

ZONING REPORT

Case No.: 0412-01
 HTE No. 12-30000001

Planning Commission Hearing Date: April 11, 2012

Applicant & Legal Description	<p>Applicant/Owner: Luxury Spec Homes Inc. Representative: Vic Nazari Legal Description/Location: Cedar Ridge Unit 1, Block 7, Lots 1B and 1C, located to the southeast of Weber Road and east of Yorktown Boulevard.</p>				
Zoning Request	<p>From: "RS-TF" Two-Family District To: "RS-TF/PUD" Two-Family District with a Planned Unit Development Overlay Area: 2.401 acres Purpose of Request: To allow the property owner to construct a residential development consisting of nine (9) single-family attached houses totaling eighteen (18) dwelling units.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
	<i>Site</i>	"RS-TF" Two-Family	Vacant	Medium Density Residential	
	<i>North</i>	"RS-6" Single-Family	Park & Drainage Corridor	Park & Drainage Corridor	
	<i>South</i>	"RS-TF" Two-Family & "RS-4.5" Single-Family	Medium & Low Density Residential	Medium & Low Density Residential	
	<i>East</i>	"RS-TF" Two-Family	Medium Density Residential	Medium Density Residential	
	<i>West</i>	"RS-4.5" Single-Family	Low Density Residential	Low Density Residential	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for medium density residential uses. The proposed change in zoning to the "RS-TF" District with a Planned Unit Development Overlay (PUD) is consistent with the adopted Future Land Use Plan. Map No.: 047033 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has 400 feet of frontage on Cedar Pass Dr., a "C1" Minor Residential Collector, and is approximately 700 feet east of Sun Valley Dr., also a "C1" Minor Residential Collector. The subject property has indirect access to Yorktown Blvd, which is an "A3" Primary Arterial, via Sun Valley Dr. and to Everhart Rd., which is an "A1" Minor Arterial, via Cedar Pass Dr.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Cedar Pass Dr.	C1 Minor Residential Collector	60' ROW, 40' paved	60' ROW, 40' paved	Not Available
	Sun Valley Dr.	C1 Minor Residential Collector	60' ROW, 40' paved	60' ROW, 40' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “RS-TF” Two-Family District to the same district (“RS-TF”) with the addition of the Planned Unit Development Overlay (PUD) to allow for the construction of nine (9) single-family attached houses, totaling eighteen (18) dwelling units. Each dwelling unit will be built on a separate lot and will share a common wall along the lot line, providing for fee-simple ownership. The PUD Overlay is being requested because the development will not strictly comply with the public access and street design standards and other dimensional requirements for the site as required by the Unified Development Code (UDC).

- **Applicant’s Development Plan:** The applicant plans to build nine (9) single-family attached, one-story buildings with two dwelling units in each building for a total of eighteen (18) dwelling units on the 2.401-acre site. Each dwelling unit is 1,500 square feet in floor area and will share a common wall with another attached single-family dwelling unit. Each dwelling unit will be built on its own lot so that the unit can be sold with the land. Each lot will have access to a 24-foot-wide private street with a 4-foot sidewalk on one side. Each building will have a 5-foot side yard, 10-foot rear yard, and a front yard ranging from 4-18 feet. A 20-foot front yard will be maintained along Cedar Pass Dr. Construction of all nine (9) buildings is expected to be complete by the end of 2012.
- **Existing Land Uses:** Located to the north of the subject property are a public park, single-family houses, and a drainage corridor. A townhouse/condominium development is located immediately to the south and east of the property. Single-family houses are also located to the south. Immediately to the west is a drainage corridor and then single-family houses.
- **Existing Zoning:** The subject property is currently zoned with the two-family district (“RS-TF”), which allows for single-family detached or attached, two-family or townhouse uses. The district allows a maximum density of 14.52 dwelling units per acre. Below is a comparison of the dimensional requirements for a single-family attached house in the “RS-TF” District and the proposed PUD:

Minimum Dimensions	“RS-TF” District Standards for single-family attached houses	Proposed PUD	Complies ?
Site area	6,000 sq. ft.	6,300 - 15,300 sq. ft.	Yes
Site area per dwelling unit	3,000 sq. ft.	3,100 - 8,300 sq. ft.	Yes
Site width	50 ft.	15 - 85 ft.	No
Front yard	20 ft.	4 - 18 ft.	No
Side yard	5 ft.	5 ft.	Yes
Rear yard	15 ft.	10 ft. minimum	No
Open space	30%	52 - 80%	Yes

- **AICUZ:** The subject property is located in an Accident Potential Zone 2 (APZ-2) and as a residential use the proposed development is not considered a compatible land use according to the Navy’s recommendations. The subject property, however, is currently zoned for two-family development and was previously platted for additional phases of the adjacent townhouse/condominium project. The proposed development will not increase the density of the subject property beyond what is currently allowed by-right under the current zoning district. Even without the approval of the PUD Overlay, the developer could

construct medium density residential uses on this site although he/she would not be granted flexibility in the code requirements as the PUD Overlay allows.

- **Comprehensive Plan & Area Development Plan (ADP) Consistency:** 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 (ADP), such as:
 1. Encouraging infill development on vacant tracts within developed areas (*Comprehensive Plan*, Residential Policy Statement F)
 2. Locating medium-density residential development along a collector street with convenient access to an arterial street (*Comprehensive Plan*, Residential Policy Statement H); and
 3. Providing for a compatible configuration of activities with emphasis on accommodation of existing zoning patterns and the protection of low-density residential activities from incompatible activities (*Southside ADP*, Policy Statement B.1).

Plat Status: The subject property is platted and will be replatted according to the PUD plan.

Department Comments:

- Infill development should be encouraged at this site. Traditional land use regulations can sometimes discourage development on difficult sites; whereas, PUDs allow flexibility for attractive, efficient design and can often reduce infrastructure installation and maintenance costs to the city.
- The proposed development will maintain the same density allowed by-right under the current zoning district. The project could be built without using the PUD Overlay, but the UDC would not afford the project the requested flexibility in its design.
- Each two-unit building should be built at the same time to create consistency in the execution of the development plan and in the aesthetics of the project.

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:

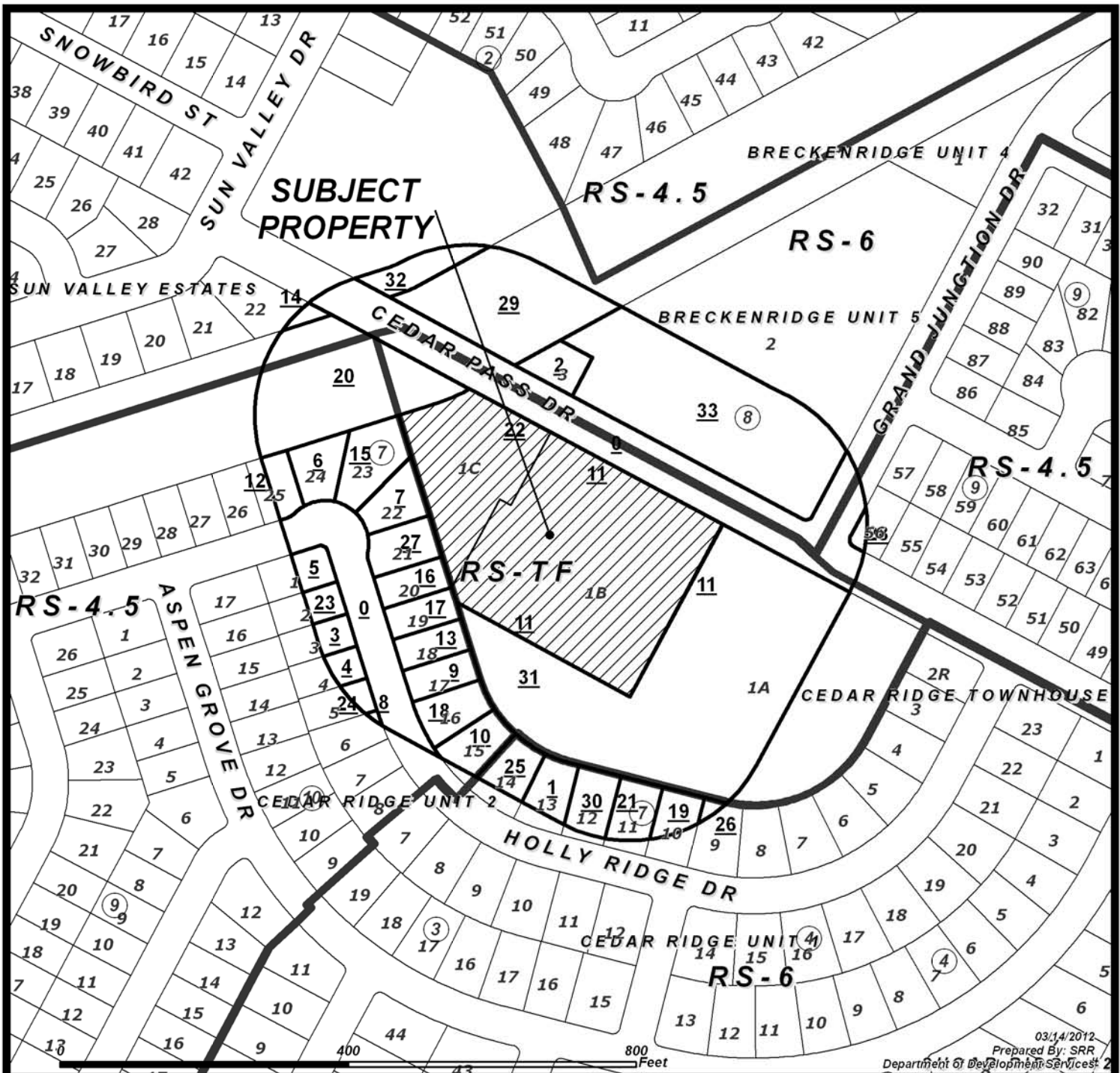
- 1.) **Development Plan:** The property shall be developed in accordance with the plat. Each two-unit structure must be constructed at the same time.
- 2.) **Density:** The density shall not exceed eighteen (18) dwelling units over 2.401 acres. There shall be nine (9) buildings with two (2) dwelling 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.

Public Notification	Number of Notices Mailed – 59 within 200' notification area; 0 outside notification area
	<u>As of May 1, 2012:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 1 (inside notification area); 0 (outside notification area)
For <1% in opposition.	

- Attachments: 1. Site Map (Existing Zoning & Notice Area)
2. AICUZ Map
3. Plat



CASE: 0412-01
2. SITE - EXISTING ZONING,
NOTICE AREA & OWNERSHIP

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	

Subject Property with 200' buffer

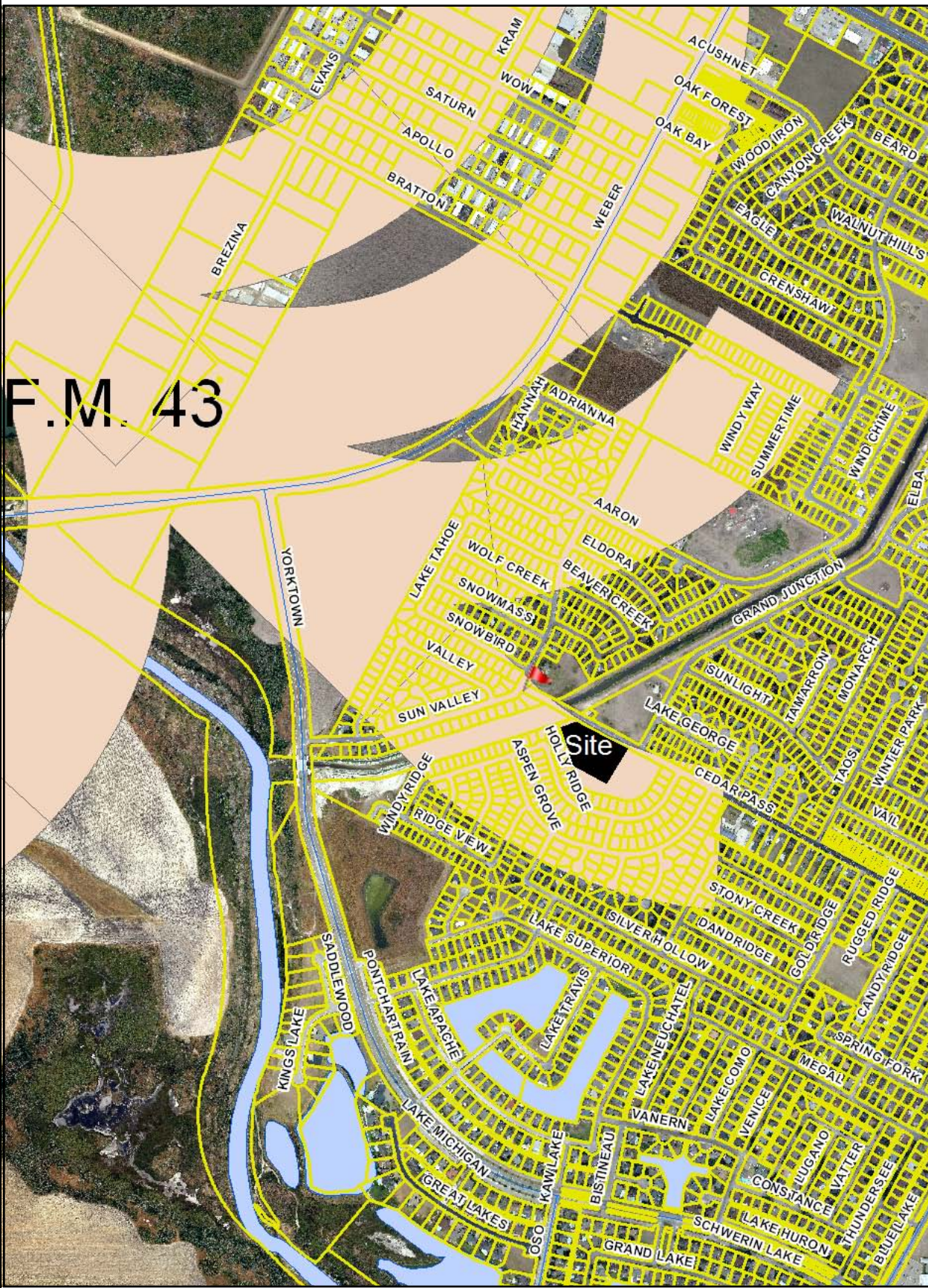
Owners in favor

Owners within 200' listed on attached ownership table

Owners in opposition

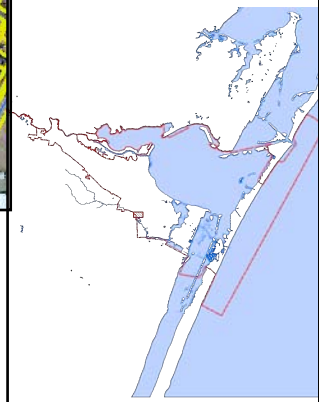


AICUZ Map



- BASEMAP
- MAJOR STREET
- STREET NAME
- STREET NAME - MAJOR
- AICUZ
- SHORELINE
- TAG
- OTHER; WATER

1,000 ft



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CEDAR RIDGE P.U.D. UNIT 1

BEING A REPLAT OF LOTS 1B & 1C, BLOCK 7, CEDAR RIDGE UNIT 1,
A MAP OF WHICH IS RECORDED IN VOLUME 64, PAGE 271
(M.R.N.C.T.) CORPUS CHRISTI, NUECES COUNTY, TEXAS

CURVE DATA

① C.A. = 90° 00' 00"
R = 10.00'
Lc = 14.14'
T = 10.00'

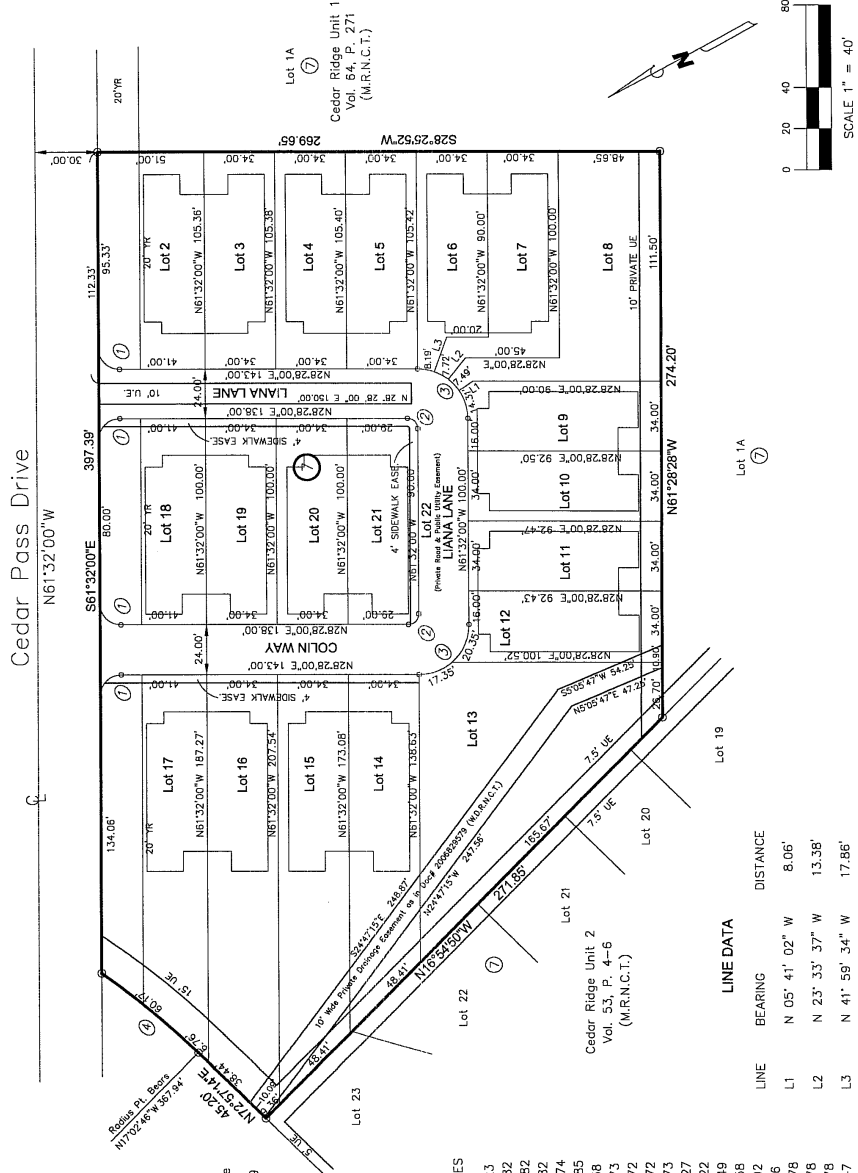
② C.A. = 90° 00' 00"
R = 5.00'
Lc = 7.07'
T = 5.00'

③ C.A. = 90° 00' 00"
R = 24.00'
Lc = 37.70'
T = 24.00'

④ C.A. = 09° 22' 09"
R = 367.94'
Lc = 60.17'
T = 30.15'

Lc = N 68° 15' 48" E 60.10'

160' Wide Drainage
Right-of-Way
Vol. 1036, P. 629
(D.R.N.C.T.)



LINE	BEARING	DISTANCE
L1	N 05° 41' 02" W	8.06'
L2	N 23° 33' 37" W	13.38'
L3	N 41° 59' 34" W	17.86'

- NOTES:
1. VARD REQUIREMENTS AS DEPICTED ARE A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE AND SUBJECT TO CHANGE, AS THE ZONING MAY CHANGE, ETC. UNLESS OTHERWISE SPECIFIED.
 2. SET 68 INCH IRON CORNERS AT ALL LOT CORNERS, F.C.S., P.T.S., BLOCK CORNERS, ETC. UNLESS OTHERWISE SPECIFIED.
 3.
 - AS DENOTES ACRES OF LAND
 - Y.R. DENOTES SQUARE FEET OF LAND
 - BL DENOTES BUILDING EASEMENT
 - DE DENOTES DRAINAGE EASEMENT
 - CL DENOTES CENTERLINE OF ROADWAY
 - DL DENOTES DRAINAGE LINE
 - SH DENOTES SHED EASEMENT
 - DH DENOTES DRILL HOLE
 - S* DENOTES SET 68" IRON ROD
 - ** DENOTES GRADE ELEVATIONS
 4. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "C" ON THE B.C.D. MAP OF THE CITY OF CORPUS CHRISTI, TEXAS, WHICH BEARS AN EFFECTIVE DATE OF JUNE 4, 1987 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
 5. THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE OSO CREEK BASIN. THE TEOO HAS NOT CLASSIFIED THE PROPERTY AS A FLOOD HAZARD AREA. THE OSO CREEK FLOWS DIRECTLY INTO THE OSO BAY. THE TEOO HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE OSO BAY AS "EXCEPTIONAL" AND "FRESH WATER", AND CATEGORIZED THE RECEIVING WATER AS A "CONTRACT RESERVATION USE."
 6. TOTAL PLATTED AREA IS 2.461 ACRES.
 7. BEARING ARE BASED ON THE SOUTH BOUNDARY OF CEDAR PASS DRIVE, AS MONUMENTED ON THE GROUND AND SHOWN AS SOUTH 61° 32' 00" EAST ON THE UNIFIED DEVELOPMENT CODE MAPS IN VOLUME 64, PAGE 271, MAP RECORDS OF NUECES COUNTY, TEXAS.
 8. LOT 8 AND LOT 13 ARE FOR NON-RESIDENTIAL PURPOSES.
 9. THE CITY OF CORPUS CHRISTI HAS NO RESPONSIBILITY FOR REPAIR AND MAINTENANCE OF THE UTILITIES INSTALLED IN A DEDICATED PUBLIC UTILITY EASEMENT SINCE THE DEVELOPER HAS CHOSEN TO CONSTRUCT THE UTILITIES IN A PRIVATE EASEMENT. THE CITY WILL ONLY PATCH THE PAVEMENT IN A MANNER SIMILAR TO THAT USED ON ASPHALT STREET SURFACES TO MATCH THE INSTALLED PAVEMENT.
 10. ALL STREET AREAS SHALL BE DEDICATED UTILITY EASEMENTS. THE HOMEOWNERS ASSOCIATION RESERVES THE RIGHT TO INSTALL SUCH ITEMS AS FENCES, WALLS, SECURITY SYSTEM, AND ANY OTHER IMPROVEMENTS AS LONG AS SUCH ARE NOT IN CONFLICT WITH THE CITY OF CORPUS CHRISTI'S NOT LIABLE FOR ANY STAINING OF CONCRETE ROAD SURFACES CAUSED BY CITY VEHICLE AND EQUIPMENT.
 11. THE CONVEYANCE TO ANY GRANTEE OF ANY LOT WITHIN THE SUBJECT SUBDIVISION SHALL INCLUDE MEMBERSHIP IN THE HOMEOWNERS ASSOCIATION. IN THE SUBDIVISION, THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS.
 12. THE CITY OF CORPUS CHRISTI IS NOT RESPONSIBLE FOR ANY DRAINAGE WITHIN THE CEDAR RIDGE P.U.D. UNIT 1. THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR ANY MAINTENANCE OF STORM WATER DISCHARGE INTO THE OSO CREEK BASIN. THE CITY OF CORPUS CHRISTI IS NOT RESPONSIBLE FOR ANY APPLICABLE TEOO REGULATIONS. THIS PLAT IS IN COMPLIANCE WITH THE P.U.D. ZONING ORDINANCE NO. 028818 ADOPTED JULY 13, 2004 BY THE CITY COUNCIL.

SITE PLAN

ENGINEERING AND LAND SURVEYING
6838 GREENWOOD DRIVE
CORPUS CHRISTI, TEXAS 78415
361.854.6202 FAX: 361.853.4696

VOSS
ENGINEERING, INC.
FIRM No. F-166