



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of November 19, 2013
Second Reading Ordinance for the City Council Meeting of December 10, 2013

DATE: October 24, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Commercial/Multifamily
To a Townhouse Planned Unit Development
For Nemo Court Construction, LLC
Property Address: 15229 Windward Drive**

CAPTION:

Case No. 1013-03 Nemo Court Construction, LLC: A rezoning from the "CR-1/IO" Resort Commercial District with an Island Overlay and the "RM-AT/IO" Multifamily AT with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 10, 11, & 12R, Block 46, Padre Island – Corpus Christi Section A, located at the northwest corner of Windward and Robla Drives.

PURPOSE:

The purpose of this item is rezone the property to allow 31 townhouses as part of a Planned Unit Development.

RECOMMENDATION:

Planning Commission and Staff Recommendation (October 23, 2013):

Approval of the rezoning to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to the following nine conditions:

- 1.) Master Site Plan: The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B and the Plat as shown in Exhibit C. The development of the Property shall consist of 31 townhouse units and shall be constructed in one phase.

- 2.) Dwelling Units per Acre: The density of dwelling units on the Property shall not exceed 20 dwelling units per acre.
- 3.) Building Height: The maximum height of the townhouse units shall not exceed 30 feet.
- 4.) Parking: The Property must contain a minimum of 66 standard parking spaces. Parking shall be located within designated parking areas only. Driveway access from Lots 1 through 8 onto Windward Drive is prohibited.
- 5.) Setbacks and Lot Width: Minimum lot size shall be 1,199 square feet. Minimum street yard (front) along Beach Way Drive shall be 20 feet. Minimum 10-foot wide setbacks shall be provided along Windward Drive and Robla Drive. Minimum lot width for townhouse units shall be 20 feet. Minimum rear yard setbacks for all lots shall be five feet. Minimum corner street yard for Lots 1 and 9 shall be three feet. Minimum building separation between unattached townhouse units shall be 10 feet.
- 6.) Open Space: The Property must maintain 32% open space. Any surfaces constructed within the required open space shall be constructed of pervious material.
- 7.) Private Street Access: The Property shall provide a private street with a width of not less than 24 feet. The private street shall be striped to indicate "Fire Lane/No Parking."
- 8.) Pedestrian Access: A minimum five-foot wide sidewalk is required to be constructed, remain in place, and maintained along one side of the internal private street.
- 9.) Time Limit: Construction of the development shall commence within 24 months from the date this Planned Unit Development ordinance is approved by the City Council.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a rezoning from the "CR-1/IO" Resort Commercial District with an Island Overlay and the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay for a 31-unit townhouse development.

Planned Unit Developments (PUDs) allow for reasonable deviations from required development standards and allow increased flexibility in project design. The proposed PUD for a townhouse development will deviate from development standards with regards to lot size, lot width, street width, curb type and sidewalk design. Staff finds that the proposed departures from the code requirements are reasonable. The proposed PUD is consistent with the Comprehensive Plan, is compatible with the surrounding developments, and would not have a negative impact on surrounding properties. The subject property is also suited for the proposed project.

ALTERNATIVES:

- 1. Modify the conditions of the Planned Unit Development; or
- 2. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and the proposed rezoning is consistent with the City's adopted Comprehensive Plan and Future Land Use Plan, which slates the property for a tourist use.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

- Operating
 Revenue
 Capital
 Not applicable

Fiscal Year: 2013-2014	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

- Aerial Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits