

ZONING REPORT

Case No.: 0714-02
 HTE No. 14-10000025

Planning Commission Hearing Date: July 16, 2014

Applicant & Legal Description	<p>Applicant/Owner: John Depond Representative: Naismith Engineering, Inc. Legal Description/Location: Lots 23-26, Block 42, Padre Island – Corpus Christi Island Fairway Estates, located along the east side of Compass Street, approximately 520 feet south of Commodores Drive.</p>			
Zoning Request	<p>From: “CR-2/IO” Resort Commercial District (Barrier Island Business) with an Island Overlay To: “RS-TH/IO/PUD” Townhouse District with an Island Overlay and Planned Unit Development Overlay Area: 0.91 acres Purpose of Request: To allow an 18-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
Site		“CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay	Vacant	Tourist
North		“CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay	Office Uses	Tourist
South		“CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay	Vacant	Tourist
East		“CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay	Office & Restaurant Uses	Tourist
West		“CR-2” Resort Commercial (Barrier Island) District	Outdoor Recreation	Commercial
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.: 029026 & 029027 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property is approximately 520 feet south of Commodores Drive, which is a “C1” Minor Residential Collector street, and has approximately 300 feet of frontage along Compass Street, which is a local residential street.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Compass Street	Local Residential	60’ ROW 36’ paved	60’ ROW 36’ paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “CR-2/IO” Resort Commercial (Barrier Island) 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 18-unit townhouse development. 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 18 single-family townhouse units on a 0.91-acre site resulting in a density of 19.78 dwelling units per acre. The lots will have a minimum area of 1,280 square feet and a minimum width of 21.90 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 39 parking spaces for residents and guests. Each unit will be provided two parking spaces and three parking spaces will be provided for guests. The development will maintain 30% open space. The development will provide common open space with amenities such as a swimming pool. The PUD on this property would allow for individually owned, daily rental townhomes and resides within an area that allows for vinyl siding.

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	39,435 SF	No
Lot Area	2,600 SF	1,280 SF	Yes
Dwelling Unit Width	26 ft.	21 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%	30%	No
Maximum Height	45 ft.	30 ft.	No
Paved Street Width	28 ft.	24 ft.	Yes
Curb Type	6-in. curb & gutter	1-ft. ribbon curb	Yes

Parking Requirement	2.2/lot	2/lot (39 total)	<u>Yes</u>
Sidewalks	5 ft. on both sides or 6 ft. on one side of private street	5 ft. on one side of private street	<u>Yes</u>

Existing Land Uses & Zoning: The subject property contains undeveloped platted lots zoned “CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay. North of the subject property is occupied land zoned “CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay. South of the subject property is vacant and “CR-2” Resort Commercial (Barrier Island) District with an Island Overlay. East of the subject property is occupied land zoned “CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay. West of the subject property is occupied land zoned “CR-1/IO” Resort Commercial District with an Island Overlay.

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 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 replatted 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 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.

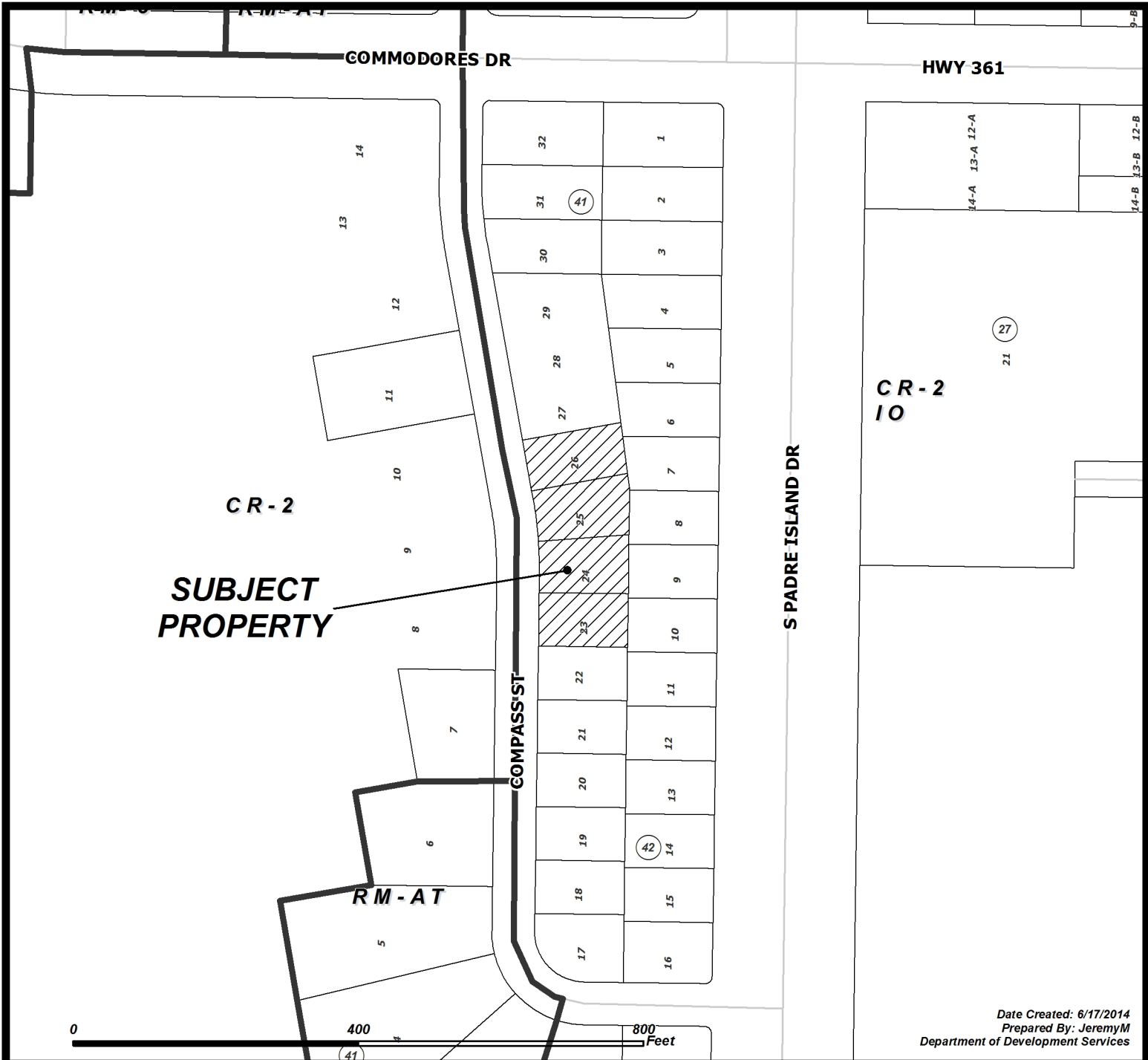
Staff Recommendation:

Approval of the change of zoning from the “CR-2/IO” Resort Commercial (Barrier Island) District with an Island Overlay to the “RS-TH/IO/PUD” Townhouse 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 as shown in Exhibit B. The development of the Property is to consist of 18 townhouse units and common area amenities and shall be constructed in one phase and shall be allowed daily and weekly rentals of said units.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 19.78 dwelling units per acre.
3. **Building Height:** The maximum height of any structure on the Property is 30 feet.
4. **Parking:** The property must have a minimum of 36 standard parking spaces (9 feet wide by 18 feet long) and three additional guest 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 Compass Street shall be 10 feet. 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 21.90 feet.
6. **Open Space:** The Property must maintain 30% 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 one-way 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 shall be constructed along one side of the private street.
9. **Dumpster Screening:** A 6-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	<p>Number of Notices Mailed – 17 within 200' notification area; 7 outside notification area</p> <p>As of July 9, 2014:</p> <p>In Favor – 0 (inside notification area); 0 (outside notification area)</p> <p>In Opposition – 1 (inside notification area); 0 (outside notification area)</p> <p>For 4.16% in opposition.</p>
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- Exhibits: A. Location Map (With Existing Zoning & Notice Area)
 B. Master Site Plan



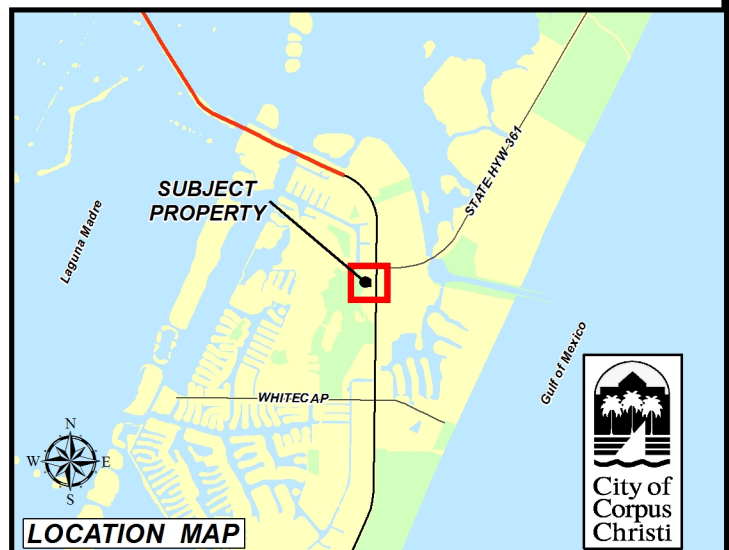
Date Created: 6/17/2014
 Prepared By: Jeremy M
 Department of Development Services

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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		





Compass Street

1 2 3 4 5

① 20

②

④ 9 8 7 6

⑤ 10 11 12 13

④ ①

③ 19

① 18 17 16 15 14

⑥



60'

Exhibit B