



**Staff Report
City Council
December 7, 2021**

Case: Rezoning to Residential Planned Development District
Location: 18.9 acres +/- on Sea Forest Drive south of Seagull Drive
Applicant: JAE Property Holdings, LLC and Hudson Bay Developers, LLC
Representative: Barabra L. Wilhite
Request: Assign City Zoning Designation of Residential Planned Development District for Proposed 82 Dwelling Unit Townhome/Apartment Project

Proposal:

The request is to assign a City zoning designation of Residential Planned Development District (RPD) to the 18.9 acres +/- of property on Sea Forest Drive that is under consideration for voluntary annexation. Subject property is shown in map below.

The proposed RPD is for a 82 dwelling unit condominium/townhome and apartment development. The property south of the Sea Forest Drive will contain 32 condominium/townhomes, and the property north of Sea Forest Drive will contain 50 apartments. In addition, the RPD provides for protection of the existing coastal wetlands, significant open space, and several site amenities.



Analysis:

As required by Florida Statutes, after the City annexes a property into the City, then the City must not only assign a City future land use designation from its Comprehensive Plan to the subject property but must also assign a City zoning district to the subject property.

The 18.9 acres being annexed is proposed to be zoned as a Residential Planned Development District (RPD). The City's Land Development Code (LDC) encourages the use of the RPD to provide for flexible design standards to meet specific objectives such as the protection of natural communities. The location of the subject property is within an area comprised of coastal wetland areas, which requires for sensitive arrangement of the development to minimize and mitigate impacts on the existing natural systems.

Section 7.16.03, LDC, requires that a RPD be located on a minimum area of one acre. The subject property is 18.9 acres. Also, the RPD must provide for the following:

1. The property proposed for any zoning/rezoning must be adequately and economically served by the city and/or developer with public facilities and services as are necessary for the health, safety and welfare of the residents.
2. Evidence must be provided by the applicant to the city that development of the Planned Development District will not degrade the level of service for any public facility beyond the acceptable standard as established in the comprehensive plan.
3. The proposed zoning/rezoning and ultimate development of the Planned Development District must be found consistent with and further the purpose of the City of New Port Richey's Comprehensive Plan.

The analysis provided by the applicant demonstrates that the rezoning to RPD will be properly served and not result in degrading the adopted level of services for transportation, utilities, parks/recreation, public schools, stormwater management, and public safety services.

Also, the applicant provided analysis that demonstrated that the proposed RPD is consistent with the City's Comprehensive Plan.

In fact, based on the proposed project for the subject property (32 townhomes and 50 apartment units), the gross density is only 4.34 dwelling units per acre, and the net density is only 10.86 dwelling units per acre. The proposed development densities are significantly less than the maximum 24 dwelling units that is provided under the City's HDR-24 future land use classification. This significant reduction in actual proposed development density is significant as it reduces the impact of development on the subject property, reduces impacts on the transportation and utility networks, reduces impacts on public schools, and reduces actual density within the Coastal High Hazard Area (areas within the Hurricane Category 1 storm surge as determined by the Sea, Lake, and Overland Surge from Hurricanes [SLOSH] model).

Section 7.16.04, LDC, provides development standards for the RPD. The following provides the standards and the staff comment regarding compliance with the standard is shown in *italic text*.

1. Site design

- (a) All sites shall be designed with regard to the topographical and natural features of the site.

The proposed project is designed to minimize and mitigate impacts on the natural features of the site. Less than half (46%) of the site will be developed.

- (b) Variances in the setbacks may be allowed for all housing types, provided that in granting the variance, the comprehensive plan will be furthered.

No variances for setbacks are required. Due to the natural features of the site, the perimeter of the site is left primarily undeveloped.

- (c) Land uses near the periphery of the Planned Development District shall be designed so as to be compatible with adjacent areas.

The perimeter of the site is primarily left undeveloped. However, the existing development of adjacent areas, which are within unincorporated Pasco County with the exception of the City's utility plant that is adjacent to the north property, are similar in type and density as the proposed RPD. Also, the maximum proposed building height of the proposed project is 82 feet, as measured from the average grade. However, the City's LDC does not include the additional height required to meet or exceed the required base flood elevation. In this case, the base floor is required to be elevated seven feet above existing grade to 11 feet. Accounting for the required seven feet of elevation to meet flood requirements, the maximum height is 75 feet.

2. Living area requirements

- (a) The minimum living space/unit shall not be less than that which is required in the specific zoning district, as established in this code.

The proposed dwelling units will exceed the minimum required living area.

3. Tree conservation

- (a) Existing trees shall be preserved and replaced in accordance with this code.

During the site plan permitting, tree preservation and replacement/mitigation will be determined consistent with the LDC.

4. Streets

- (a) Public streets shall be designed in accordance with this code.

There are no public streets for this proposed project.

- (b) Private, nondedicated streets shall be designed in accordance with this code.

There are no private streets for this proposed project. The access internal to the proposed project are driveways.

5. Erosion control and stormwater management

- (a) All erosion control and stormwater management standards shall be followed as set forth in the Stormwater Management and Erosion Control Policy and Procedures Manual.

Stormwater management and erosion control will be provided consistent with City requirements and also with permitting requirements of the Southwest Florida Water Management District.

6. Parking

- (a) Parking shall be provided in accordance with this code. A parking plan will be provided by the applicant for all parking areas and single-family zoning districts.

80 parking spaces are provided for the 32 townhome dwelling units, and 80 parking spaces are provided for the 50 dwelling unit apartment building.

- (b) All parking areas will be landscaped in accordance with this code.

The parking areas are internal to the project and will be properly buffered/landscaped.

7. Lighting

- (a) All off street parking lots shall be adequately lit. The development review committee shall determine adequacy of lighting for parking lots according to parking lot lighting engineering standards.

Appropriate parking lot lighting will be provided.

- (b) All lighting shall be arranged so as to direct light away from adjoining property and residential areas.

Lighting will be directed away from adjoining property and residential areas.

8. Street signs and street lighting

- (a) All streets and areas of pedestrian use shall be adequately lit. The DRC shall determine adequacy of lighting, according to street lighting engineering standards.

Adequate internal site lighting will be provided.

- (b) The character, size and shape of all outdoor signs shall conform to the standards that are set forth in this code. Signs for commercial uses shall conform to the requirements for signs in section 13.18.00 of this code. Signs in residential areas shall conform to the requirements for signs in section 3.18.00 of this code.

Any development identification signs or other signs shall be consistent with the City's sign regulations.

9. Utilities

- (a) All utilities shall be designed and constructed in accordance with the standards as prescribed by the DRC as set forth in the Utility Construction Standards, current edition.

Potable water and sewer utilities will be provided by Florida Governmental Utility Authority (FGUA).

- (b) Underground utilities are encouraged where possible.

Underground utilities will be provided as feasible.

10. Buffering

- (a) All buffering between land uses and land use categories shall be maintained as established by this code.

The proposed project is adjacent to similar uses and does not require any specific buffering. However, the perimeter of the site is primarily kept in its natural state and provides for a natural buffer.

In addition, the proposed project is subject to the recently adopted multi-family design standards. The applicant has verified that the buildings and design will be developed consistent with multi-family design guidelines. Based on the information and plans submitted for the RPD, the proposed project is compliant with the multi-family design guidelines.

The applicant's analysis of the proposed RPD zoning is included with this staff report.

Recommendation:

The Development Review Committee reviewed the proposed RPD zoning and found it to be in compliance with the requirements of the City's Comprehensive Plan and Land Development Code and recommends approval.