

PLANNING COMMISSION FINAL REPORT

Case No.: 0714-04

HTE No. 14-30000001

City Council Hearing Date: August 28, 2014

Applicant & Legal Description	<p>Applicant/ Owner: Ocean Harbor, Inc. Legal Description/Location: Lot 17A, Block 52, Padre Island - Corpus Christi, Section B, located along the east of Leeward Drive, approximately 270 feet south of St. Bartholomew Avenue.</p>			
Zoning Request	<p>From: "RM-AT/IO" Multifamily AT District with an Island Overlay To: "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay Area: 2.57 acres Purpose of Request: To allow a 48-unit townhouse development that deviates from the typical townhouse development standards.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RM-AT/IO" Multifamily AT with an Island Overlay	Vacant	Tourist
	<i>North</i>	"RM-AT/IO" Multifamily AT with an Island Overlay	Vacant	Tourist
	<i>South</i>	"RM-AT/IO" Multifamily AT with an Island Overlay	Medium Density Residential	Tourist
	<i>East</i>	"RM-AT/IO" Multifamily AT with an Island Overlay	Medium Density Residential	Tourist
	<i>West</i>	"RM-AT/IO" Multifamily AT with an Island Overlay	Vacant	Tourist
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and is planned for tourist uses. The proposed rezoning to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay is consistent with the adopted Future Land Use Plan. Map No.: 028026 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property is located on Leeward Drive, which is a “C1” Minor Residential Collector street, and has approximately 450 feet of frontage along Leeward Drive, which is a collector street.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2009)
	Leeward Drive	“C1” Minor Residential Collector	60’ ROW 60’ paved	100’ ROW 60’ paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RS-TH/IO/PUD” Townhouse District with an Island Overlay and a Planned Unit Development Overlay for a 48-unit townhouse development. Using a PUD would commit the developer to a site plan that could not be changed significantly without a public hearing. Daily rentals are not allowed unless included into PUD.

Development Plan: The proposed Planned Unit Development (PUD) will consist of 48 single-family townhouse units on a 2.57-acre site resulting in a density of 18.67 dwelling units per acre. The lots will have a minimum area of 1,190 square feet and a minimum width of 17 feet. Vehicular and pedestrian access will be provided with two 24 foot back-of-curb to back-of-curb private access drives to be named “ Village Beach Drive” and “Village Beach Way”. Village Beach Drive will provide access Townhouse Lots 30-48. Access to Lots 1-19 will be from Village Beach Way. A 5-foot sidewalk will be provided along one side to both roadways. Both drives will be dead-end private streets longer than 150 feet in length perpendicular to Leeward Drive requiring a ‘hammer-head turnaround’ in the alley directly behind the property for fire access. There will not be a security gate at the entrance of the property. The development will contain 100 parking spaces for residents and guests. Each 1 bedroom unit will provide 1.5 parking spaces. Each 2 bedroom unit will provide 2 parking spaces. 1 parking space per every 5 units will be provided for guests. The development will maintain 28.8% open space.

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

Minimum Dimensions	“RS-TH” District Standards	Proposed PUD	Deviation
Site Area	20,000 SF	112,021 SF	No
Lot Area	2,600 SF	1,326 SF	Yes
Dwelling Unit Width	26 ft.	17 ft.	Yes
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%	28%	Yes
Maximum Height	45 ft.	45 ft.	No
Paved Street Width	28 ft.	24 ft.	Yes
Curb Type	6-in. curb & gutter	1-ft. ribbon curb	Yes
Parking Requirement	1.5/ unit(1 bedroom) 2/ unit (2 bedroom) 1/5 units (guests)	1.5/ unit(1 bedroom) 2/ unit (2 bedroom) 1/5 units (guests)	No
Sidewalks	5 ft. on both sides or 6 ft. on both sides of private street	5 ft. on one side of private street	Yes

Existing Land Uses & Zoning: The subject property contains an undeveloped platted lot with platted building sites, zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. North of the subject property is vacant land zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. South of the subject property is Medium Density Residential use zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. East of the subject property Medium Density Residential zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. West of the subject property is vacant land zoned “RM-AT/IO” Multifamily AT District with an Island Overlay.

AICUZ: The subject property is **not** located in a Navy 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 the proposed rezoning 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 Policy Statement K).
- 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 re-platted in accordance with the Master Site Plan.

Department Comments:

- The proposed rezoning is consistent with the Comprehensive Plan.
- The proposed 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, sidewalk width, and street width, while maintaining the required site area, building height, open space and building separation.
- The subject property consists of a single platted 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.
- The subject property is located in a “Vinyl Not Allowed” area.

Planning Commission and Staff Recommendation (July 30, 2014):

Approval of the change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RS-TH/IO/PUD” Townhouse TH District with an Island Overlay and a Planned Unit Development Overlay, subject to the following ten conditions:

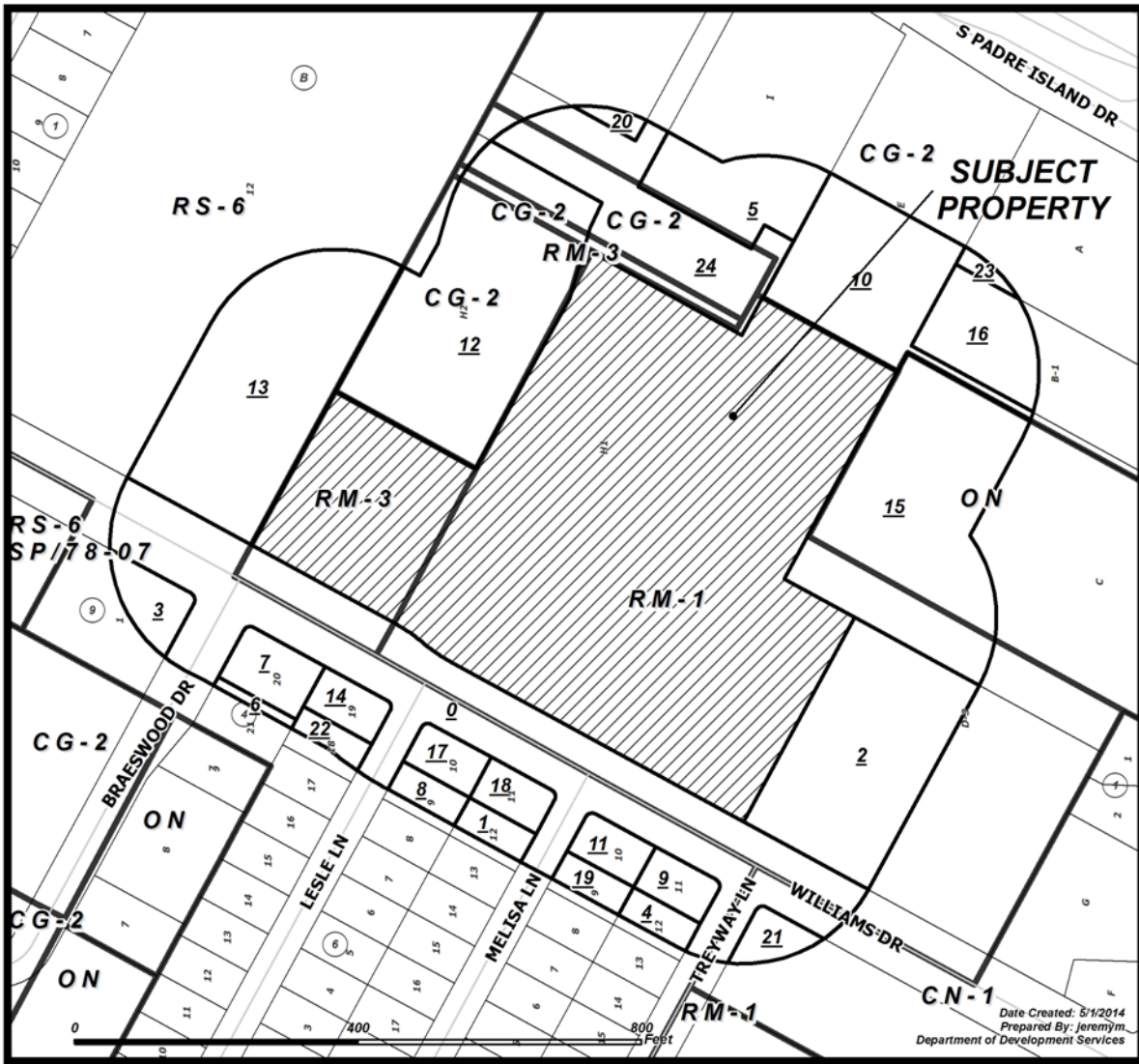
1. **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan. The development of the Property is to consist of 48 townhouse units and common area amenities and shall be constructed in one phase.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 18.67 dwelling units per acre.
3. **Building Height:** The maximum height of any structure on the Property is 45 feet.
4. **Parking:** The property must have a minimum of 100 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 along Leeward Drive shall be 10 feet. Minimum 18-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

five-foot wide side yard is required along private roadways. Minimum width for townhouse lots shall be 17 feet.

6. **Open Space:** The Property must maintain a minimum of 28.8% open space. Any surfaces constructed within the required open space must be constructed of pervious material.
7. **Private Street Access:** The property shall provide two, 2-way private streets with a width of not less than 24 feet. The private streets shall be striped to indicate "Fire Lane/No Parking."
8. **Pedestrian Access:** A minimum five-foot wide sidewalk shall be constructed along one side of the private street.
9. **Dumpster Screening:** A minimum six-foot tall screening fence shall be constructed, maintained, and remain in place around a dumpster placed in the street yard.
10. **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.

Public Notification	Number of Notices Mailed – 71 within 200-foot notification area; 46 outside notification area
	<u>As of May 30, 2014:</u>
	In Favor – 1 inside notification area; 0 outside notification area
	In Opposition – 1 inside notification area; 0 outside notification area
	For 0.17% in opposition.

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



Date Created: 5/1/2014
 Prepared By: Jeremym
 Department of Development Services

CASE: 0514-03
ZONING & NOTICE AREA

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



Exhibit A

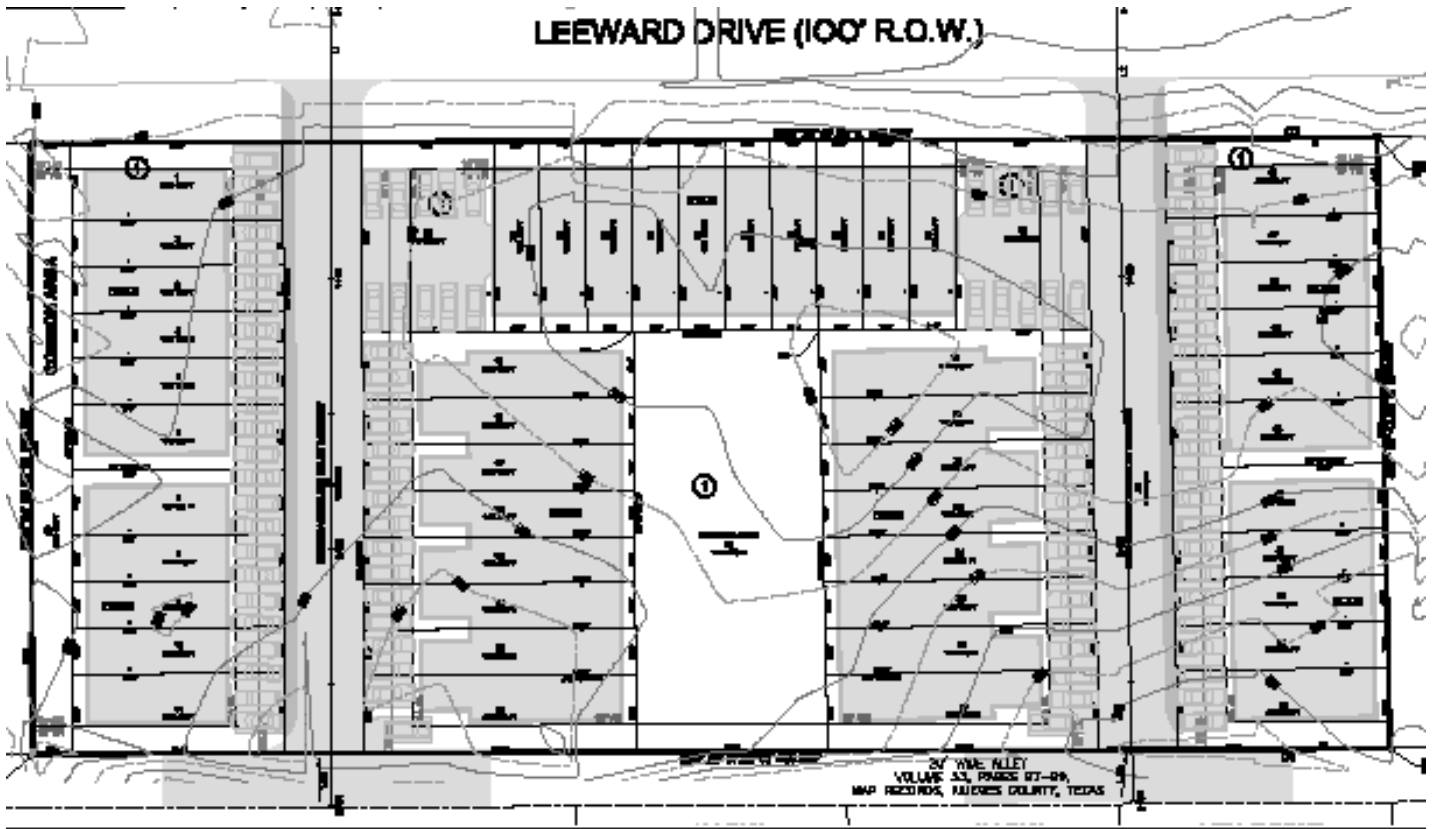


Exhibit B