

# CITY COUNCIL ZONING REPORT

**Case No.:** 0813-04  
**HTE No.** 13-10000030

Planning Commission Hearing Date: August 28, 2013

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Doug Shaw  <b>Representative:</b> Naismith Engineering, Inc.  <b>Legal Description/Location:</b> Lots 5 and 14-18, Block 2, Section E, Padre Island - Corpus Christi, located between Aruba and Leeward Drives, approximately 200 feet south of Running Light Drive.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RM-AT/IO" Multifamily AT District with an Island Overlay and "RS-6/IO" Single-Family 6 District with an Island Overlay  <b>To:</b> "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay  <b>Area:</b> 1.29 acres  <b>Purpose of Request:</b> To allow construction of a 23-unit townhouse development that deviates from the typical townhouse development standards.</p>			
<b>Existing Zoning &amp; Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<b>Site</b>	"RM-AT/IO" Multifamily AT District with an Island Overlay & "RS-6/IO" Single-Family 6 District with Island Overlay	Vacant	Tourist
	<b>North</b>	"RS-6/IO" Single-Family 6 District with Island Overlay	Vacant	Tourist
	<b>South</b>	"CR-2/IO" Resort Commercial District with Island Overlay	Vacant	Commercial
	<b>East</b>	"RM-AT/IO" Multifamily AT District with Island Overlay	Medium Density Residential	Tourist
	<b>West</b>	"RM-AT/IO" Multifamily AT District with Island Overlay & "CR-1/IO" Resort Commercial District with Island Overlay.	Medium Density Residential	Tourist
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> 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 "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay is consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 028025 &amp; 028026  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has 265 feet of frontage on Leeward Drive, which is a "C1" Minor Residential Collector Street, and 56 feet on Aruba Drive, which is local residential street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Leeward Drive	Minor Residential Collector	60' ROW 40' paved	100' ROW 60' paved	Not Available
	Aruba Drive	Local Residential	50' ROW 28' paved	60' ROW 36' 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 and “RS-6/IO” Single-Family 6 District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay for a 23-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 23 single-family townhouse units on a 1.29-acre lot resulting in a density of 17.83 dwelling units per acre. The lots will have a minimum area of 1,380 square feet and a minimum width of 20 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 52 parking spaces for residents and guests. Each unit will be provided two parking spaces and six parallel parking spaces will be provided for guests. The development will maintain 26.5% open space. The development will provide for common open space with amenities such as a swimming pool.

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

<i>Minimum Dimensions</i>	<i>“RS-TH” District Standards</i>	<i>Proposed PUD</i>	<i>Deviation</i>
Site Area	20,000 SF	55,998 SF	No
Lot Area	2,600 SF	1,380 SF	<b><u>Yes</u></b>
Dwelling Unit Width	26 ft.	20 ft.	<b><u>Yes</u></b>
Front Yard	10 ft.	20 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%	26.5%	<b><u>Yes</u></b>
Maximum Height	45 ft.	30 ft.	No
Paved Street Width	28 ft.	24 ft.	<b><u>Yes</u></b>
Curb Type	6-in. curb & gutter	2-ft. ribbon curb	<b><u>Yes</u></b>
Parking Requirement	2.2/lot	2.2/lot (52 total)	No
Sidewalks	5 ft. on both sides or 6 ft. on one side of street	5 ft. on one side of street	<b><u>Yes</u></b>

**Existing Land Uses & Zoning:** The subject property contains undeveloped platted lots zoned “RM-AT/IO” Multifamily AT District with an Island Overlay and “RS-6/IO” Single-Family 6 District with an Island Overlay. North of the subject property is “RS-6/IO” Single-Family 6 District with an Island Overlay. South of the subject property is vacant land zoned “CR-2/IO” Resort Commercial District with an Island Overlay. East of the subject property are townhouses, zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. West of the subject property is vacant, zoned “RM-AT/IO” Multifamily AT District with an Island Overlay and “CR-2/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 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 K, Policy Statement).
- 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:**

- 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, sidewalk width and street width, while maintaining the required site area, building height, and building separation.
- The subject property consists of six 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.

**Planning Commission and Staff Recommendation (August 28, 2013):**

Approval of the change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay and "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to the following 10 conditions:

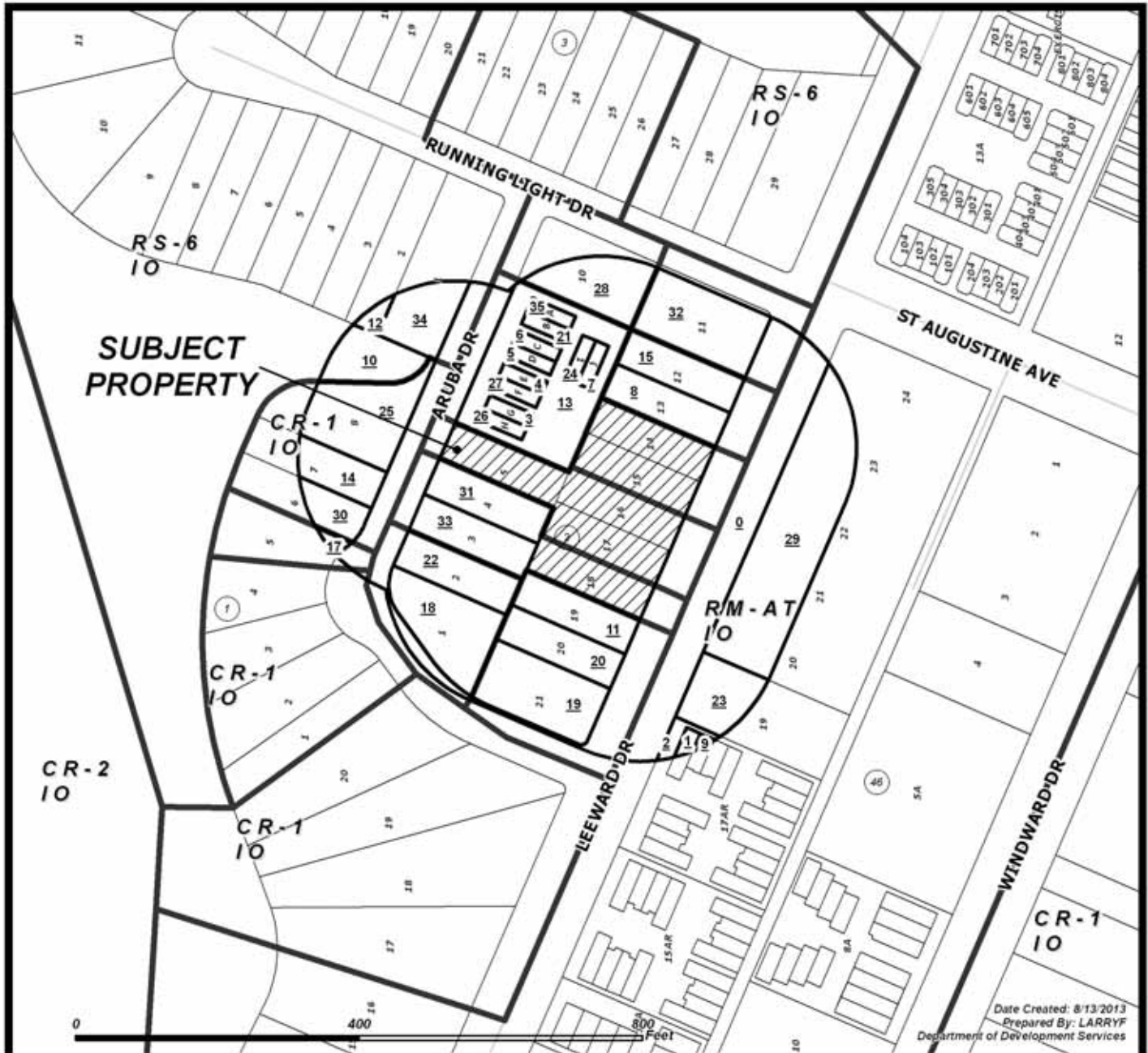
1. **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B and the Plat as shown in Exhibit C. The development of the Property is to consist of 23 townhouse units and shall be constructed in one phase.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 17.83 dwelling units per acre.
3. **Building Height:** The maximum height of structures within the Property is 30 feet.
4. **Parking:** The property must have a minimum of 46 standard parking spaces (9 feet wide by 18 feet long) and six parallel parking spaces (8 feet wide by 20 feet long). Parking is prohibited within the private street and pedestrian walkways.
5. **Setbacks and Lot Width:** Minimum setback shall be 10 feet along Leeward Drive and 20 feet along Aruba Drive. Minimum 20-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 Lots 10, 16 and 22 and a minimum 2.5-foot wide side yard is required for Lots 1 and 9. Minimum width for townhouse lots shall be 20 feet.
6. **Open Space:** The Property must maintain a minimum of 26.5% open space. Any surfaces constructed within the required minimum open space must be constructed of pervious material.
7. **Private Street Access:** The Property shall provide 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 private street.
9. **Dumpster Screening:** A minimum seven-foot tall masonry screening wall shall be constructed, maintained, and remain in place around a dumpster located adjacent to a single-family zoned property.
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.

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<b>Public Notification</b>	<p><b>Number of Notices Mailed:</b> 215 within 200' notification area; 3 outside notification area</p> <p>As of September 3, 2013: In Favor – 2 (inside notification area); 0 (outside notification area) In Opposition – 2 (inside notification area); 0 (outside notification area)</p> <p>For 0.095% in opposition.</p>
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- Exhibits:     A. Location Map (With Zoning & Notice Area)  
              B. Master Site Plan



Date Created: 8/13/2013  
 Prepared By: LARRYF  
 Department of Development Services

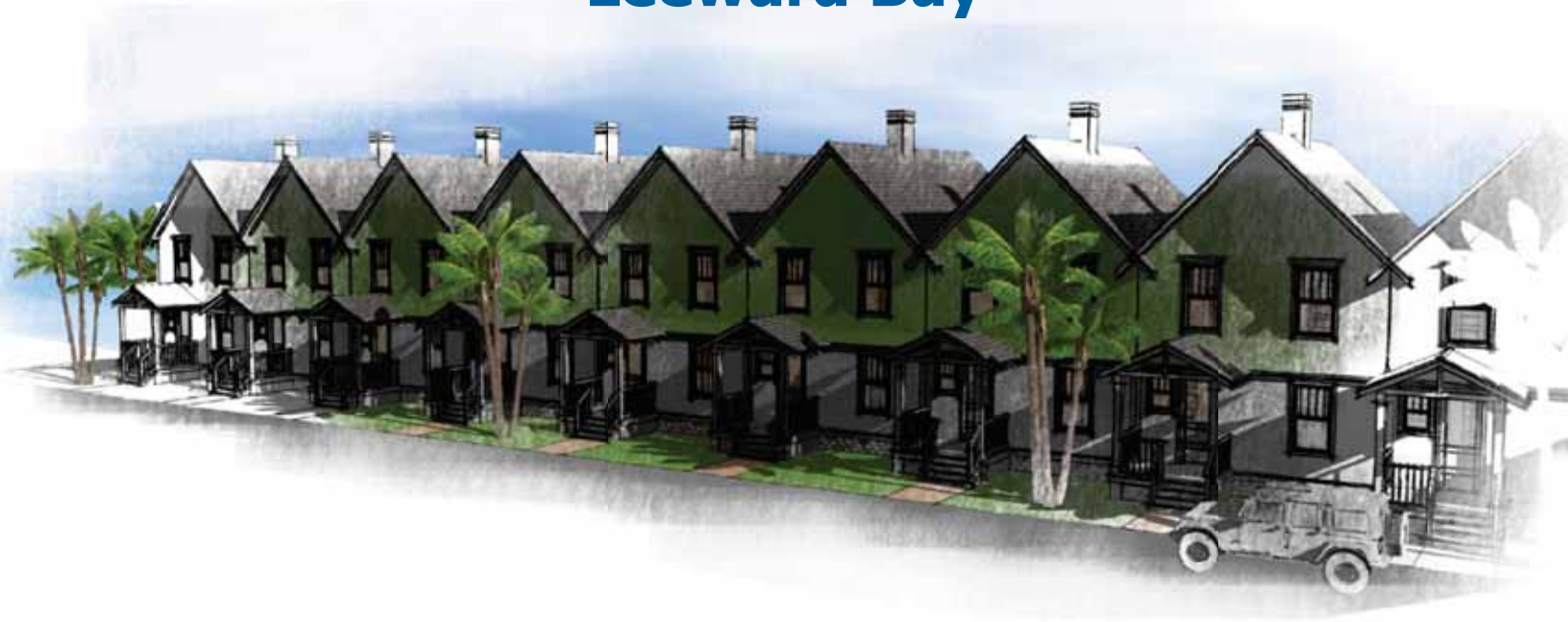
### CASE: 0813-04 ZONING & NOTICE AREA

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



# Planned Unit Development for: **Leeward Bay**



**Padre Island, Corpus Christi, Texas**

**Doug Shaw**  
**[Owner]**

**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**

 **Naismith Engineering, Inc.**  
ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING



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## location map





## general info

The Planned Unit Development for Leeward Bay consists of a Re-Plat of Lots 5, & 14-18 Padre Island-Corpus Christi Section E, Block 2 between Aruba Dr. and Leeward Dr. on Padre Island. This development will be non-gated with attached single-family units.

Leeward Bay will be a Re-Plat of Lots 5 & 14-18 into 25 lots of which 23 will be Single Family Residential Units and 2 will be Common Area lots. The property sits on 1.29 acrea of vacant land and lots 14, 15 & 18 are zoned RM-AT/IO while lots 5, 16 & 17 are zoned RS-6/IO. The Future Land Use plan designates this area as 'Tourist' as well.

## adjacent zoning

The area around Leeward Bay has a variety of different existing zoning designations. The properties to the west, across Aruba, are zoned CR-1/IO. The area adjacent to Lot 5 to the North is zoned RM-AT/IO while the property to the North of lot 14 is RS-6/IO. All of the property across Leeward Drive from lots 14-18 is designated RM-AT/IO and the property South of lot 18 is currently zoned CR-2/IO.



# property description

Leeward Bay is a 1.29 acre tract of Land between Aruba Dr. and Leeward Dr. Existing zoning on the property is a mix of RM-AT/IO and RS-6/IO with a similar future land use designation of 'Tourist'. This portion of land is also located in Zone A13 EL 9 per the Flood Insurance Rate Map.

This Planned Developments fit with the existing characteristics of the surrounding properties and will fit with the culture of Padre Island.



## deviations table | leeward bay

Description	Zong / Platting Ordinance Requirement (RS-TH)	Leeward Bay
Min. Site Area (SF)	20,000	55,998
Min. Area per Dwelling Unit (SF)		
Front Access	2,600	1,380
Rear Access	2,200	n/a
Shared Parking	1,600	1,380
Min. Dwelling Unit Width (FT)		
Front Access	26	20
Rear Access	22	n/a
Shared Parking	16	20
Min. Yards (FT)		
Street	10	10
Street (corner)	10	2.5
Side (single)	0	0
Side (total)	0	0
Rear	5	5
Min. Building Separation (FT)	10	10
Min. Open Space	30 %	26.5%
Max. Height (FT)	45	30
Curb Type	6" Curb & Gutter	2' Ribbon Curb: See Exhibit 6 - Page 8
Parking Requirement	2.2 / lot	2.2 / lot (52 total)
Sidewalks	5' on Both Sides of Road	5' on One Side of Road

## development guidelines | leeward bay

### Residential Lots: Block 1, Lots 1-15, 17-24

- Lot Size: Minimum 1,380 sf  
Maximum 2,850 sf
- Lot Width: Minimum 20 Feet  
Maximum 25 Feet
- Front Yard Requirement: 20 feet Minimum
- Rear Yard Requirement: 5 feet Minimum
- Side Yard Requirement: Zero Lot Line
- Maintenance: Lot owner and/or Home Owners Association (HOA)
- Building Spacing: 10'
- Building Height: Maximum - 2 Stories, 30' Roof Peak of Habitable space.
- Parking Requirement: 2.2 Per Lot (51 Spaces Required)  
52 Spaces Provided - See Parking Plan on Page 8.
- Usage: Single Family Residential
- Improvements: Structure, decks, porches, etc. shall not protrude beyond the Yard, Easement or Property Line (whichever is applicable).  
Rear Yard Patios to be constructed with Pervious Material.

### Private Access and Utility Easement: Block 1, Lot 25

- Maintenance: Home Owners Association (HOA)
- Parking Requirement: Parking allowed in Designated Areas only.  
Six (6) parallel parking spaces are provided across Beach Walk Loop from Lots 1 & 9. Parking Spaces to be clearly marked.  
No Parking allowed on Beach Walk Loop.
- Usage: Areas supporting the community:  
Vehicular Access Drive, Pedestrian Access, Walkways, etc.

### Common Area: Block 1, Lot 16

- Lot Size: 4,500 sf
- Lot Width: Minimum 5 Feet  
Maximum 54 Feet
- Front Yard Requirement: 20 feet Minimum
- Rear Yard Requirement: 5 feet Minimum
- Side Yard Requirement: 5 feet Minimum
- Maintenance: Home Owners Association (HOA)
- Building Spacing: 10'
- Building Height: Maximum - 1 Stories
- Building Note 1: Architectural style of non-residential community structures must match style of residential structures.
- Building Note 2: Building separation of non-residential structures will be subject to the 2009 International Building Code and may require increased spacing or increased fire protection.
- Parking Requirement: No parking allowed in Common Area, Lot 16
- Usage: Non-Residential Structures supporting the community.
- Improvements: Structure, decks, porches, etc. shall not protrude beyond the Yard, Easement or Property Line (whichever is applicable).



# lot layout | leeward bay





# open space layout | leeward bay



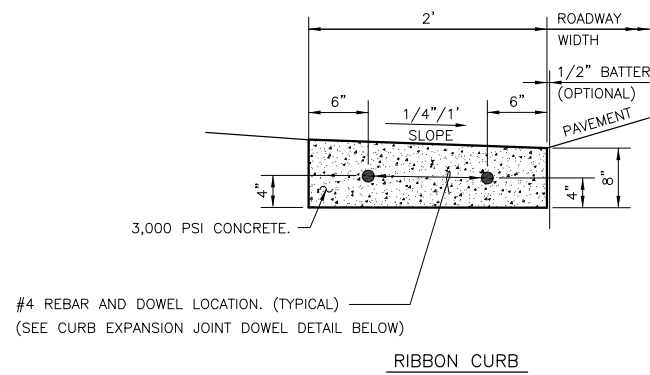


## vehicular / pedestrian access | leeward bay

Vehicular and Pedestrian access will be provided with a 24' back of curb to back of curb Two-Way Private Access Drive named 'Beach Walk Loop' with access to single family lots 1-15 & 17-22 and common area lot 16. Access to lots 23 & 24 will be from Aruba Dr. Beach Walk Loop will enter and exit the property from Leeward Drive. There will not be a security gate for entrance to or exit from the property.

Parking will be within designated parking areas for each unit including space for overflow parking. The Parking Layout is shown on the right.

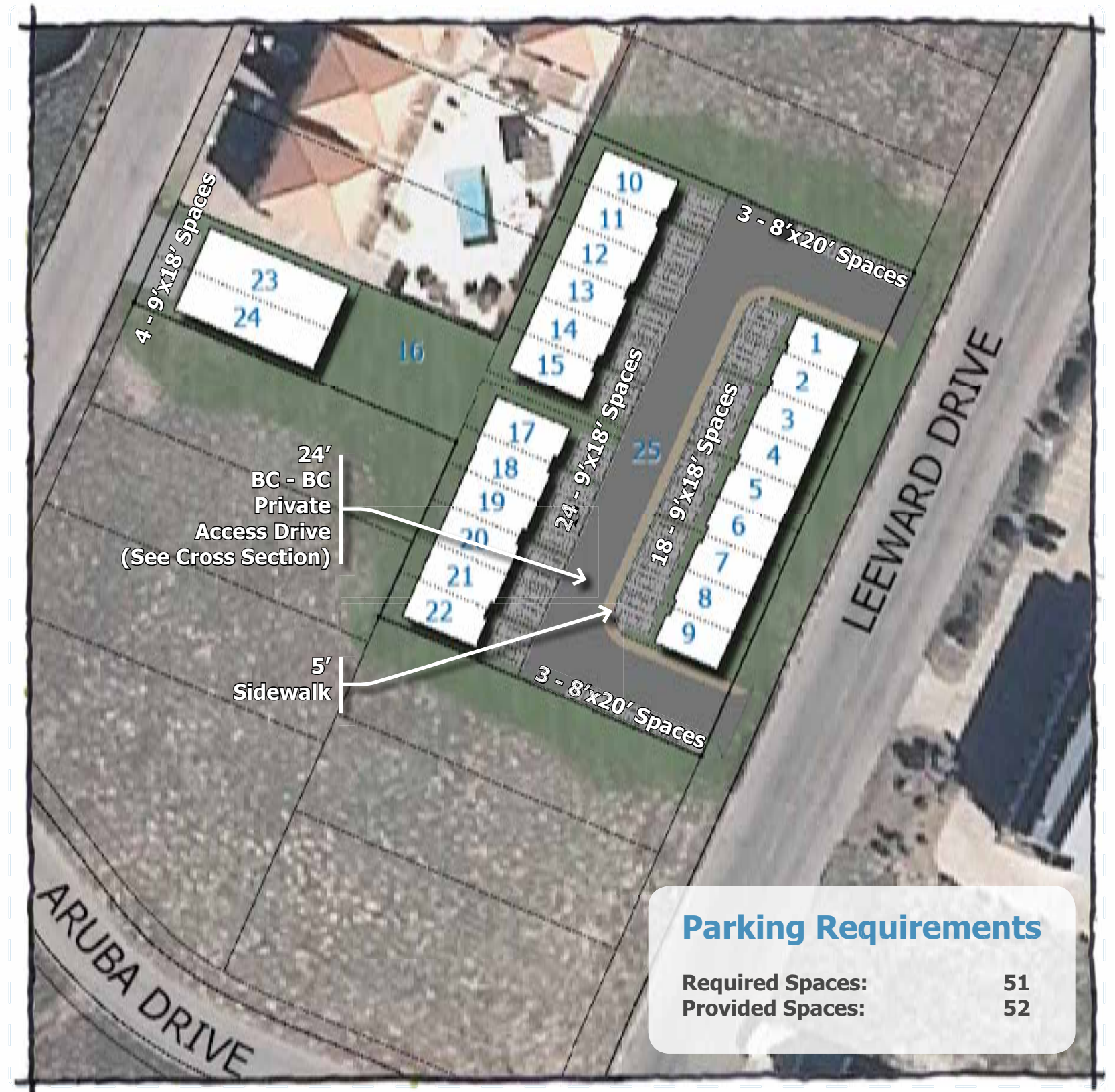
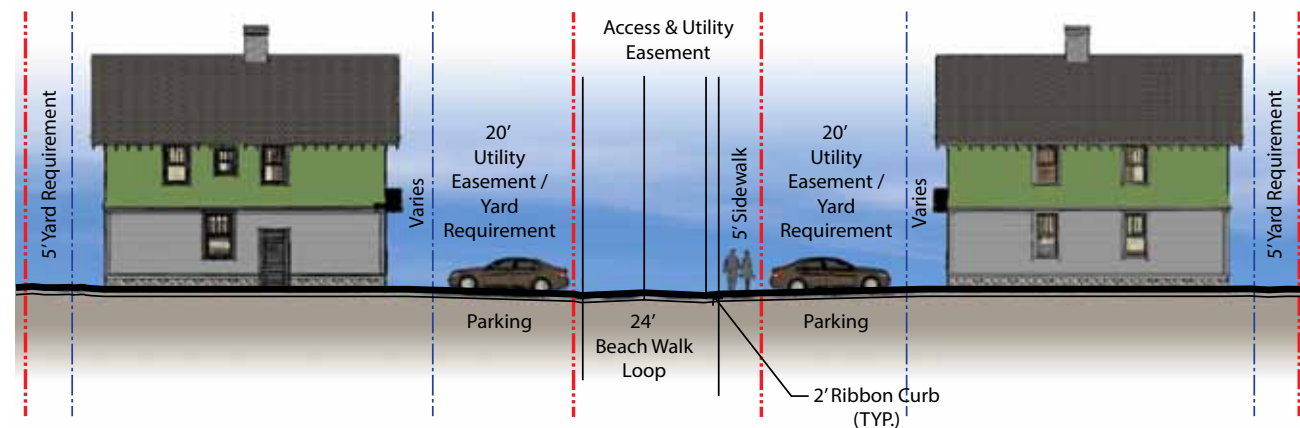
Pedestrian access will be within a designated 5' wide sidewalk adjacent to the Beach Walk Loop.



### 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.

## typical cross section | beach walk loop

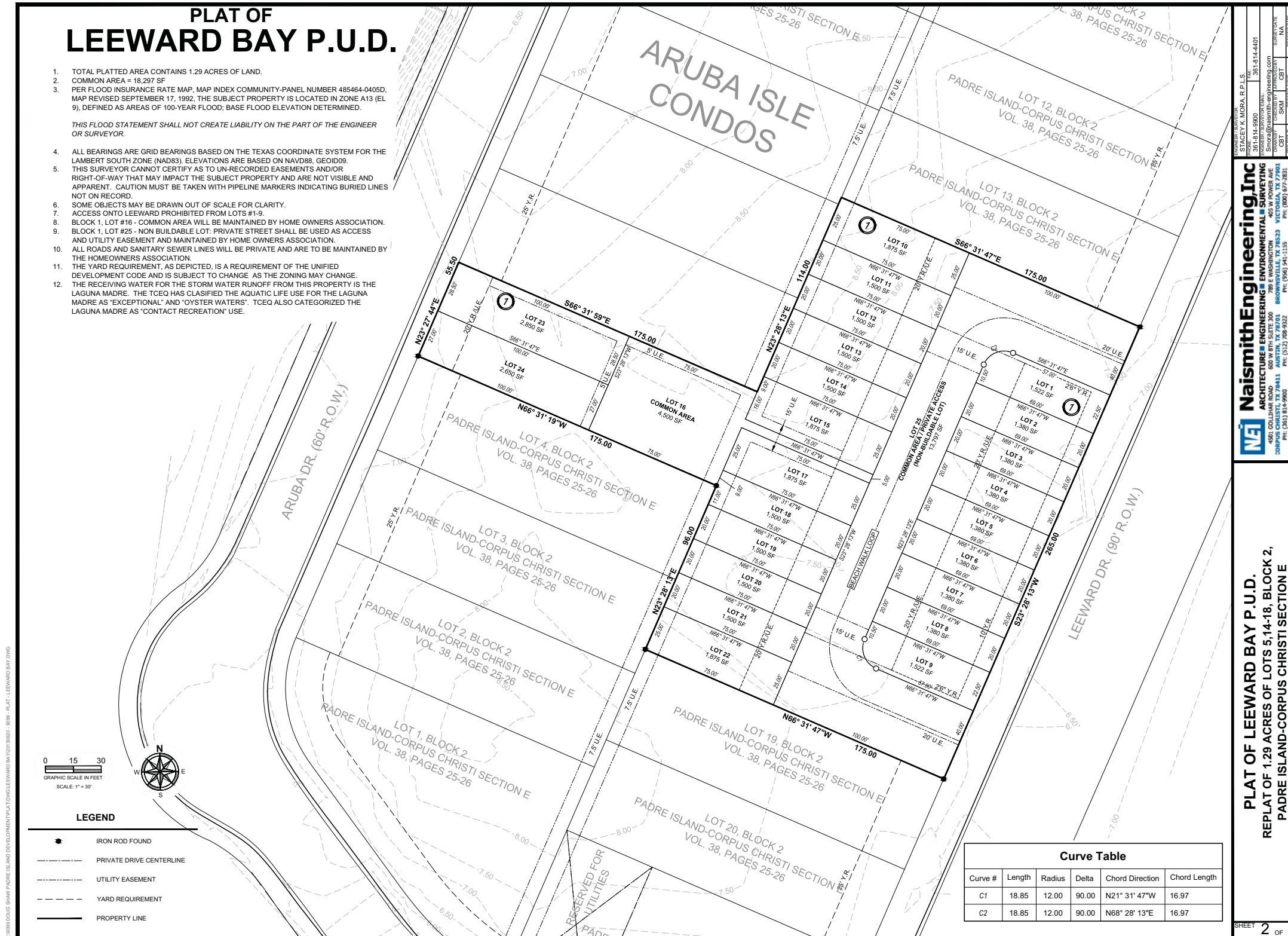


### Parking Requirements

Required Spaces:	51
Provided Spaces:	52



# preliminary plat | leeward bay



**STAGES & WORK R.P.L.S.**

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**PLAT OF LEEWARD BAY P.U.D.**  
 REPLAT OF 1.29 ACRES OF LOTS 5, 14-18, BLOCK 2,  
 PADRE ISLAND-CORPUS CHRISTI SECTION E

SHEET 2 OF 2