The following described real property referred to as REZ2017-01 in Exhibit A and generally located east of Circle Boulevard, west of Adams Street and north and south of Central Avenue; south of Central Avenue and east of Adams Street; and including 30 feet of vacated Central Avenue right-of-way located east of Circle Boulevard and west of Adams Street; New Port Richey, Florida is hereby amended from: R-2, Residential District, Downtown District and MF-14, Multifamily Residential District (15.257 acres) and Central Avenue Right-of-Way (0.153 acres) to: PDD, Planned Development District (RPD, Residential Planned Development District Subcategory);

Legal Description:

- Parcel Number: 05-26-16-0030-07400-0140 - CITY OF NEW PORT RICHEY PB 4 PG 49 LOTS 14 15 & 16 BLOCK 74 OR 6760 PG 1336
- Parcel Number: 05-26-16-0030-04900-0010 - TOWN OF NEW PORT RICHEY PB 4 PG 49 LOTS 1 & 2 BLOCK 49 OR 6760 PG 1336

- Parcel Number: 05-26-16-0030-07500-0030 - CITY OF NEW PORT RICHEY PB 4 PG 49 LOT 3 BLOCK 75 EXC COM AT MOST ELY COR OF LOT 3 FOR POB TH ALG SELY BDY OF LOT 3
- Parcel Number: 05-26-16-0030-07500-0010 - TOWN OF NEW PORT RICHEY PB 4 PG 49 LOTS 1 2 4 & 5 BLK 75 & POR OF LOT 3 BLK 75 DESC AS COM MOST ELY COR OF SAID LOT 3
- Including the two following descriptions of right-of-way:
 - The North 15 feet of Central Avenue Right-of-Way (80' Right-of-Way), as show on the plat of City of New Port Richey, as recorded in Plat Book 4, Page 49, of the Public Records of Pasco County, Florida. Bounded on the West by the East Right-of-Way line of Circle Boulevard. Bounded on the East by the West Right-of-Way line of Adams Street and being more particularly described as follows:

BEGIN at the Southwest corner of Lot 1, Block 49, of said plat of City of New Port Richey, thence S.89°50'57"E., a distance of 207.88 feet along the South boundary of said Lot 1, also being the North right-of-way line of said Central Avenue to the West Right-of-Way line of said Adams Street; thence leaving said South boundary, along the Southerly extension of the West Right-of-Way line of said Adams Street S.00°34'20"W., a distance of 15.00 feet; thence N.89°50'57"W., a distance of 206.47 feet to the Southerly extension of the Easterly Right-of-Way line of said Circle Boulevard; thence along said Southerly extension, Northerly, 15.06 feet along the arc of a non-tangent curve to the left having a radius of 355.00 feet and a central angle of 02°25'48" (chord bearing N.04°46'31"W., 15.06 feet) to the POINT OF BEGINNING.

- The South 15 feet of Central Avenue Right-of-Way (80' Right-of-Way), as show on the plat of City of New Port Richey, as recorded in Plat Book 4, Page 49, of the Public Records of Pasco County, Florida. Bounded on the West by the East Right-of-Way line of Circle Boulevard. Bounded on the East by the West Right-of-Way line of Adams Street and being more particularly described as follows:

BEGIN at the Northeast corner of Lot 1, Block 75, of said plat of City of New Port Richey; thence along the North boundary of said Lot 1, also being the South right-of-way line of Central Avenue, N.89°50'57"W., a distance of 208.63 feet to the Northwest corner of said Lot 1; thence leaving said North boundary, along the Northerly extension of the East Right-of-Way line of said Circle Boulevard, Northerly, 15.06 feet along the arc of a non-tangent curve to the left having a radius of 300.00 feet and a central angle of 02°52'38" (chord bearing N.05°23'51"E., 15.06 feet); thence S.89°50'57"E., a distance of 207.36 feet; thence along the Northerly extension of the East Right-of-Way line of said Adams Street, S.00°34'20"W., a distance of 15.00 feet to the POINT OF BEGINNING.

Containing 2.82 Acres more or less.

SECTION II. Development Standards. (Refer to Exhibit B)

SECTION III. 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 IV. 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 __ day of _____, 2017.

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 __ day of _____, 2017.

ATTEST:

CITY OF NEW PORT RICHEY,
FLORIDA

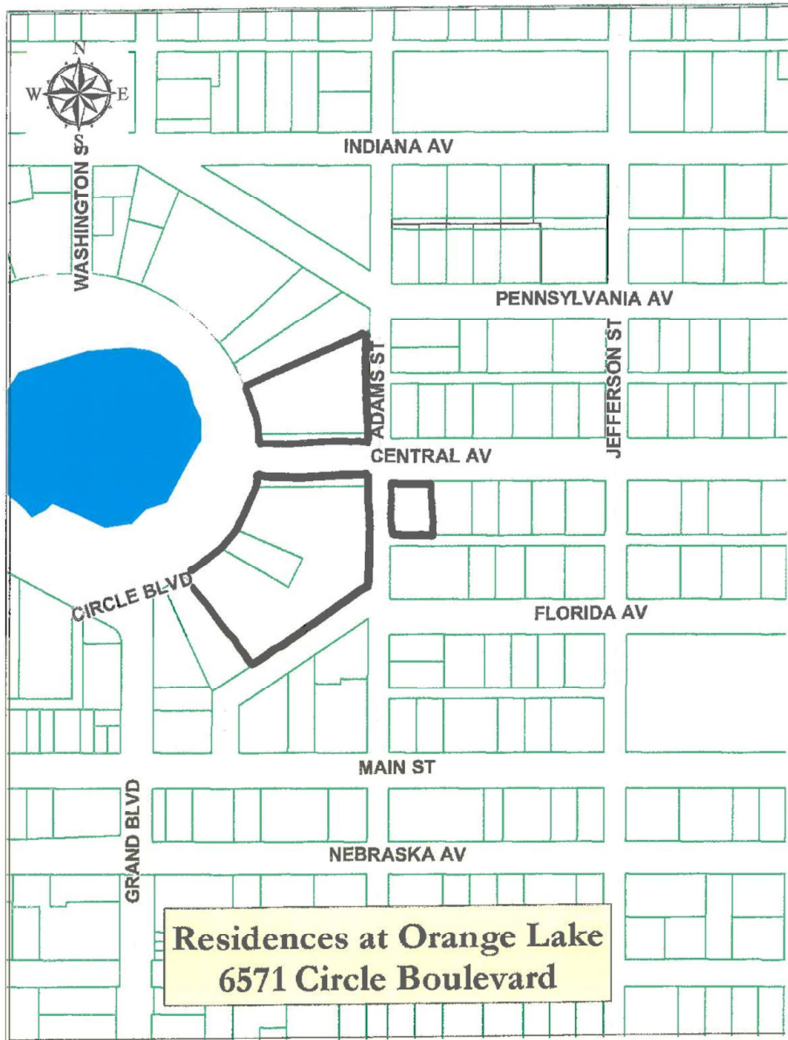
(SEAL)

Judy Meyers, City Clerk

Rob Marlowe, Mayor - Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney



**Residences at Orange Lake
6571 Circle Boulevard**

EXHIBIT A

EXHIBIT B – ORDINANCE #2017-2109

**Residences at Orange Lake - Planned Development District Development Standards
Rezoning Application REZ2017-01/PSP2017-03**

Site Location:

The overall site is 2.82 acres located primarily on the north and south sides of Central Avenue, east of Circle Boulevard and west of Adams Street. A small parcel is located at the southeast corner of Central Avenue and Adams Street. A vacation of right-of-way along Central Avenue is included in the site area. These standards are based on the pending vacation.

The site consists of four separate parcels that will be developed in three phases: Phase 1 (parcel #05-26-16-0030-04900-0010); Phase 2 (parcels #05-26-16-0030-07500-0010 and 05-26-16-0030-07500-0030) and Phase 3 (parcel # 05-26-16-0030-07400-0140). They will be combined through Unity of Title application to create a master site.

Permitted Uses:

This development will include residential dwellings in apartments. The Phase 2 site may be used for special events as defined and regulated by City Code, prior to the development of that phase.

Density:

Density is based on future land use designation. As the City continues its efforts to encourage and incentivize redevelopment downtown, it recently amended the Downtown and Downtown Core future land use categories to increase density providing needed entitlements for this development.

Phase 1 is designated LMDR-10, Low Medium Density Residential Category, Phase 2 carries the Downtown Core-40 Category and Phase 3 is designated Downtown-20 Category. The density is multiplied by the applicable acreage to determine the maximum number of units.

The total number of dwellings permitted is 85 units within three phases: Phase 1 will have 23 units; Phase 2 will have 59 units; and Phase 3 will have three units.

Phase	Parcel # and Parcel ID	Land use category	Acreage	Density
Phase 1	Parcel 2; 05-26-16-0030-04900-0010	LMDR-10	0.743 + 0.07* = 0.813 acres	8.13 units
Phase 2	Parcel 3; 05-26-16-0030-07500-0030 Parcel 5: 05-26-16-0030-07500-0010	Downtown Core-40	0.173 ac + (1.597 + 0.07*) 1.66 ac = 1.84 acres	73.6 units
Phase 3	Parcel 1: 05-26-16-0030-07400-0140	Downtown-20	0.173 acres	3.46 units
Total			2.826 acres	85.19 units

* Additional acreage from vacation of right-of-way along Central Avenue

Site Plan:

The site plan sets forth a preliminary layout of the proposed development of the property for the apartment units. Planned Development Districts require simultaneous rezoning and site plan approval. The plan depicts the general layout of planned buildings, driveways, parking lots and other improvement subject to minor modifications as may be required to gain necessary approval of the relevant City agencies. A minor modification would include shifting a structure up to five feet, but not encroaching over setbacks or into buffers.

The basis of the plan is to create high quality, higher density residential development downtown, in order to foster increased demand for goods and services, including the existing and recently-opened restaurants and retail businesses, as well as a wider range of businesses in the future. The refurbishment of Sims Park

provides an excellent recreational amenity within walking distance for downtown residents. Providing more residential options downtown and generating demand for commercial spaces is key to making Downtown a complete urban center where people live, work, shop and socialize.

Setbacks:

Setbacks are measured from property line to the closest structure:

Phase	Setback		
Phase 1	Front	Side	Rear
	8 feet along west property line at Circle Boulevard to porches (screened or open) and balconies	5 feet along north property line to one-story garage	
	16 feet along west property line at Circle Boulevard to apartment building	25 feet along north property line to apartment building	
	22 feet along south property line at Central Avenue to apartment building		
	19 feet with 8-foot clearance along south property line at Central Avenue for 2nd floor balconies		
	10 feet along east property line at Adams Street to apartment building and 5 feet to dumpster enclosure		
Phase 2	8 feet along west property line at Circle Boulevard to porches (screened or open) and balconies	5 feet along southwest property line	
	16 feet along west property line at Circle Boulevard to apartment building		
	19 feet with 8-foot clearance along north property line at Central Avenue for 2nd floor balconies		
	22 feet along the north property line at Central Avenue to apartment building		
	8 feet along south property line at Florida Avenue to apartment building and 5 feet to dumpster enclosure		
	10 feet along the east property line at Adams Street to apartment building and 5 feet to porch or dumpster enclosure		
Phase 3	5 feet along west property line at Adams Street to porch and 10 feet to apartment building	5 feet along east property line	5 feet along south property line at alley
	20 feet along north property line at Central Avenue to apartment building and 10 feet to porch		

Building Design:

The architecture of the buildings will be unified by a simple set of materials employed in ways that express the construction of the buildings – stucco over masonry, siding over frame walls, shingle roofs – and simple traditional building forms. The basic building type is a mansion-type apartment building of the sort commonly built in traditional towns and cities before WWII. Architectural style, as expressed in details such as porches, balconies, eaves, trim, window and door types, paint colors, etc. will vary from one building to the next. The goal of this variation is to avoid the appearance of “cookie-cutter” buildings or an “apartment complex” of uniform buildings in the heart of town, and also to blend the buildings with the eclectic collection of architectural styles that is typical in urban settings such as New Port Richey.

Buildings shall be oriented to create spatial enclosure for the surrounding streets. Buildings that are interior to the site shall be oriented to create spatially-defined passages (pedestrian and/or vehicular) within and through the site. Building entrances shall be included on the street-facing side of every building that faces a street. All units will be accessible by stairs with no elevators. The buildings will be designed so that there will not be a "blank wall" effect. The minimum floor area per unit shall be 400 square feet for efficiency apartments, 500 square feet for one-bedroom apartments and 650 square feet for two-bedroom apartments.

Building materials will be used in straightforward ways to convey the construction of the buildings: concrete block with a cementitious finish and usually un-trimmed windows at the ground level (when used); wood frame with cement-fiber board siding (no aluminum or vinyl siding) and trimmed windows above. Changes in material will be horizontal except for additive elements such as porches, balconies, bay windows, and canopies.

Color for walls, trim or architectural accents will be used to differentiate buildings from one another, while remaining complementary to the whole. Color selections will be appropriate to each building’s architectural tradition. Primary color hues will be avoided in favor of the more complex hues found in traditional paint colors. Wall colors will be subdued; more intense colors may be used for trim or accents.

The windows will be vinyl or aluminum with vertical proportions, simulated divided light and clear glass. Decorative or operable shutters may be employed on some buildings in accordance with the architectural style of the building, and shall be sized appropriately to cover the window, even if only decorative.

Roofs on each principle structure will be hip or gable (simple, parapeted or pedimented) in form with between 4:12 and 8:12 pitch. Buildings facing Adams Street, Florida Avenue, or interior to the site may have a parapet wall and a low-slope roof. Porches and balcony roofs attached to the principle structure may have a shed or hip roof with a pitch between 3:12 and 6:12. Roof pitch on towers is not limited.

The maximum permitted height of the primary structures is 45 feet for Phase 1 and Phase 2, and 35 feet for Phase 3. Maximum height is measured from base flood elevation to the peak of the roof. Tower features will be located at the corners along Central Avenue and Circle Boulevard at a maximum height of 55 feet. Balconies and their supporting structures shall be a minimum eight feet above the ground.

All accessory buildings (garages, etc.) will be treated with the same design, color and materials as the primary apartment buildings. All mechanical equipment shall be painted to match the adjacent building or screened with landscaping or fencing. Gutters and downspouts will be decorative metal or painted to match the building.

Garbage dumpsters shall be enclosed with a six-foot tall fence or wall that matches the color of the buildings. The exterior of the dumpsters shall be landscaped with shrubs or large grasses. All enclosures will be four sided with an opaque gate.

Landscaping/Buffering/Streetscape:

The exterior perimeters of all parking areas shall be landscaped with a buffer strip at least three feet in width. Such buffer strips shall include one tree for each 35 linear feet, or fraction thereof, of perimeter and a three-foot high continuous hedge. This shall screen the vehicular use area from the public right-of-way. Landscaping will also be provided adjacent to neighboring properties to the north of Phase 1 and to the south of Phase 2. The buffers along the north lot line in Phase 1 and the southwest lot line in Phase 2 will be five feet wide. This shall include a mixture of fencing and plantings to create a buffer that is 50% opaque within one year of planting, up to a minimum height of three feet.

Most of the existing trees and palms on the property will be removed during the construction as they are located within the footprint of a proposed building or paved area. The number of inches being removed is 238 inches. Trees will be replaced as part of the proposed landscape plan including 260 inches. Any trees to be remain will be protected by fencing during all stages of construction.

Street trees will be installed along all public rights-of-way. The plantings shall include *Acer rubrum* (Florida Maple) and *Sabal Palmetto* (Sabal Palm) trees along Central Boulevard, *Acer rubrum* (Florida Maple) trees along Circle Boulevard, *Quercus virginiana* (Live Oak) trees along Adams Street and *Lagerstroemia indica* (Crepe Myrtle) and *Viburnum obovatum* (Walter's Viburnum) trees along Florida Avenue.

Central Avenue has an 80-foot right-of-way. The northern 15 feet and southern 15 feet of the ROW will be vacated as part of this project, leaving 50 feet of ROW. The section between Circle Boulevard and Adams Street will be designed with a landscaped median.

Building perimeter landscaping will be used to provide privacy and screening for unit windows and patios. Shrubs and small trees will be used to screen mechanical equipment and sections of blank walls.

Parking:

This project is geared towards the “millennial” and “empty-nest” markets. Demand for urban living is being reshaped by the desire of the largest American generation, millennials (born 1983-2000), who are seeking to live in more urban and less automobile-dependent places. The revolution in mobile internet-connected technologies and social networking are making transportation alternatives to not owning a personal vehicle more convenient, allowing a larger share of households to adopt for car free and car-light lifestyles with dramatically reduced rates of driving and individual car ownership. Baby boomers too are seeking more convenient, urbane places as empty nesters and retirees downsize.

From a public infrastructure perspective, having residents located closer to goods and services downtown provides opportunities to reduce vehicle miles traveled and to reduce traffic congestion. The City has made significant investments in the public realm in downtown, including streets, sidewalks, parks and civic spaces, which make walking and biking safer and more comfortable and provide pedestrians and cyclists with multiple destinations in close proximity.

The City has established a Transportation Concurrency Exception Area (TCEA) in the downtown, which includes the Downtown Core Category. The purpose of it is to reduce the potential negative impacts that transportation concurrency requirements would have on the City's efforts to encourage and attract redevelopment efforts downtown, such as requiring additional traffic lanes to accommodate an increase in vehicle trips generated by new development. Higher-density residential development is appropriately located downtown where residents can rely on transportation modes other than the car, such as Pasco County Public Transportation (PCPT) transit buses, walking and cycling. Downtown is served by PCPT Route 14. Maintaining the grid street system is a key component in the TCEA.

Parking is typically required for multi-family development based on the number of bedrooms provided. This would equal approximately 140 spaces, which would vary depending on the mix of 1- and 2-bedroom apartments. In this case, parking on site is being provided a minimum of one space per dwelling unit (82 spaces) plus 12 additional spaces on-site spaces for a total of 97 on-site spaces, as depicted on site plan. Many of the required on-site spaces will be provided in enclosed garages. Compact spaces may be used for up to 20% of total required on-site parking spaces, by phase of development. Concrete wheel stops will be provided for all on-site perpendicular or angle-parking spaces to prevent overhanging into landscaping or walkways. On-site spaces will be reserved for resident use only.

In addition to the on-site spaces there will be 32 newly-created on-street spaces located in the right-of-way adjacent to the site. These provide visitor parking spaces, although they are unreserved. These are public spaces available based on a first-come, first-served basis.

All on-site parking is designed for vehicles to move in a forward motion with no backing into the right-of-way. Access to the parking areas is available from Adams Street (Phases 1 and 2), Florida Avenue (Phase 2) and the existing alley between Central Avenue and Florida Avenue (Phase 3). No vehicular access is permitted from Central Avenue or Circle Boulevard. The alley will need to be paved from Adams Street to Jefferson Street prior to the completion and use of the apartments in Phase 3.

No vehicles other than automobiles, bicycles, golf carts, and motorcycles shall be permitted to be parked on the property (no boats/watercraft, RVs, trailers, etc.). Bicycle parking is provided throughout the development within in bike racks at a ratio of 0.10 per parking space.

Lighting:

Light poles will be black, aluminum with cut-off and shielded fixtures that direct light away from adjoining properties and emit no light upward. The maximum height of the poles will be 18 feet to the top of the fixtures. Lighting levels shall be adequate but low, to prevent night-blindness that results from glare from excessively bright lights. Parking lot and pathway lighting shall follow “dark sky” practices including using warm-white or filtered LEDs.

Street lights along Circle Boulevard, Central Avenue, Adams Street and Florida Avenue will be installed by the City in a design that coordinates with the residential character of the project and surrounding areas. The lights along these streets will include shields to provide the dark sky for the residents.

Signage:

A single sign or lettering with the building name may be included above or adjacent to each building entrance. Such sign or lettering may not exceed 10 square feet in area, and the top of the sign shall not exceed 14 feet above ground floor elevation. Sign location and size shall be included on architectural permit drawings. The project may include two 48 square foot monument signs not to exceed four feet in height. Sign locations shall be located at the northeast and southeast corners of the intersection of Central Avenue and Circle Boulevard.

Stormwater/Drainage:

The site was originally developed with a church and most of the impervious areas were removed five years ago. For the purposes of stormwater calculations, however, that impervious area is credited forward to the proposed development and is vested from stormwater permitting. Overall, there is a net increase in impervious surface ratio that requires the project to include treatment for water quality. This is being provided within two dry stormwater ponds. Water quality is being shown by demonstrating that 1/2” of new impervious area runoff can percolate through the pond within a 72 hour period.

The site is located within an open drainage basin and is across the street from Orange Lake. The project will drain to the lake. The timing of the construction of the project may be impacted by the City's project to dredge and restore the water quality of Orange Lake.

Other:

The Property will be owned and operated by the Applicant, who will manage the property including all maintenance.

There shall be no outside storage of personal belongings on the property with the exception of bicycles and kayaks, which shall be in designated racks internal to the site. Patio furniture shall be permitted outdoors if it is constructed and designed for such use. No indoor furniture shall be located or used outdoors. Barbecue grills shall not be permitted on porches or balconies. Grills and outdoor eating areas for resident use will be provided in common areas and depicted on the site plan.

There will be no work done to automobiles or motorcycles other than routine maintenance (washing, waxing, etc.). No vehicles will be stored on site unless they are for the use of the renter.