



Staff Report
City of New Port Richey, FL
Land Development Review Board
December 19, 2019

Case: Rezoning – REZ2019-06 – 5432 Acorn Street
Owner/Applicant: Troy Patino – 12501 Oak Tree Drive, Hudson, FL 34667
Request: Change Zoning from R-2 (Residential to Downtown District)
Proposed Use: Unspecified commercial use
Staff Contact: Lisa Algieri, Senior Planner, 727-853-1044, algierel@cityofnewportrichey.org; Chris Bowman, Planner, 727-853-1044, bowmanc@cityofnewportrichey.org.

Statements of Fact

Property Location: 0.277 +/- acres located on the east side of River Road and south of Acorn Street
Future Land Use: Low Density Residential-5 (LDR-5) – Requested Downtown (See Case LU2019-02)

Zoning: Residential District (R-2)

Existing Use: Single-Family Residential

Code References: City of New Port Richey Land Development Code – Section 5.01.01
City of New Port Richey Land Development Code – Section 7.02.00
City of New Port Richey Land Development Code – Section 7.11.00
City of New Port Richey Comprehensive Plan – Future Land Use Element – Table FLU 1.1.3 and Policy FLU 1.3.3

Analysis:

Existing Conditions:

The 0.277 acre +/- subject property is located on the east side of River Road and south of Acorn Street. The subject property has frontage on the western bank of the Pithlachascotee River. The subject property's dimensions are 50 feet in width, adjacent to River Road, and 266 feet in length on its longest side to the river (per the plat). According to the Pasco County Property Appraiser, the property currently contains a single-family home constructed in 1932. See location map below.



The subject property has a current zoning classification of R-2 (Residential) per the City's Land Development Code. Based on Section 7.02.00 of the City's Land Development Code, the R-2 zoning classification allows the property to be used for detached single-family homes as a primary permitted use.

The surrounding zoning classifications and existing land uses are:

North: Planned Development District (Main Street Landing Mixed Use)

South: R-2 (Single Family Home)

East: R-2 (Single Family Home)

West: R-2 (Church)



Proposal:

The applicant is requesting to rezone the subject property from R-2 to Downtown. Based on Section 7.11.0 of the Land Development Code, the Downtown zoning district allows for a variety of residential, retail, office, public/semi-public, and recreation uses. Currently, the applicant does not have a proposed use for the subject property.

Summary and Recommendation:

The Development Review Committee (DRC) reviewed the proposal at its September 26, 2019, meeting. The DRC recommended denial of the request to rezone the subject property from R-2 to Downtown District. Because the DRC also recommended denial of the requested future land use amendment from Low Density Residential to Downtown for the subject property (related case LU2019-02), the DRC must also recommend denial of this related rezoning request since the subject property would not have the appropriate future land use designation for the Downtown District zoning classification. For a property to be assigned the Downtown District zoning classification it must also have the corresponding future land use classification. With the recommendation of denial of the related future land use amendment, the subject property does not have the appropriate future land use designation for the requested Downtown District zoning classification, and the DRC must recommend denial of the rezoning request from R-2 to Downtown District.

Acorn Street provides a clear separation between the City's existing Downtown areas to the extensive existing R-2 areas to the south of Acorn Street. It is the DRC's opinion that allowing the expansion of the Downtown District zoning classification to the south of Acorn Street could result in the introduction of non-compatible commercial and higher density uses into an established low density residential area. In addition, it is the DRC's opinion that to maintain the consistency within the Downtown area of the City, it is important to not allow for its expansion into existing low density residential areas.

LDRB Review:

The Board is to conduct a quasi-judicial review of this case at its December 19, 2019 meeting. Ex parte communication shall be disclosed at the beginning of the meeting. The Board will provide a recommendation to the City Council to either deny the request to rezone the subject property from R-2 to Downtown District, consistent with the DRC recommendation, or for the City Council to approve the requested rezoning.

Please note the future land use amendment case LU2019-02 is related to this requested rezoning.

Public Notice:

Public notices were sent to surrounding property owners for this rezoning. As of December 12, 2019, no responses were received from surrounding property owners.

Attachments:

- Application
- Ex parte disclosure form