



**Land Development Review Board (LDRB) – Minutes
New Port Richey City Hall, Council Chambers
5919 Main Street, New Port Richey, Florida 34652
June 16, 2022**

Call to Order – Roll Call

Chairman John Grey called the June 16, 2022, Land Development Review Board (LDRB) public meeting and hearing to order at 2:00 pm.

Mr. Grey led the pledge of allegiance.

Mr. Grey requested a roll call of members present be conducted and Lisa Algieri stated the following persons were in attendance constituting a quorum.

Members in Attendance

John Grey, Chairman
Dr. Cadle
Louis Parillo
Allan Safranek
Marilynn deChant
Dan Maysilles

Staff in Attendance

Dale Hall, Development Director
Lisa Algieri, Senior Planner
Chris Bowman, Planner

Approval of Minutes: April 21, 2022

Mr. Maysilles made a motion to approve the minutes as presented. Mr. Safranek seconded the motion. The motion was approved unanimously 6-0.

Case: Rezoning – REZ-22-05-0001

Property Owner: Munro Investments LLC

Property Location: 5845 Main Street

Request: Rezone from MF-14 to Downtown

Proposed Use: Commercial

Lisa Algieri presented the staff report. She informed the board that the request met policies FLU 1.4.3 and FLU 1.3.3 of the Comprehensive Plan and the Future Land Use designation of Downtown. She reported that the Development Review recommended approval of the request.

Dr. Cadle made a motion to recommend approval of the rezoning request from MF-14 to Downtown to the City Council. Mr. Parillo seconded the motion. The motion was approved 6-0.



Staff Report
City of New Port Richey, FL
Land Development Review Board
June 16, 2022

Case: Rezoning REZ- 22-05-0001– 5845 Main Street
Owner/Applicant: Monro Investments LLC
Request: Rezoning from MF-14 to Downtown
(Ordinance #2022-2264)
Proposed Use: Commercial
Staff Contact: Lisa Algieri, Senior Planner

Statements of Fact

Property Location: 0.11 acres located on north side of Main Street
Zoning: Multifamily, MF-14
Future Land Use: Downtown
Existing Use: Vacant building
Code References: Chapter 5 & 7 – Sections 5.01.00, 7.05.00 and 7.11.00 of the Land Development Code (LDC)

Analysis

Existing Conditions:

The subject property is 0.11 acres in size. There are currently two buildings located on the subject property. Previously, an insurance office was located in one building and the rear building was used as residential. The property is zoned for MF-14, which allows residential. Currently, both buildings are vacant.

The Future Land Use Map shows the property is located within the Downtown category. The Future Land Use Element provides the primary uses allowed in this category are residential, office and retail.

The Zoning District Map shows the property is located within the Multifamily (MF-14) zoning district. According to LDC § 7.05.00, the purpose of the Multifamily (MF-14) zoning district is to provide for the development of residential from single family to medium density multifamily. The Multifamily (MF-14) zoning does not include the operation of commercial or retail within the zoning district.

Proposal:

The applicant is proposing to operate a café/coffee shop at the subject property. The request is to rezone the property from the Multifamily (MF-14) District to the Downtown District. The Downtown District allows commercial, retail and residential uses within the zoning district.

Compatibility with Comprehensive Plan:

The proposal is consistent with the following Comprehensive Plan objectives and policies:

- Future Land Use Policy 1.4.3 – The development of residential, commercial and industrial uses shall be timed and stage in conjunction with provision of supporting community facilities (e.g. streets, utilities, police and fire protection, emergency medical service and public schools).
- Future Land Use Policy 1.3.3 – Commercial land uses shall be located in a manner which ensure the compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities shall not be overburdened.

Summary and Recommendation:

The Development Review Committee (DRC) reviewed the request and found that rezoning to Downtown is consistent with the Comprehensive Plan and Future Land Use Map and therefore **recommends approval** of the rezoning from Multifamily (MF-14) to the Downtown zoning district.

LDRB Review:

The Board is to conduct a quasi-judicial review of this case at its June 16, 2022, meeting. Ex parte communication shall be disclosed at the beginning of the meeting. The Board may approve the request, approve with conditions, or deny the request.

The LDRB shall make a recommendation to the City Council on this rezoning. The City Council shall make the final decision on this rezoning.

Attachments:

- Rezoning Application

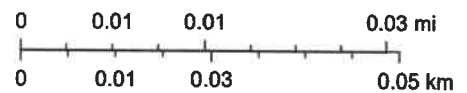
Pasco County



6/9/2022, 12:26:00 PM

1:1,128

- Parcels
- Footprints
- + Railroad
- STRUCTURE
- Roads

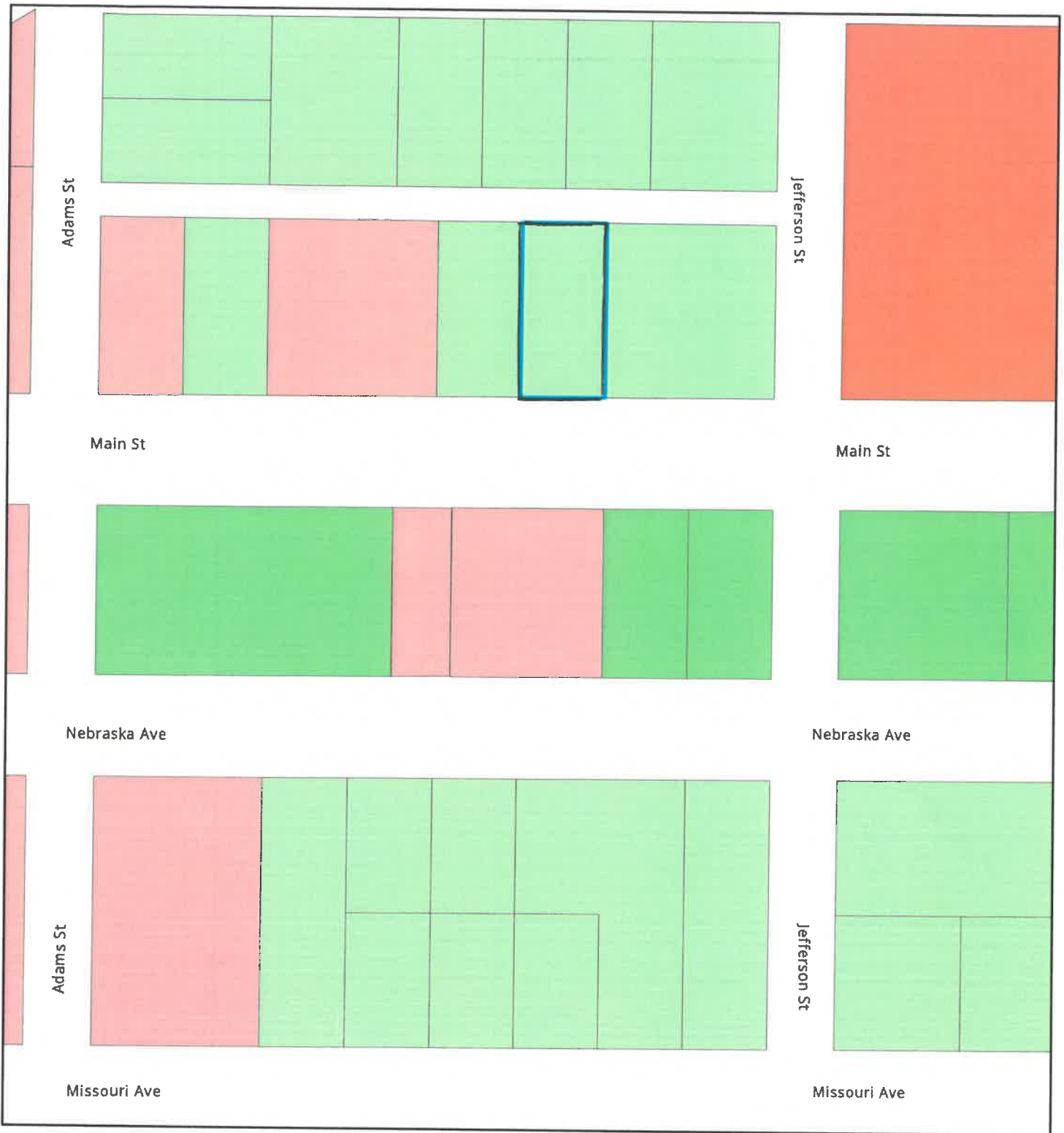


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

Future Land Use Map



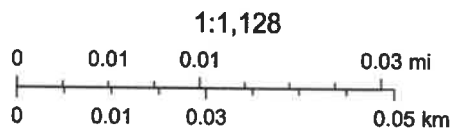
Zoning Map



6/9/2022, 12:15:27 PM

Zoning - Zones

- DOWNTWN
- GOVT
- MF-14
- OFFICE



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,

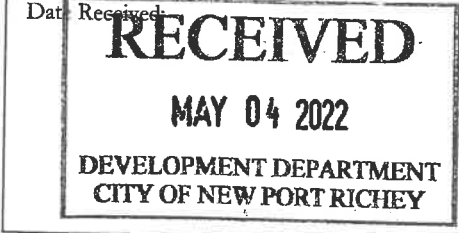


REZONING APPLICATION

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

Case #: _____
 Send copy to Pasco County, if w/in 1 mile
 Send to Pasco Schools, if residential

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



- 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): Monro Investments		Phone: 727 389 7160
Owner Address: 4404 Reeves Rd NPR, FL 34652		
Owner Email Address: flvivian@hotmail.com		
Owner's Representative(s): Vivian Montemayor Grant	Relationship to Owner: daughter	
Representative Mailing Address: 4382 Reeves Rd NPR, FL 34652		
Representative Email Address: flvivian@hotmail.com	Phone: 727 389 7160	
Primary contact: <i>(This is the one person to whom the City will send all communication regarding this application)</i> Vivian Montemayor Grant		

Property Information:

Street Address: 5845 Main St.		
General Location: Main Street downtown NPR		
Size of Site:	Square Feet: 1600	Acres:
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal) Assessed in section 05, Township 26 south, Range 16 East of Pasco County, Florida City of NPR PB4 PG49 lots 27 & 28 Block 78		
Parcel Number(s): 05-26-16-0030-07800-0270		

Zoning District: MF-14	Proposed Zoning District: Downtown
Future Land Use Category: Downtown	Proposed Future Land Use Category: Downtown
Existing Use: <i>(Include # of residential units and/ or square footage of non-residential uses):</i> Residential	Proposed Use: <i>(Include # of residential units and/ or square footage of non-residential uses):</i> Commercial

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

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.

Authorization for owner's representative(s):

I Ernesto Montemayor, the owner, hereby authorize Vivian Montemayor Grant 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: 4-27-22

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 Ernesto Montemayor, 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: 4/27/22

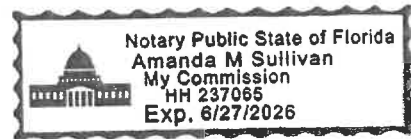
Subscribed and sworn to before me this 27 day of April, 2022

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

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: [Signature]

My Commission Expires: 6/27/2024





ZONING CLEARANCE APPLICATION

City of New Port Richey
 Development Department
 City Hall, 5919 Main Street, 1st Floor
 New Port Richey, FL 34652
 Phone: (727) 853-1044 * Fax (727) 853-1052

Date Received:
 4-8-2022

Zoning Clearance is required for all new businesses and existing businesses that are relocating to a new location within the City or increasing the intensity of the use. The purpose of this process is to verify that proposed business activities will be in compliance with the City's Land Development Code (LDC) and City Code of Ordinances.

Is this application the result of a NOTICE OF VIOLATION? Yes No

Applicant Information:

Business Applicant Name: <i>Ryder Garrison</i>	Phone: <i>727 275 3262</i>	Email: <i>Rgarrison496@gmail.com</i>
Authorized Representative & Relationship:	Phone:	Email:
Property Owner Name: <i>Vivian Grant</i>	Phone: <i>727 389 7160</i>	Email:
Property Owner Representative & Relationship:	Phone:	Email:

Business Information:

Name of Business: <i>Not yet named</i>	Phone:	Is this a new business in this location? <input type="checkbox"/> YES <input type="checkbox"/> NO
Business Address: <i>5845 Main St, New Port Richey FL 34652</i>		
Type of Business (please circle): Office Retail Restaurant Industrial/Manufacturing Personal Service Restricted Personal Service Use (See Below) Other		
Days and Hours of Operation: <i>7 days a week 7am - 10pm</i>	Number of Shifts:	Total Number of Employees:
Description of Proposed Business Activities: <i>Coffee, Tea, fruit bowls, Acai bowls, craft soda, Food (that doesn't require heating)</i>		

Will the business:

1.	Be conducted within a home or apartment?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	See Home Occupation information below
2.	Require conversion of residential expansion of floor area within the building?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Additional parking spaces may be required
3.	Change the intensity of use at the site? i.e.: Traffic, Noise Pollution, etc.	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Site Plan will be required
4.	Require any new or modified sign?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Sign Permit is required
5.	Require any exterior changes to the building?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Site Plan and Building Permit will be required
6.	Be new to the site?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Site Plan and Building Permit will be required
7.	Conduct any aspect outdoors, including sales, storage, services, or seating?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Site Plan may be required
8.	Involve manufacturing and/or the use of hazardous materials?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Building Permit is required

9.	Involve body work, e.g. massage, nails, hairdresser, etc.?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	City Massage License and/or Change of Occupancy Permit may be required
10.	Involve restricted Personal Service Use as defined by LDC Section 2.01.00?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Must comply with Restricted Personal Service Use regulations outlined in LDC Sections 7.08.06 and 7.09.07
11.	Involve medical marijuana treatment center dispensary or a pharmacy	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Must comply with development standards outline in LDC Sections 7.07.07, 7.08.07, 7.09.08, 7.10.09, & 7.12.09

Restricted Personal Service Use as defined by the Land Development Code (LDC) Section 2.01.00:

Note: ALL Restricted Personal Service Uses are required to have a minimum distance separation to another Restricted Personal Service Use, school, daycare, place of worship, public park, library or recreation center and adult use of 1,000 feet.

- Medical Marijuana Treatment Center Dispensary or Pharmacy as defined by LDC Section 2.01.00; above separation requirements apply plus pharmacy use.
- Pawn Shop
- Tattoo Parlor
- Blood Plasma Center
- Check Cashing Store
- Instant Loan Establishment
- Body Piercing Establishment
- Labor Establishment

Home Occupation Information

- 1) No person other than members of the family residing on the premises shall be engaged in such occupation.
- 2) The use of the single-family dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall not change the residential character of the structure.
- 3) There shall be no change in the outside appearance of the structure or premises, or other visible evidence of the home occupation.
- 4) No home occupation shall occupy more than 20% of the first floor area of the residence. No accessory building, freestanding or attached, shall be used for a home occupation.
- 5) No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and parking generated by the conduct of the home occupation shall be met off the street and other than the front yard, as required pursuant to this Code.
- 6) No equipment, tools, or materials shall be used in such a home occupation which creates interference to neighboring properties. No retail sales may be permitted at such home occupations.
- 7) Outdoor storage of materials shall not be permitted.
- 8) The following shall not be considered home occupation; beauty shops, barber shops, bank [band] instrument or dance instructors, swimming lessons, dining or tea rooms, gift shops or any other retail sales activity, food processing or day care (except as a qualified family home day care center).
- 9) A home occupation shall be subject to all applicable city occupations licensing requirements, fees, and other business taxes.

I certify that I have read and understand the contents of this application. The information contained in this application is complete and in all aspects true and correct, to the best of my knowledge. I agree that 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. I understand the regulations change and that I am responsible to contact the City to determine if any changes impact my business. (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: _____

For Planning and Development Department Comment Only

Comments:

Zoning District: MF-14	FLU Category: Downtown	<input type="checkbox"/> Proposed Use is permitted in the zoning district
<input type="checkbox"/> Proposed Use is a conditional use or special exception in the zoning district	<input type="checkbox"/> Proposed Use is not permitted in the zoning district	<input type="checkbox"/> Proposed Use is legally non-conforming in the zoning district

CONDITIONAL APPROVAL OR DENIAL (circle one) **FINAL APPROVAL**
 Approved By: _____ Date: _____ Approved By: _____ Date: _____

Case: Rezoning – REZ-22-05-0002
Property Owner: Wright’s Mechanical Services LLC
Property Location: 7920 Rutilio court
Request: Rezone from C-2 to LI
Proposed Use: Industrial Warehouse

Lisa Algieri presented the staff report. She informed the board that the request met policies FLU 1.7.2 and FLU 1.7.3 of the Comprehensive Plan and the Future Land Use designation of Industrial. She reported that the Development Review Committee recommends approval of the request to rezone from C-2 to Light Industrial.

Mr. Chris Wright, owner of the property, spoke in favor of the request and informed the board that he intends to store his air conditioning equipment in the building. Mr. Chopper Davis, former City Councilman, informed the board that the City in the past did not want to rezone the entire area at one time and instead wanted to address each property individually. He expressed support for the rezoning request.

Dr. Cadle made a motion to recommend approval of the rezoning request from C-2 to Light Industrial to the City Council. Mr. Maysilles seconded the motion. The motion was approved unanimously 6-0.

Meeting adjourned at 2:14 pm.