



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of June 11, 2013
Second Reading for the City Council Meeting of June 25, 2013

DATE: May 23, 2013
TO: Ronald L. Olson, City Manager
FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Resort Commercial to Multifamily with a
Planned Unit Development for Townhouses
For Alex H. Harris
Property Addresses: 14306-14334 Nemo Court**

CAPTION:

Case No. 0513-01 Alex H. Harris: 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, not resulting in a change to the Future Land Use Plan. The property is described as 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).

PURPOSE:

The purpose of this item is to allow 44 townhouses as part of a Planned Unit Development.

RECOMMENDATION:

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, 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. 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.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, 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.

The proposed townhouse development will consist of 44 single-family units on a 2.65-acre lot at a density of 16.6 dwelling units per acre. The lots will be a minimum of 1,130-square feet and will have a minimum width of 16 feet. Each lot will have access to an access drive that will be a minimum 24-foot in width. The development will contain 88 parking spaces, which is less than the requirement of 96 spaces. The development will provide 28% pervious open space compared to a requirement of 30%. Staff finds that these departures from the code requirements are reasonable.

A PUD commits the developer to a site plan that cannot be changed significantly without a public hearing. A PUD allows for reasonable variations of the standard zoning requirements. The proposed PUD utilizes decreased lot sizes, lot widths, and open space requirements.

ALTERNATIVES:

- 1. Modify the conditions of the Planned Unit Development;
- 2. Approve an intermediate zoning district; or
- 3. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and is consistent with the adopted Future Land Use Plan, which slates the property for a medium density residential use.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

- Operating
 Revenue
 Capital
 Not applicable

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

- Aerial Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits