



**AGENDA MEMORANDUM**  
for the City Council Meeting of June 12, 2012

**DATE:** May 1, 2012  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Mark Van Vleck, Interim Director, Department of Development Services  
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**PUBLIC HEARING – CHANGE OF ZONING**  
**Luxury Spec Homes Inc. (Case No. 0412-01)**  
**Change from “RS-TF” Two-Family District to “RS-TF/PUD” Two-Family District with a**  
**Planned Unit Development Overlay**  
**Property Address: 4325 Cedar Pass Drive**

**CAPTION:**

PUBLIC HEARING – ZONING

Case No. 0412-01: Luxury Spec Homes Inc.: A change of zoning from the “RS-TF” Two-Family District to the “RS-TF/PUD” Two-Family District with a Planned Unit Development Overlay, not resulting in a change of future land use. The rezoning also includes the associated PUD replat. The property to be rezoned is described as Cedar Ridge Unit 1, Block 7, Lots 1B and 1C, located to the southeast of Weber Road and east of Yorktown Boulevard.

**RECOMMENDATION:**

Planning Commission & Staff Recommendation (April 11, 2012):  
Approval of the “RS-TF/PUD” Two-Family District with a Planned Unit Development Overlay with the following eight (8) conditions:

- 1.) Development Plan: The property shall be developed in accordance with the plat. Each two-unit structure must be constructed at the same time.
- 2.) Density: The density shall not exceed eighteen (18) dwelling units over 2.401 acres. There shall be nine (9) buildings with two (2) dwelling units in each building.
- 3.) Height: Buildings shall not exceed one-story and 35 feet in height.
- 4.) Parking: Each dwelling unit shall be provided two parking spaces in a private garage. Guest parking shall be provided on Lot 8.
- 5.) Setbacks: A minimum twenty (20) foot front yard setback shall be provided along Cedar Pass Drive. A minimum ten (10) foot rear yard and five (5) foot side yard where the building does not share a common wall with another dwelling unit is required. The front yard setback on individual lots along the private street shall be eighteen (18) feet. The front yard setback on Lots 9, 10, 11, and 12 shall be no less than four (4) feet.
- 6.) Access: Each lot will have access to a private street of twenty-four (24) feet as measured from back of curb to back of curb. The private street shall be striped to indicate “Fire Lane/No Parking” so as to maintain a twenty (20) foot wide access drive for emergency vehicles.

- 7.) Sidewalk: A four (4) foot sidewalk shall be constructed on one side of the private street and located in a dedicated sidewalk easement.
- 8.) Time Limit: Construction of the development shall commence within two (2) years from the approved ordinance date.

**BACKGROUND AND FINDINGS:**

The applicant plans to build nine single-family attached, one-story structures with two dwelling units in each building for a total of eighteen dwelling units on the 2.401-acre site. Each dwelling unit would be 1,500 square feet in floor area, share a common wall with another dwelling unit, and be built on its own lot so that the unit can be sold with the land. Each lot would have access to a twenty-four-foot-wide private street with a four-foot sidewalk on one side. Each building would have a five-foot side yard, ten-foot rear yard, and a front yard ranging from four to eighteen feet. A twenty-foot front yard would be maintained along Cedar Pass Dr. Construction of all nine buildings is expected to be complete by the end of 2012.

The applicant has requested the Planned Unit Development Overlay district (PUD) because the proposed development would not strictly comply with street design standards and other dimensional requirements for the site as required by the Unified Development Code (UDC). PUDs allow for increased flexibility in site layout and design.

Despite the subject property's location within a the Navy's Accident Potential Zone – 2, staff recommends approval of the PUD because the proposed development would not increase the density allowed by-right under the current zoning district, which is "RS-TF" Two-Family. Additionally, the project could be built without using the PUD Overlay, although the UDC would not afford the project the requested flexibility in design.

**ALTERNATIVES:**

1. Recommend modifications to the conditions of the Planned Unit Development; or
2. Deny the requested zoning change.

**OTHER CONSIDERATIONS:** N/A

**CONFORMITY TO CITY POLICY:** The proposed change of zoning is consistent with the adopted Future Land Use Map and meets other criteria of the Comprehensive Plan and Southside Area Development Plan, such as encouraging infill development and locating medium-density residential development along a collector street with convenient access to an arterial street.

**EMERGENCY / NON-EMERGENCY:** Emergency

**DEPARTMENTAL CLEARANCES:** N/A

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2011-2012</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
<b>BALANCE</b>				

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

1. Zoning Report with Attachments
2. Ordinance with Exhibits A and B