



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • (727) 853.1016

Land Development Review Board (LDRB) - Minutes

Date: December 15, 2016
Time: 2:00 pm
Location: City Council Chambers
First Floor, City Hall, 5919 Main Street, New Port Richey, FL 34652

Any person desiring to appeal any decision made by the LDRB, with respect to any matter considered at any meeting or hearing, will need a record of the proceedings and may need to insure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based. The law does not require that the Secretary transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense (FS 286.0105).

I. Roll Call & Pledge of Allegiance:

Members Present:

John Grey, Chairperson (arrived at 2:03 pm)
Dr. Cadle, Jr., Vice Chairperson
Judy Michel
Mary Moran
Louis Parrillo
Greg Smith
Bob Smallwood, Alternate Member
Nancy MacDonald, Alternate Member

Members Absent:

Dan Maysilles

Others Present:

Lisa L. Fierce, Development Director
Gus Karpas, Senior Planner
KC Bonney, Network Administrator
Timothy P. Driscoll, City Attorney
Melanie Tyler, Permit Technician

II. Approval of Minutes:

Dr. Cadle chaired the meeting. Ms. Michel made the motion to approve the November 17, 2016 minutes as presented which was seconded by Ms. Moran. The motion carried and the Board approved the minutes (7-0).

III. Amended Land Use Plan Amendment LUP2015-02

Case: Amended Land Use Plan Amendment LUP2015-02 – Hyundai - 4727 US Highway 19
Location: 10.21 acres located on the west side of US Highway 19, approximately 1,070 feet north of Trouble Creek Road

Applicant: Hyundai of New Port Richey, 4727 US Highway 19, New Port Richey, Florida, 34652
Representative: Roland Dove, Spring Engineering, Inc., 3014 US Highway 19, Holiday, FL 34691
Request: Review and recommendation of a land use plan amendment from HDR, High Density Residential Category to HC, Highway Commercial Category and Conservation Category (Ordinance #2016-2098)
Staff Contact: Gus Karpas, Senior Planner, 727-853-1042, karpasg@cityofnewportrichey.org

Chairman Cadle noted this request has been before the Board previously and asked why it has been brought back. Ms. Fierce said there was a revision to the ordinance language due to the addition of a conservation area which requires a new LDRB recommendation. She said this is a quasi-judicial hearing.

Mr. Karpas provided a PowerPoint presentation outlining the request. The subject site is 10.21 acres located on the west side of US Highway 19. The site is vacant. The applicant requests a land use plan amendment from the HDR-30, High Density Residential Category to the HC, Highway Commercial Category and Conservation Category for wetland area in order to develop the site with an inventory car lot associated with the car dealership to the east. A 1.7 acre portion would be designated in the Conservation Category and cannot be developed. The site is designated with the HC zoning district. The proposed inventory car lot site plan is under review by the Development Review Committee. He noted that the Comprehensive Plan has policies encouraging such commercial uses along US Highway 19 and discouraging residential uses in the Coastal High Hazard Area (within which this site is located).

Ms. MacDonald asked about the setback requirements from the edge of the jurisdictional wetland. Roland Dove, Spring Engineering and representative of the applicant, said there is a State required buffer along the north and west sides of the property along the wetland.

Ed Naramor, 4758 Square Rigger Court, asked how wide of a separation there would be with the required setbacks. Mr. Dove noted the width of the pond varies from 55 to 75, adding the required 25 foot buffer and 10 foot City setback it would vary from approximately 75 feet on the north and up to 90 on the east.

Darryl Stidham, 4742 Square Rigger Court, said he had no issue with the project, he just wants to make sure the wetland area is preserved.

Harold Howard, 4754 Square Rigger Court, said there are 25 families that live along the north property line of the subject property. He was concerned that the removal of more trees would increase the noise level from US 19. He was also concerned about light pollution.

Larry Gibson, 4808 Square Rigger Court, said it was his understanding from the previous plan that there would be a retention pond dug on the other side of the wetland. Mr. Dove said there would be, but it has not been designed at this time.

Chairman Cadle asked about lighting on the site. Mr. Dove said the property will not be a public lot so there will not be as much lighting as a show lot, but there will need to be some for security purposes.

Diane Gillman, 4800 Square Rigger Court, does not feel the conservation area along the north is wide enough and is also concerned about the noise and how both of these issues will impact the value of their property. She said she paid a premium for her lot and was told about the conservation area.

Chairman Cadle asked if the City has tree removal restrictions. Ms. Fierce said it did and explained the tree replacement policy. Ms. Moran spoke to the concern about the existing trees. Mr. Dove said the intent is to leave as many of the natural trees as possible, to lessen the need for replacement trees.

Charles Dayhoff, 4804 Square Rigger Court, expressed concern about the buffer area.

Board Member Grey made the motion to recommend approval of the application which was seconded by Board Member Moran. Roll call vote: Grey, yes; Cadle, yes; Michel, yes; Moran, yes; Parrillo, yes; Smith, yes; and Smallwood, yes. The motion carried 7-0.

IV. Code Amendment COD2016-13

Case: Code Amendment COD2016-13 – Definitions
Applicant: City of New Port Richey, Debbie L. Manns, City Manager, 5919 Main Street, New Port Richey, FL 34652.
Request: Review and recommendation of an amendment to Section 201.00 of the Land Development Code amending the definition of restricted personal service use (Ordinance #2017-2103).
Staff Contact: Gus Karpas, Senior Planner, 727-853-1042, karpasg@cityofnewportrichey.org

Ms. Fierce informed the Board this item will be continued to a future meeting.

V. Code Amendment COD2016-12

Case: Code Amendment COD2016-12 – Chapter 7, Dog-Friendly Dining
Applicant: City of New Port Richey, Debbie L. Manns, City Manager, 5919 Main Street, New Port Richey, FL 34652.
Request: Review and recommendation of an amendment to the Land Development Code adding Chapter 7, Dog-Friendly Dining (Ordinance #2017-2102).
Staff Contact: Gus Karpas, Senior Planner, 727-853-1042, karpasg@cityofnewportrichey.org

Ms. Fierce summarized the ordinance. She said the ordinance recommended a one-time application fee of \$50. She said the ordinance allowed a restaurant or sidewalk café to provide a designated area for dogs in an outdoor eating area with a valid permit from the City. A permit expires upon the sale of the restaurant or café. The subsequent owner may apply for a permit to continue to allow patrons' dogs in a designated outdoor dining area.

Mr. Grey asked about service dogs. Ms. Fierce said service dogs are not impacted by the ordinance.

Ms. MacDonald asked if the owner of an establishment would be permitted to remove dog owners if there were an altercation between their dogs. Ms. Fierce said that would be a civil matter. Ms. MacDonald asked if a provision should be placed in the ordinance. Attorney Driscoll said the ordinance is already very restrictive and mirror the State statutes. He said it would be up to business owners whether they want to permit dogs.

Chopper Davis, 4853 Dogwood Street, said this issue was brought to his attention by a local business owner who was confronted by a State inspector.

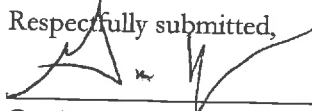
Board Member Grey made the motion to recommend approval of the code amendment which was seconded by Ms. Moran. Roll call vote: Mr. Smith, yes; Mr. Cadle, yes; Ms. Moran, yes; Ms. Michel, yes; Mr. Grey, yes; and Smallwood, yes. The motion carried (7-0).

VI. Adjourn:

Ms. Fierce thanked the Board Members for attending the meeting. She wished the members happy holidays and said the next meeting of the Board will be January 19, 2017.

The meeting adjourned at 2:40 p.m.

Respectfully submitted,


Gus Karpas, Senior Planner