

# ZONING REPORT

**Case No.:** 0714-03

**HTE No.** 14-10000029

Planning Commission Hearing Date: July 16, 2014

|  |   |  |                            |                         |                       |
|--|---|--|----------------------------|-------------------------|-----------------------|
| <b>Applicant &amp; Legal Description</b> | <p><b>Applicant/Owner:</b> Brite Star Remodeling, LLC.<br/> <b>Representative:</b> Craig Kerr<br/> <b>Legal Description/Location:</b> Lots 2B-5B, Block 1, Padre Island-Corpus Christi No. 1, located along the north side of Ambrosia Street, southwest of South Padre Island Drive (PR 22) and west of Marina Drive.</p>  |  |                            |                         |                       |
| <b>Zoning Request</b>                    | <p><b>From:</b> "RM-3" Multifamily 3 District<br/> <b>To:</b> "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay<br/> <b>Area:</b> 0.72 acres<br/> <b>Purpose of Request:</b> To allow construction of 10 townhouse development units that deviates from the typical townhouse development standards.</p>   |  |                            |                         |                       |
| <b>Existing Zoning &amp; Land Uses</b>   |   | <b>Existing Zoning District</b>                            | <b>Existing Land Use</b>   | <b>Future Land Use</b>  |                       |
|  | <b>Site</b>   | "RM-3" Multifamily 3 District                              | Vacant                     | Low Density Residential |                       |
|  | <b>North</b>  | "CR-2/IO" Resort Commercial District 2 with Island Overlay | Vacant                     | Tourist                 |                       |
|  | <b>South</b>  | "RS-6" Single Family 6 District                            | Medium Density Residential | Low Density Residential |                       |
|  | <b>East</b>   | "RM-3" Multifamily 3 District                              | Vacant                     | Low Density Residential |                       |
|  | <b>West</b>   | "RM-3" Multifamily 3 District                              | Vacant                     | Low Density Residential |                       |
| <b>ADP, Map &amp; Violations</b>         | <p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay is consistent with the adopted Future Land Use Plan.<br/> <b>Map No.:</b> 029027 &amp; 029028<br/> <b>Zoning Violations:</b> None</p> |  |                            |                         |                       |
| <b>Transportation</b>                    | <p><b>Transportation and Circulation:</b> The subject property has approximately 197 feet of frontage on Ambrosia Street, which is local residential street.</p>  |  |                            |                         |                       |
| <b>Street R.O.W.</b>                     | <b>Street</b>   | <b>Urban Transportation Plan Type</b>                      | <b>Proposed Section</b>    | <b>Existing Section</b> | <b>Traffic Volume</b> |
|  | Ambrosia Street   | Minor Residential Collector                                | 50' ROW<br>24' paved       | 50' ROW<br>24' paved    | Not Available         |

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “RM-3” Multifamily 3 District to “RS-TH/PUD” Townhouse District with a Planned Unit Development Overlay for 10 townhouse development units. Using a PUD would commit the developer to a site plan that could not be changed significantly without public hearing.

**Development Plan:** The proposed Planned Unit Development (PUD) will consist of 10 single-family townhouse units on a 0.72-acre lot resulting in a density of 13.88 dwelling units per acre. The lots will have a minimum area of 980 square feet and a minimum width of 26.04 feet. Each lot will have direct access to a private two-way street with a minimum width of 24 feet and a five-foot wide sidewalk along one side. The development will contain 24 parking spaces for residents and guests. Each unit will be provided two parking spaces and 4 parking spaces will be provided for guests. The development will maintain 36% open space. The development will provide for common open space with amenities such as a swimming pool. The PUD on this property would allow for individually owned, daily rental townhomes.

The following table is a comparison of the proposed development standards of the PUD and the Unified Development Code (UDC) standards for the “RS-TH” Townhouse District. The table shows all necessary deviations from the UDC.

| <i>Minimum Dimensions</i> | <i>“RS-TH” District Standards</i>                  | <i>Proposed PUD</i>         | <i>Deviation</i>  |
|---------------------------|--|-----------------------------|-------------------|
| Site Area                 | 20,000 SF  | 31,291 SF                   | No                |
| Lot Area                  | 2,272 SF   | 1,380 SF                    | <b><u>Yes</u></b> |
| Dwelling Unit Width       | 26 ft.   | 12.50 ft.                   | <b><u>Yes</u></b> |
| Front Yard                | 10 ft.   | 10 ft.                      | No                |
| Side Yard                 | 0 ft.  | 0 ft.                       | No                |
| Rear yard                 | 5 ft.  | 5 ft.                       | No                |
| Building Separation       | 10 ft.   | 10 ft.                      | No                |
| Open Space                | 30%  | 36%                         | <b><u>Yes</u></b> |
| Maximum Height            | 45 ft.   | 30 ft.                      | No                |
| Paved Street Width        | 28 ft.   | 24 ft.                      | <b><u>Yes</u></b> |
| Curb Type                 | 6-in. curb & gutter                                | 1-ft. ribbon curb           | <b><u>Yes</u></b> |
| Parking Requirement       | 2.2/lot  | 2.2/lot (52 total)          | No                |
| Sidewalks                 | 5 ft. on both sides or 6 ft. on one side of street | 5 ft. on one side of street | <b><u>Yes</u></b> |

**Existing Land Uses & Zoning:** The subject property contains undeveloped platted lots zoned “RM-3” Multifamily 3 District. North of the subject property is “CR-2/IO” Resort Commercial District 2 Barrier Island Business with Island Overlay. South of the subject property is vacant land zoned “RS-6” Single Family 6 District. East of the subject property is vacant land zoned “RM-3” Multifamily 3 District. West of the subject property is vacant, zoned “RM-3” Multifamily 3 District.

**AICUZ:** The subject property is **not** located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The subject property is located within the boundaries of the Mustang-Padre Island ADP and is consistent with the adopted Future Land Use Plan, which slates the property for a tourist use. The proposed rezoning is also consistent with the following polices of the Comprehensive Plan:

- Planned Unit Development and other creative land planning techniques should be encouraged (Residential K, Policy Statement).
- Tourist-oriented business and development will continue to be encouraged and promoted by all agencies of the City as illustrated on the Future Land Use Map. This includes commercial ventures, condominiums and resorts, fishing and outdoor recreation facilities, and recreational vehicle parks (Policy Statement B.2).
- The City will continue to protect residential neighborhoods from encroachment of non-residential uses unless the negative effects of the non-residential uses are eliminated or significantly mitigated (Policy Statement B.13)

**Plat Status:** The subject property is currently platted and will be replatted in accordance with the Master Site Plan.

**Department Comments:**

- This rezoning is consistent with the Comprehensive Plan.
- This rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.
- The subject property is suitable for the uses proposed by this rezoning.
- This PUD utilizes decreased lot sizes, lot widths, open space requirements, sidewalk width and street width, while maintaining the required site area, building height, and building separation.
- The subject property consists of four platted lots with infrastructure already in place. Infill development should be encouraged at this site. PUDs allow flexibility for attractive, efficient design and can often reduce infrastructure installation and maintenance costs to the city. PUDs can encourage development on difficult sites.

**Staff Recommendation:**

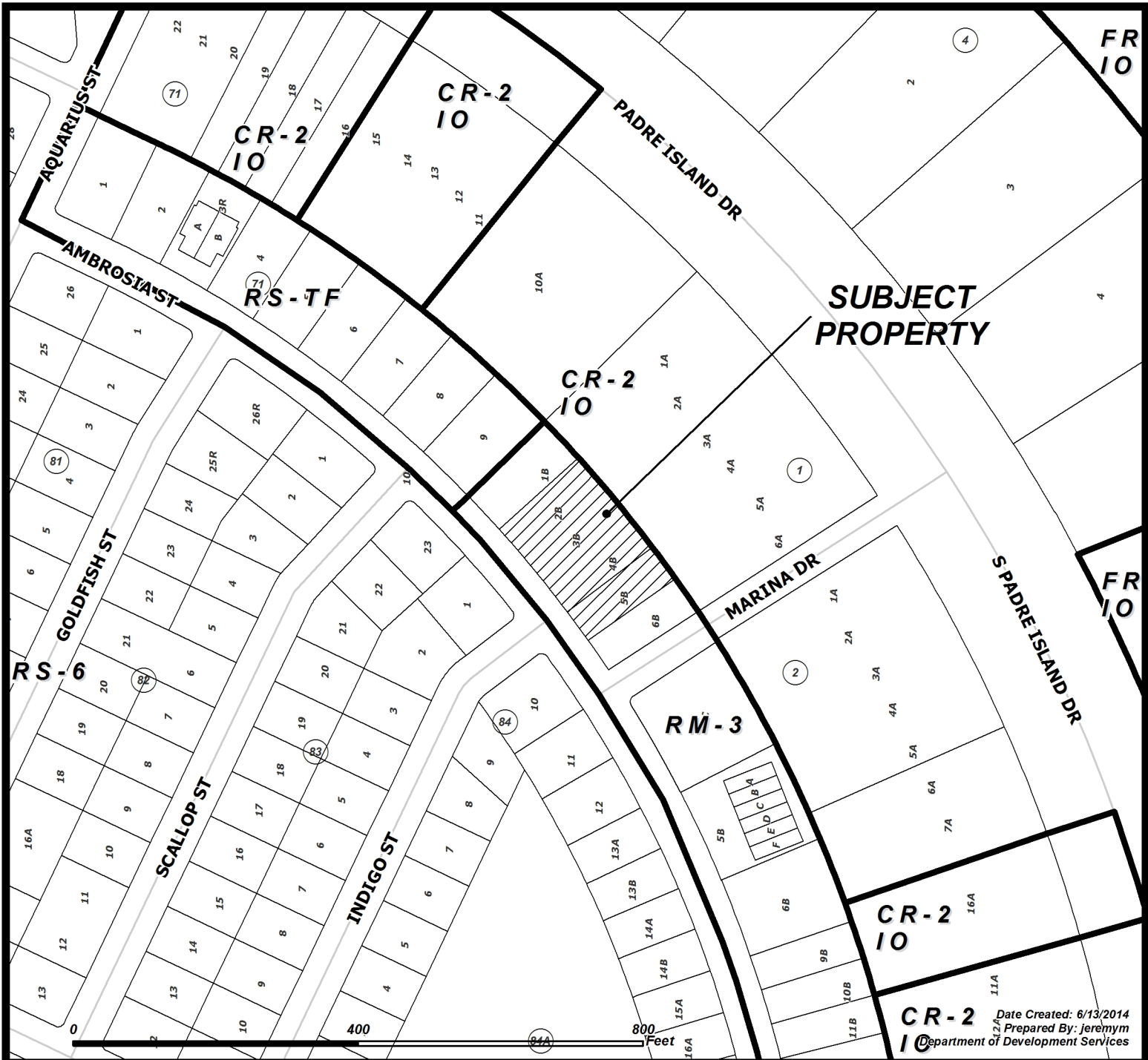
Approval of the change of zoning from the “RM-3” Multifamily 3 District to “RS-TH/PUD” Townhouse District and a Planned Unit Development Overlay, subject to the following 9 conditions:

1. **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B. The development of the Property is to consist of 10 townhouse units and shall be constructed in one phase. The PUD on this property would allow for individually owned, daily rental townhomes.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 13.88 dwelling units per acre.
3. **Building Height:** The maximum height of structures within the Property is 30 feet.

4. **Parking:** The property must have a minimum of 24 standard parking spaces (9 feet wide by 18 feet long). Parking is prohibited within the private street and pedestrian walkways.
5. **Setbacks and Lot Width:** Minimum setback shall be 10 feet along Ambrosia Street. Minimum 10-foot wide front yard setbacks shall be provided for each lot along the private street. Minimum rear yard setbacks for all lots shall be five feet. Minimum building separation between unattached townhouse units shall be 10 feet. Minimum width for townhouse lots shall be 26.04 feet.
6. **Open Space:** The Property must maintain 36% open space. Any surfaces constructed within the required open space must 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 along one side of the private street as shown on the Master Site Plan.
9. **Time Limit:** Construction of the development shall commence within 24 months from the date this modified Planned Unit Development ordinance is approved by the City Council.


|                            |   |
|----------------------------|---|
| <b>Public Notification</b> | <p><b>Number of Notices Mailed:</b> 15 within 200' notification area;<br/>10 outside notification area</p> <p>As of July 9, 2014:<br/> In Favor           – 0 (inside notification area); 0 (outside notification area)<br/> In Opposition   – 3 (inside notification area); 0 (outside notification area)</p> <p>For 12.00% in opposition.</p> |
|----------------------------|---|

- Exhibits:       A. Location Map (With Zoning & Notice Area)  
                  B. Master Site Plan

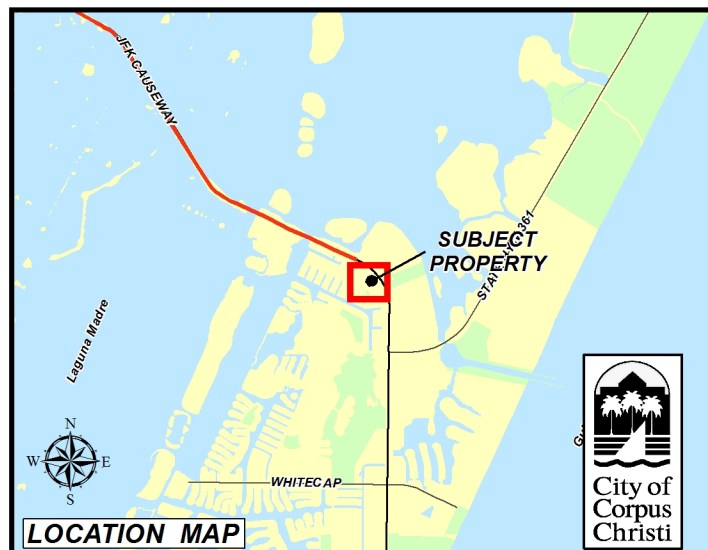


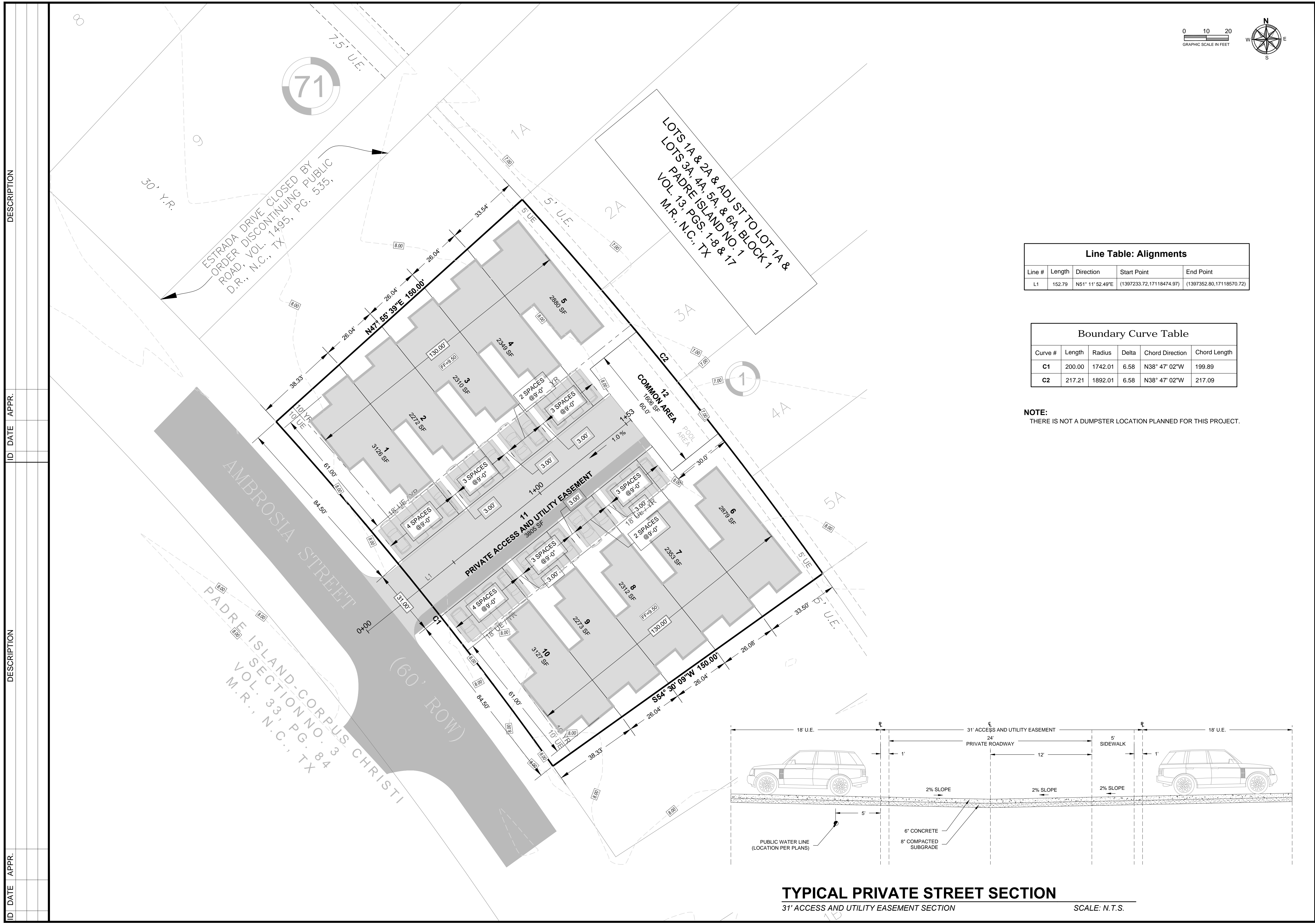
Date Created: 6/13/2014  
 Prepared By: Jeremym  
 Department of Development Services

## CASE: 0714-03 SUBJECT PROPERTY WITH ZONING

 Subject Property

|       |                         |        |                           |
|-------|-------------------------|--------|---------------------------|
| RM-1  | Multifamily 1           | IL     | Light Industrial          |
| RM-2  | Multifamily 2           | IH     | Heavy Industrial          |
| RM-3  | Multifamily 3           | PUD    | Planned Unit Dev. Overlay |
| ON    | Professional Office     | RS-10  | Single-Family 10          |
| RM-AT | Multifamily AT          | RS-6   | Single-Family 6           |
| CN-1  | Neighborhood Commercial | RS-4.5 | Single-Family 4.5         |
| CN-2  | Neighborhood Commercial | RS-TF  | Two-Family                |
| CR-1  | Resort Commercial       | RS-15  | Single-Family 15          |
| CR-2  | Resort Commercial       | RE     | Residential Estate        |
| CG-1  | General Commercial      | RS-TH  | Townhouse                 |
| CG-2  | General Commercial      | SP     | Special Permit            |
| CI    | Intensive Commercial    | RV     | Recreational Vehicle Park |
| CBD   | Downtown Commercial     | RMH    | Manufactured Home         |
| CR-3  | Resort Commercial       |        |                           |
| FR    | Farm Rural              |        |                           |
| H     | Historic Overlay        |        |                           |
| BP    | Business Park           |        |                           |





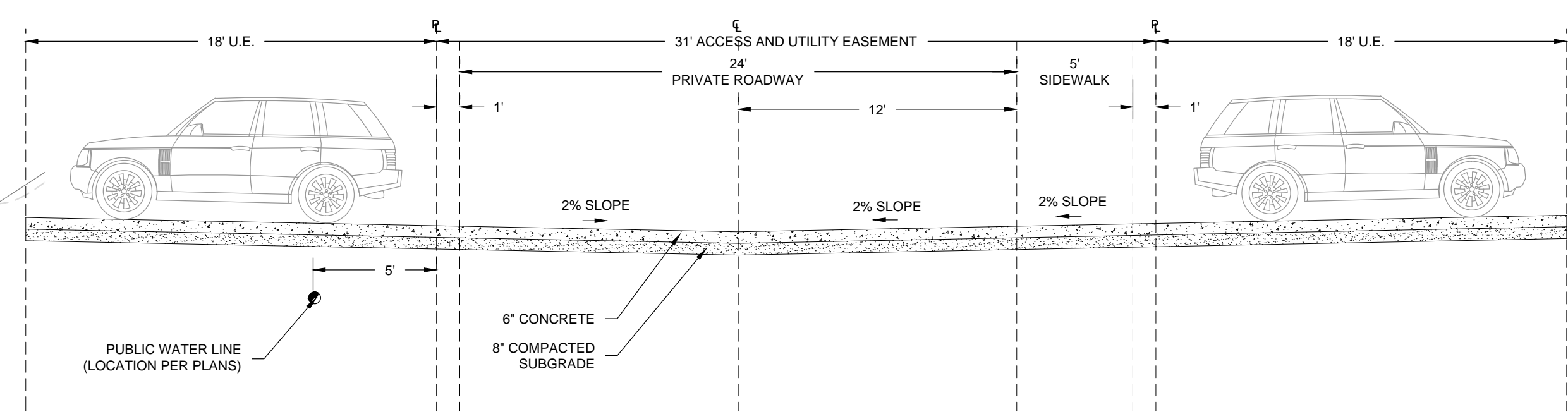
**Line Table: Alignments**

| Line # | Length | Direction        | Start Point              | End Point                |
|--------|--------|------------------|--------------------------|--------------------------|
| L1     | 152.79 | N51° 11' 52.49"E | (1397233.72,17118474.97) | (1397352.80,17118570.72) |

**Boundary Curve Table**

| Curve # | Length | Radius  | Delta | Chord Direction | Chord Length |
|---------|--------|---------|-------|-----------------|--------------|
| C1      | 200.00 | 1742.01 | 6.58  | N38° 47' 02"W   | 199.89       |
| C2      | 217.21 | 1892.01 | 6.58  | N38° 47' 02"W   | 217.09       |

**NOTE:**  
THERE IS NOT A DUMPSTER LOCATION PLANNED FOR THIS PROJECT.



**TYPICAL PRIVATE STREET SECTION**

31' ACCESS AND UTILITY EASEMENT SECTION  
SCALE: N.T.S.

| ID | DATE | APPR. | DESCRIPTION |
|----|------|-------|-------------|
|    |      |       |             |

**SITE PLAN**  
ANEGADA VILLAGE PUD  
CORPUS CHRISTI, NUECES COUNTY, TEXAS

**C-2.00**  
SHEET 1 OF 22

**FOR INTERIM REVIEW**  
NOT FOR CONSTRUCTION OR BIDDING PURPOSES

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TBAE F-13553 TBE F-355 TBC F-5017 TBC F-100395-00 MAISMITH-ENGINEERING.COM

DESIGNED BY: CBT  
CHECKED BY: JA  
DRAWN BY: CBT  
PROJECT ID: 9313  
DATE: 06/2014  
REVISION NO.:  
APPROVED BY: CBT  
TEKAS LICENSE NO.: 68466  
DATE: 06/2014

CRAIG B. THOMPSON, P.E.

Exhibit B