

ZONING REPORT

Case No.: 0513-01
 HTE No. 13-10000015

Planning Commission Hearing Date: May 22, 2013

Applicant & Legal Description	<p>Applicant: Alex H. Harris Owners: Alex H. Harris & Williams Airline Partners, Ltd. Legal Description/Location: Lots 17 - 24, Block 45, Padre Island – Corpus Christi Island Fairway Estates, located along the east side of Nemo Court, approximately 525 feet west of South Padre Island Drive (PR 22).</p>			
Zoning Request	<p>From: “CR-2/IO” Resort Commercial District with an Island Overlay To: “RM-1/IO/PUD” Multifamily 1 District with an Island Overlay and a Planned Unit Development Overlay Area: 2.65 acres Purpose of Request: To allow a 44-unit townhouse development.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		“CR-2/IO” Resort Commercial District with an Island Overlay	Vacant	Medium Density Residential
<i>North</i>		“CR-2/IO” Resort Commercial District with an Island Overlay	Commercial	Medium Density Residential
<i>South</i>		“CR-2/IO” Resort Commercial District with an Island Overlay	Commercial	Medium Density Residential
<i>East</i>		“CR-2/IO” Resort Commercial District with an Island Overlay	Commercial & Office	Tourist
<i>West</i>		“CR-2/IO” Resort Commercial District with an Island Overlay	Vacant	Medium Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Mustang-Padre Island Area Development Plan (ADP) and is planned for medium density residential uses. The proposed change of zoning to the “RM-1/IO/PUD” and proposed development are consistent with the Future Land Use Plan. Map No.: 047044 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has 400 feet of frontage along Nemo Court, which is a Local Residential street. The subject property has indirect access to South Padre Island Drive (SH 358), which is designated as a Freeway/Expressway, via Nemo Court.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
		Nemo Ct.	Local Residential	50' ROW 28' paved	90' ROW 50' paved

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “CR-2/IO” Resort Commercial District with an Island Overlay to the “RM-1/IO/PUD” Multifamily 1 District with an Island Overlay and a Planned Unit Development Overlay for a 44-unit townhouse development.

Applicant’s Development Plan: The proposed townhouse development will consist of 44 single-family townhouse units on a 2.65-acre lot at a density of 16.6 dwelling units per acre. The lots will be a minimum of 1,131-square feet and will have a minimum width of 16 feet. Each lot will have access to a private street that will be a minimum 24-foot in width with a five-foot wide sidewalk on one side. The development will contain 94 parking spaces for residents and guests and 28% open space. Common open space with amenities such as a swimming pool will be provided at the rear of the property.

The following table is a comparison of the proposed development standards and the development standards of the “RS-TH” Townhouse District and UDC. The table states all necessary deviations from the UDC.

Minimum Dimensions	“RS-TH” District Standards for single-family attached houses	Proposed PUD	Complies?
Minimum lot area	2,600 sq. ft.	1,131 ft.	No
Minimum dwelling unit width	26 ft.	16 - 26 ft. on avg.	No
Minimum Site Area	20,000 sq. ft.	115,434 sq. ft.	Yes
Front yard	10 ft.	20 ft.	Yes
Side yard	0 ft.	0 ft.	Yes
Rear yard	5 ft.	10 ft.	Yes
Open space	30%	28%	No
Minimum building separation	10 ft.	10 ft.	Yes
Maximum height	45 ft.	30 ft.	Yes
Parking	97 spaces	94 spaces	No
Private Street	28 ft.	24 ft.	No
Sidewalk	6 ft. on one side	5 ft. on one side	No
Curb Type	6 in. curb and gutter	2 in. ribbon curb	No

Existing Land Uses & Zoning: North of the subject property is a commercial facility zoned “CR-2/IO” Resort Commercial District with an Island Overlay. South and west of the subject property is vacant land zoned “CR-2/IO” Resort Commercial District with an Island Overlay. East of the subject property are offices and commercial facilities zoned “CR-2/IO” Resort Commercial 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 is consistent with the adopted Future Land Use Plan, which slates the property for a medium density residential use.

Plat Status: The 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, and setbacks for individual lots, while maintaining the required site area, building height, and building separation.
- The subject property consists of eight 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.
- Using a PUD would commit the developer to a site plan that could not be changed significantly without public hearing.

Planning Commission and Staff Recommendation (May 22, 2013):

Approval of the change of zoning from the "CR-2/IO" Resort Commercial District with an Island Overlay to the "RM-1/IO/PUD" Multifamily 1 District with an Island Overlay and a Planned Unit Development Overlay with the following conditions:

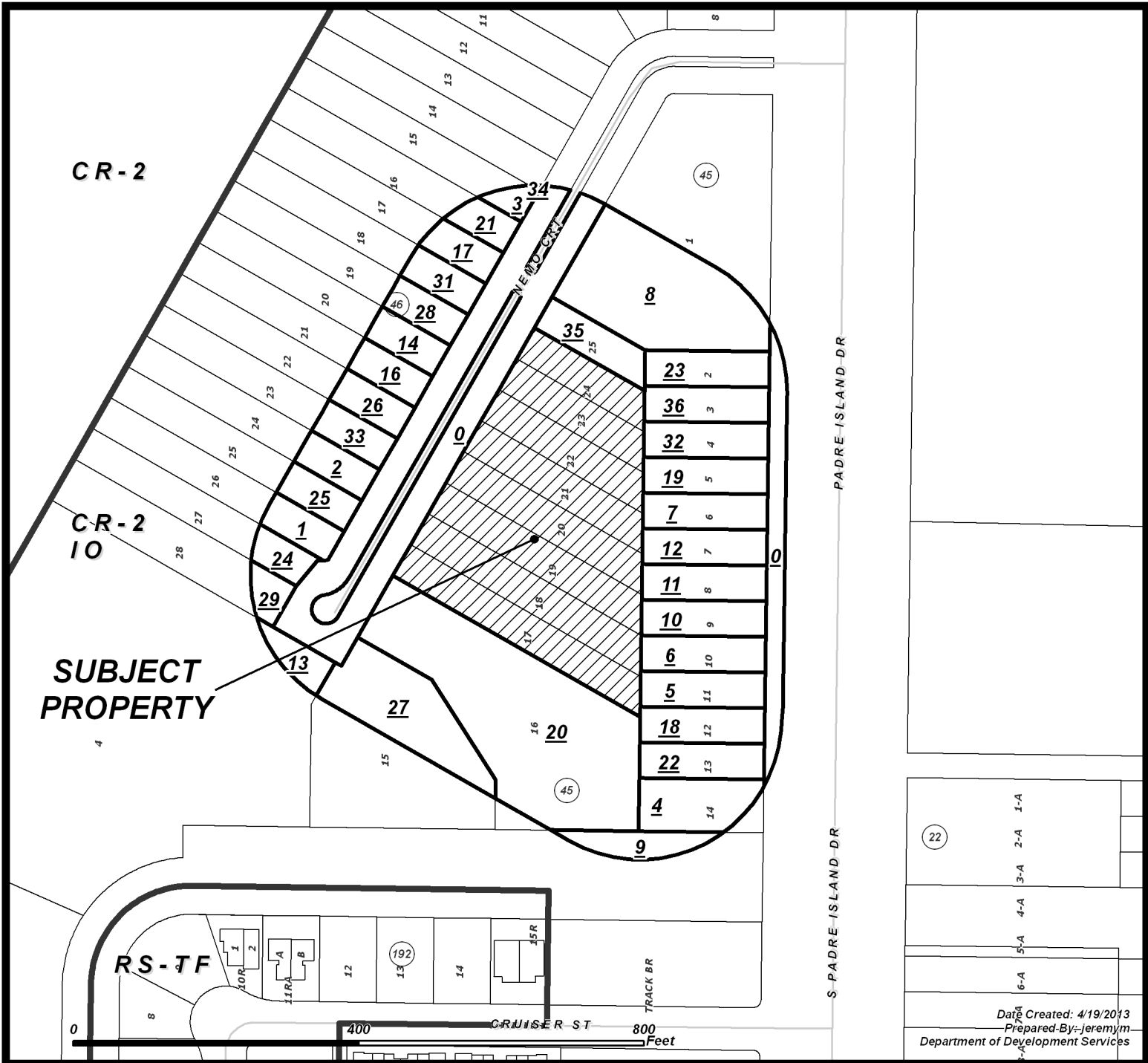
- 1.) **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B. The development of the Property is to consist of 44 townhouse units and shall be constructed in one phase.
- 2.) **Dwelling Units per Acre:** The density of dwelling units on the Property cannot exceed 16.6 dwelling units per acre.
- 3.) **Building Height:** The maximum height of the townhouse units is 30 feet.
- 4.) **Parking:** The Property must have a minimum of 88 standard (9-foot wide by 18-foot long) off-street parking spaces and six compact (8.5-foot wide by 16-foot long) off-street parking spaces. Parking is prohibited within the private street.

- 5.) **Setbacks and Lot Width:** The Property must be developed in accordance with the setbacks, lot sizes, and lot widths established on the associated replat and Master Site Plan as shown in Exhibit B. Minimum setback along Nemo Court shall be 10 feet. Minimum 20-foot wide front yard setbacks shall be provided for each lot. Minimum rear yard setbacks for all lots shall each be 10 feet. Minimum building separation between unattached townhouse units shall be 10 feet.
- 6.) **Open Space:** The Property must maintain 28% open space. Any surfaces constructed within the required open space must be constructed of pervious material.
- 7.) **Private Street Access:** Each lot shall have access to 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 internal private street.
- 9.) **Rentals:** Single-family units can be rented for less than a one-month period, and such use must comply with applicable building codes.
- 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 – 36 within 200' notification area; 4 outside notification area
	<u>As of May 23, 2013:</u>
	In Favor – 3 (inside notification area); 0 (outside notification area)
	In Opposition – 1 (inside notification area); 0 (outside notification area)
	For 2.18% in opposition.

Exhibits:

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



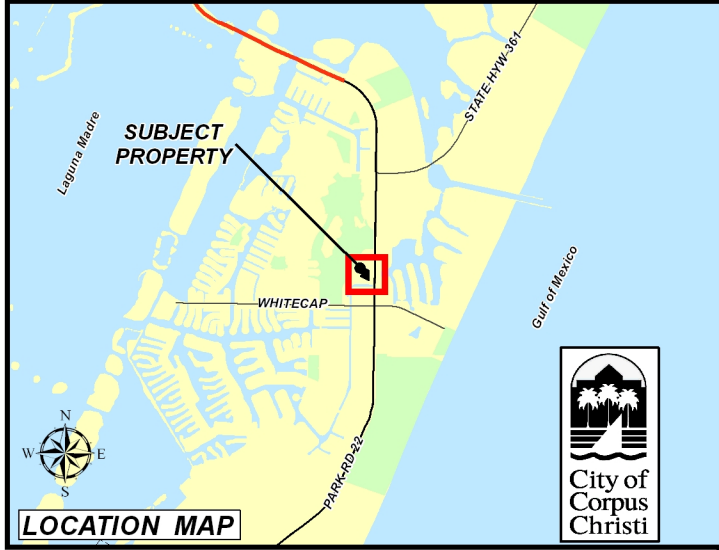
Date Created: 4/19/2013
 Prepared By: jeremym
 Department of Development Services

CASE: 0513-01

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	RE-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 in opposition
- 4** Owners within 200' listed on attached ownership table



NEMO CAY

Padre Island, Corpus Christi, Texas

Alex Harris
Nemo Cay Resort, LP

Submitted By:

Naismith Engineering, Inc.
4501 Gollihar Road
Corpus Christi, TX 78411
TBPE F-355

South Texas Prime Design Group, Inc.
15217 S. Padre Island Drive Suite 201
Corpus Christi, TX 78418

Engineer: Craig B. Thompson, P.E.

Designer: Jon Hall

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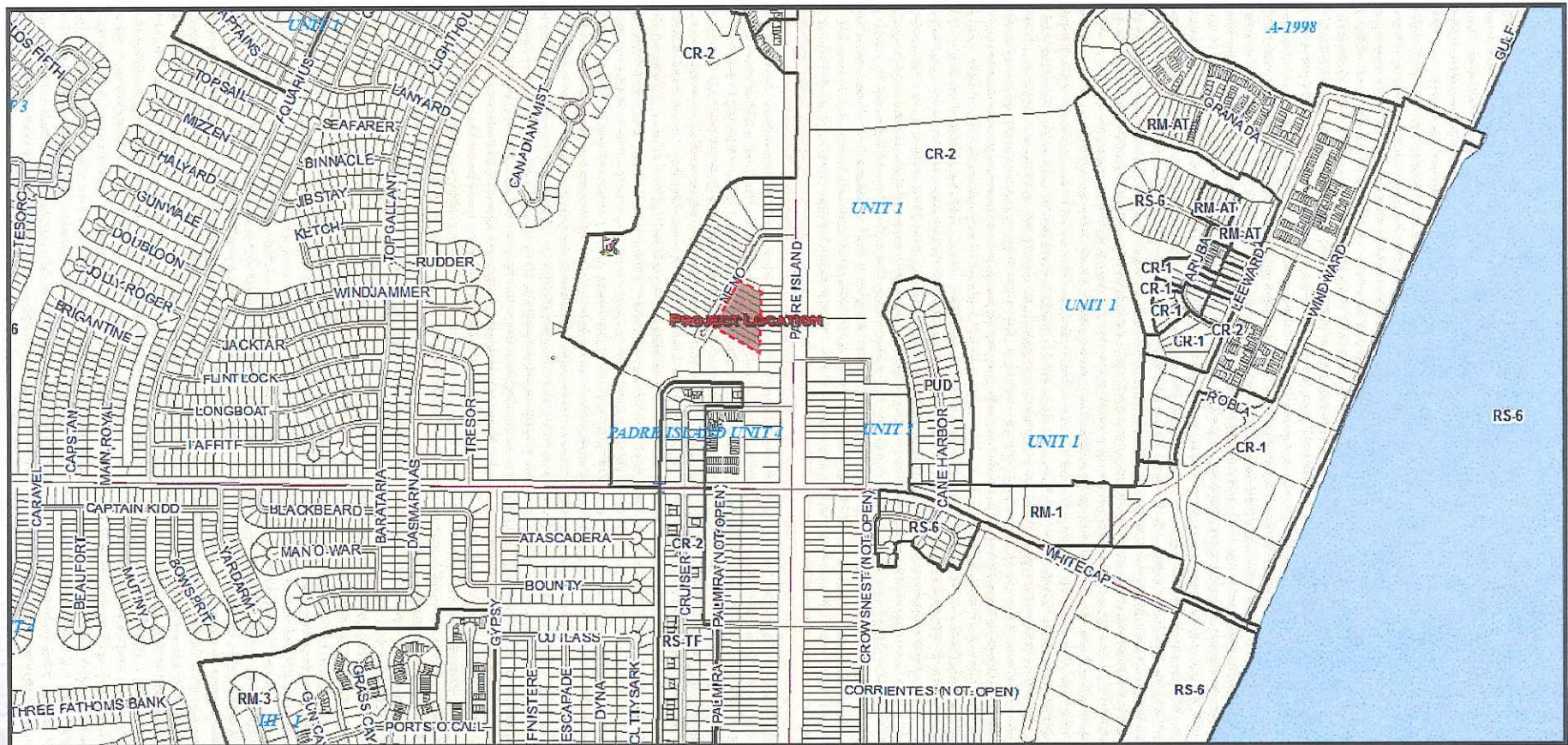


GENERAL INFO

Nemo Cay is a proposed 44 lot non-gated residential development on Padre Island with attached single-family units. The development is on the east side of the public road Nemo Court and sits on 2.65 acres of vacant land. Existing base zoning designation is CR-2/I-O. Adjacent development is mostly smaller

commercial establishments. This zoning change application is to change the base zoning designation to RM-1/I-O with a P.U.D. overlay, with the requirements discussed in the following sections.

EXHIBIT 2: ADJACENT ZONING



DEVIATIONS TABLE

Description	Zong / Platting Ordinance Requirement (RS-TH)	Nemo Cay
Min. Site Area (SF)	20,000	115,434
Min. Area per Dwelling Unit (SF)		
Front Access	2,600	1,131
Rear Access	2,200	n/a
Shared Parking	1,600	1,131
Min. Dwelling Unit Width (FT)		
Front Access	26	16
Rear Access	22	n/a
Shared Parking	16	16
Min. Yards (FT)		
Street	10	20
Street (corner)	10	20
Side (single)	0	0
Side (total)	0	0
Rear	5	10
Min. Building Separation (FT)	10	10
Min. Open Space	30 %	28% See Exhibit 4 on Page 6
Max. Height (FT)	45	30
Curb Type	6" Curb & Gutter	2' Ribbon Curb: See Exhibit 6 - Page 7
Parking Requirement	2.2 / lot (97 total)	2.12 / lot (94 total)
Sidewalks	5' on Both Sides of Road	5' on One Side of Road

DEVELOPMENT GUIDELINES

Private Access and Utility Easement:

Block 1, Lot 47

1. Maintenance: Home Owners Association (HOA)
2. Parking Requirement: Not Allowed within Access Road
3. Usage: Areas supporting the community (Vehicular Access Drive, Pedestrian Access, Walkways, etc.)

4

DEVELOPMENT GUIDELINES (CONT.)

Residential Lots:

Block 1, Lots 1-17, 19-45

- | | | |
|----------------------------|--|----------|
| 1. Lot Size: | Minimum | 1,131 sf |
| | Maximum | 2,924 sf |
| 2. Lot Width: | Minimum | 16 Feet |
| | Maximum | 50 Feet |
| 3. Front Yard Requirement: | 20 feet Minimum | |
| 4. Rear Yard Requirement: | 10 feet Minimum | |
| 5. Side Yard Requirement: | Zero Lot Line | |
| 6. Maintenance: | Lot owner and/or Home Owners Association (HOA) | |
| 7. Building Spacing: | 10' | |
| 8. Building Height: | Maximum - 2 Stories, 30' Roof Peak of Habitable space. | |
| 9. Parking Requirement: | 2.12 Per Lot (94 Spaces Required)
94 Spaces Provided - See Exhibit 5 on Page 6 | |
| 10. Usage: | Single Family Residential | |
| 11. Improvements: | Structure, decks, porches, etc. shall not protrude beyond the Yard, Easement Line or Property Line (whichever is applicable) | |

Common Area Lots:

Block 1, Lots 18 & 46

- | | | |
|----------------------------|---|-----------|
| 1. Lot Size: | Minimum | 450 sf |
| | Maximum | 15,000 sf |
| 2. Lot Width: | Minimum | 10 Feet |
| | Maximum | 150 Feet |
| 3. Front Yard Requirement: | 8 feet Minimum | |
| 4. Rear Yard Requirement: | 10 feet Minimum | |
| 5. Side Yard Requirement: | Not Applicable | |
| 6. Maintenance: | Home Owners Association (HOA) | |
| 7. Building Spacing: | 10 ft except for common wall construction | |
| 8. Building Height: | Maximum - 1 Stories | |
| 9. Parking Requirement: | Available in Designated Areas - See Exhibit 3 on Page 5. | |
| 10. Floor Area Ratio: | Not Applicable | |
| 11. Usage: | Non-Residential structures supporting the community. | |
| 12. Improvements: | Structure, decks, porches, etc. shall not protrude beyond the Yard, Easement Line or Property Line (whichever is applicable).
Parking Areas can protrude into Easements. | |

EXHIBIT 3: LOT LAYOUT



EXHIBIT 4: OPEN SPACE LAYOUT

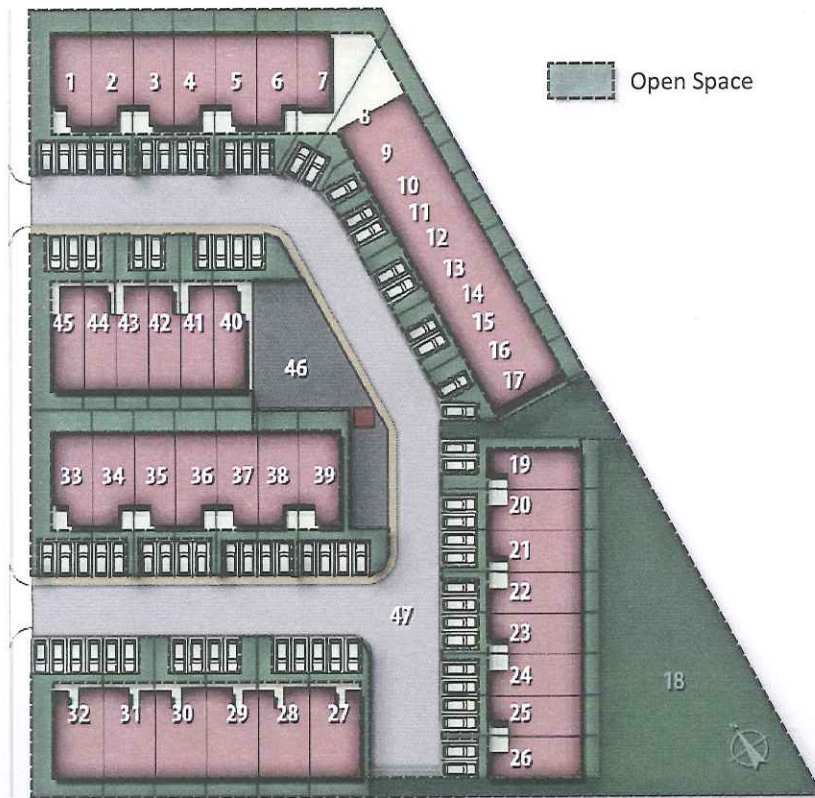
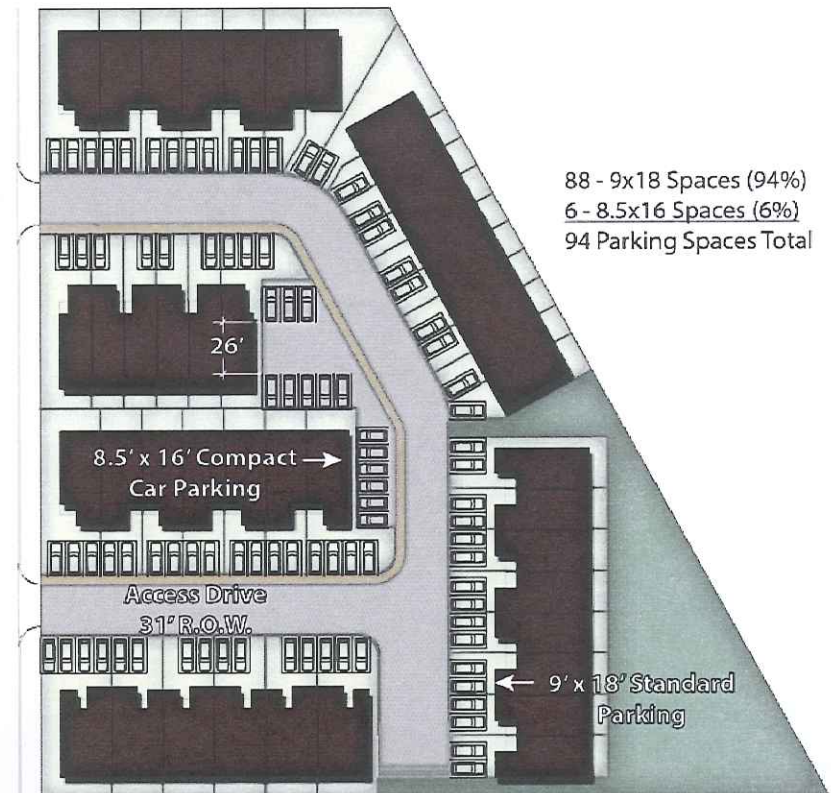


EXHIBIT 5: PARKING DIAGRAM



Open Space Calculation

28% Open Space

Front & Side Yard:	9,744 sf
Pool Area and Amenities:	13,296 sf
Rear Yard:	9,437 sf
Total Open Space:	32,478 sf
Total Area:	115,434 sf

Note: Rear Yard Patios to be constructed with Pervious Materials

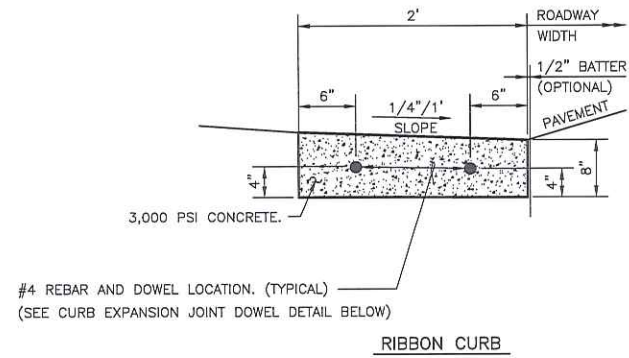
VEHICULAR / PEDESTRIAN ACCESS

Vehicular and Pedestrian access will be provided through a 24' back of curb to back of curb Private Access Drive with access to each single family and common area lot. The Access Drive will be striped to indicate "No Parking" and will not have a security gate for entrance to the property.

Parking will be off-street within designated parking areas for each unit including space for overflow parking. See Exhibit 5 on Page 6 for Parking Layout.

Pedestrian access will be within a designated 5' wide sidewalk adjacent to the Private Access Drive.

EXHIBIT 6: RIBBON CURB DETAIL



NOTES:

1. ALL WORK AND MATERIAL SHALL CONFORM TO ASTM A615, A615M, C309 AND D1752. BROOM FINISH EXPOSED SURFACE.
2. CONTROL JOINT SPACING SHALL NOT EXCEED 10'-0".
3. EXPANSION JOINTS AS PER STANDARD ASTM D-1752.
4. EXPANSION JOINT INTERVALS NOT TO EXCEED 40'-0" FOR ALL CURBS AND CONSTRUCTION METHODS.
5. ALL CURBS SHALL HAVE A MINIMUM OF 4" OF COMPACTED FLEXIBLE BASE BETWEEN BOTTOM OF CURB AND TOP SUBGRADE THAT SHALL EXTEND A MINIMUM OF 18" BEHIND BACK OF CURB. TOTAL DEPTH OF FLEXIBLE BASE UNDER AND BEHIND CURB SHALL BE: (TOTAL DEPTH OF FLEXIBLE BASE) LESS (6-INCHES).
6. ALL CURBS SHALL CONFORM TO THESE DETAILS INDEPENDANT OF THE CONSTRUCTION METHODS USED.

EXHIBIT 7: TYPICAL STREET

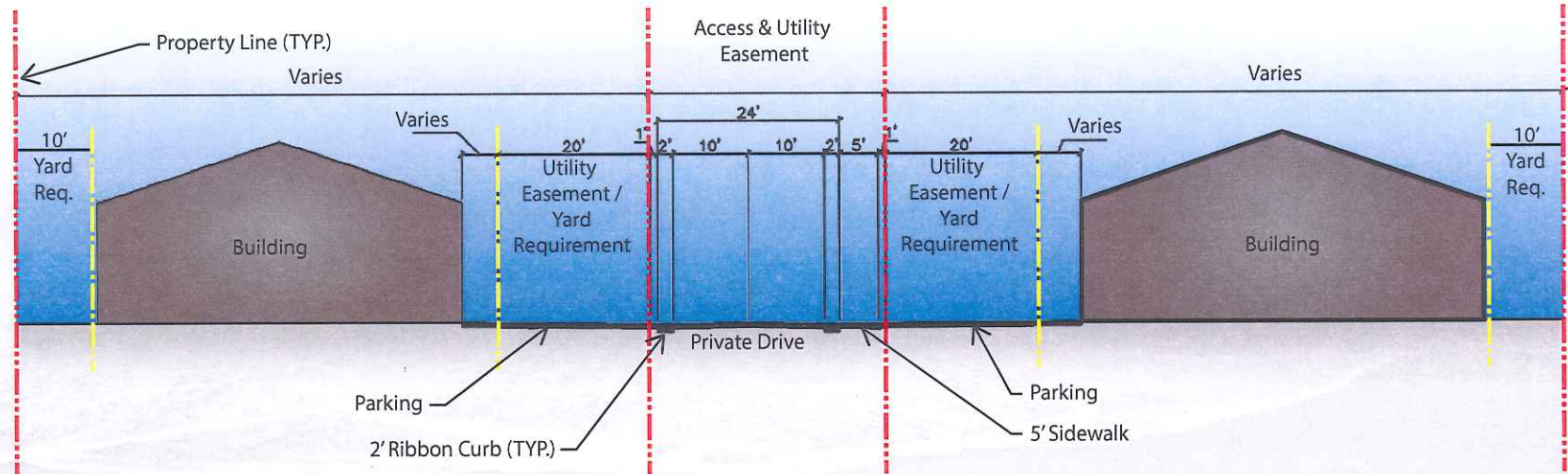
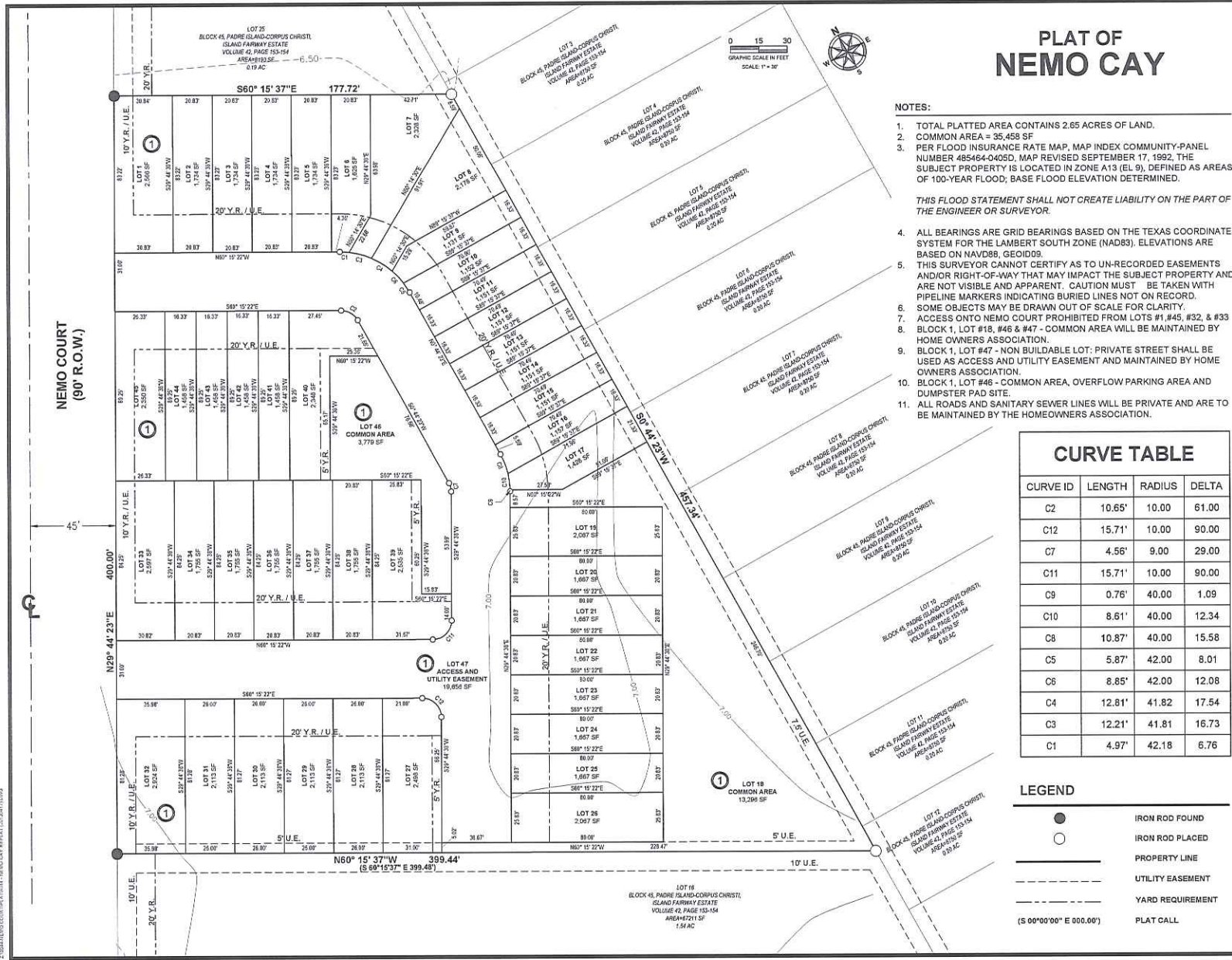


EXHIBIT 8: PLAT



CURVE TABLE

CURVE ID	LENGTH	RADIUS	DELTA
C2	10.65'	10.00	61.00
C12	15.71'	10.00	90.00
C7	4.56'	9.00	29.00
C11	15.71'	10.00	90.00
C9	0.76'	40.00	1.09
C10	8.61'	40.00	12.34
C8	10.87'	40.00	15.58
C5	5.87'	42.00	8.01
C6	8.85'	42.00	12.08
C4	12.81'	41.82	17.54
C3	12.21'	41.81	16.73
C1	4.97'	42.18	6.76

LEGEND

- IRON ROD FOUND
- IRON ROD PLACED
- PROPERTY LINE
- - - UTILITY EASEMENT
- - - YARD REQUIREMENT
- (S 00°00'00" E 000.00')

NAISMITH ENGINEERING, INC.
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PLAT OF NEMO CAY
 REPLAT OF 2.65 ACRES OF LOTS 17-24 ISLAND FAIRWAY ESTATE FROM
 BLOCK 45, PADRE ISLAND-CORPUS CHRISTI

DATE: 08/20/23
 SHEET 2 OF 2