

STAFF REPORT

Case No. 0917-01
INFOR No. 17ZN1027

Planning Commission Hearing Date: September 20, 2017

Applicant & Legal Description	Owner: Luxury Spec Homes, Inc. Applicant/Representative: Miguel Saldana Location Address: 6113 Durant Drive Legal Description: Blanche Moore Subdivision, Lot 2		
Zoning Request	From: "FR" Farm Rural District To: "RS 4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay Area: 2.697 acres Purpose of Request: To develop a 17-lot single-family development with reduced street width and a five-foot sidewalk on one side of the street.		
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use
	<i>Site</i>	"FR" Farm Rural	Vacant (Former park)
	<i>North</i>	"RS-6" Single-Family 6	Low Density Residential
	<i>South</i>	"RS-6/PUD" Single-Family 6 with a Planned Unit Development Overlay	Vacant, Drainage, and High Density Residential
	<i>East</i>	"FR" Farm Rural	Public/Semi-Public
	<i>West</i>	"RS-6" Single-Family 6	Vacant
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development (PUD) is <u>inconsistent</u> with the adopted Future Land Use Map which calls for medium density residential. Map No.: 043033 Zoning Violations: None		
Transportation	Transportation and Circulation: The subject property has approximately 212 feet of street frontage along Durant Drive which is designated as a Local/Residential Street.		

Street R.O.W.	Street	Urban Transportation Plan Type	Existing Section	Traffic Volume
	Durant Drive	Designed to Minor Residential Collector Standard	60' ROW 38' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “FR” Farm Rural District to “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development (PUD) to allow for the construction of a 17-lot single-family development with reduced street width and a five-foot sidewalk on one side of the street.

Development Plan: The subject property is comprised of 2.697 acres and is proposed to be a 17-lot single-family development with reduced street width and a five-foot sidewalk on one side of the street. The density proposed is approximately 6.30 units per acre. The 17 lots will range in area between 5,352 and 7,680 square feet in size. Vehicular access will be provided by a reduced public right-of-way of 40 feet while maintaining a 28 foot paved street width. Pedestrian access will be provided by a 5 foot sidewalk on one side of the street. The PUD amenities include a lower traffic speed limit of 25 miles per hour (mph), 5 foot sidewalk on one side of the street, a neighborhood entry feature and wall with landscaping, and a speed hump. A standard parking space requirement of 2 spaces per unit will be met. The development proposes to maintain the 30% open space requirement.

The following table compares the proposed PUD development standards and the Unified Development Code (UDC) standards for the “RS-6” Single-Family 6 District, the “RS-4.5” Single-Family 4.5 District, and notes all necessary deviations from the UDC being requested by the applicant.

Minimum Dimensions	“RS-6” District Standards	“RS-4.5” District Standards	Proposed PUD	Deviation
Lot Area	6,000 sf.	4,500 sf.	4,500 sf.	No
Minimum Lot Width	50 ft.	45 ft.	45 ft.	No
Street Yard	25 ft.	20 ft.	20 ft.	No
Street Yard (Corner)	25 ft.	20 ft.	10 ft.	<u>Yes</u>
Side Yard	5 ft.	5 ft.	5 ft.	No
Rear Yard	5 ft.	5 ft.	5 ft.	No
Open Space	30%	30%	30%	No
Maximum Height	35 ft.	35 ft.	35 ft.	No
Paved Street Width	28 ft.	28 ft.	28 ft.	No
R.O.W. Width	50 ft.	50 ft.	40 ft.	<u>Yes</u>
Curb Type	6-in. curb & gutter	6-in. curb & gutter	6-in. curb & gutter	No

Parking Requirement	2 spaces per unit	2 spaces per unit	2 spaces per unit	No
Sidewalks	4 ft. on both sides	4 ft. on both sides	5 ft. on one side	<u>Yes</u>
Speed Limit	25 mph	25 mph	25 mph	No

Existing Land Uses & Zoning: The subject property is currently zoned “FR” Farm Rural and is vacant land. To the north are single-family residences (Wooldridge Creek Unit 12 Subdivision) zoned “RS-6” Single-Family 6 District. Wooldridge Creek Unit 12 was zoned to the “RS-6” Single-Family 6 District in 2004 and the homes were constructed between 2005 and 2007. To the east is Blanche Moore Elementary School and single-family residences (Wooldridge Creek Unit 2 Subdivision) zoned “RS-6” Single-Family 6 District. Wooldridge Creek Unit 12 was zoned to the “RS-6” Single-Family 6 District in 1979. To the south is the Wooldridge-Staples storm water ditch consisting of an 85 foot drainage right-of-way and a depth of 6.13 feet deep. Across the storm water ditch is the Bent Tree Planned Unit Development zoned “RS-6/PUD” Single-Family 6 with a Planned Unit Development (PUD). To the west are vacant properties zoned “RS-6” Single-Family 6 District. A rezoning case was proposed in 2015 for the construction of an apartment complex of 160 units, but was withdrawn. Neighborhood opposition was 36% along with a petition of 108 signatures.

AICUZ: The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The property is platted.

PlanCC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development (PUD) is inconsistent with the Future Land Use Map, the Southside ADP, and PlanCC. The proposed rezoning is inconsistent with the following policies of the Comprehensive Plan:

- Encourage the protection and enhancement of residential neighborhoods (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods (Future Land Use, Zoning, and Urban Design Policy Statement 3).

Department Comments:

- The proposed rezoning is incompatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP). The proposed rezoning is also

incompatible with neighboring properties and with the general character of the surrounding area.

- The property is currently vacant and is a remaining “FR” Farm Rural tract and has never been developed.
- Surrounding properties have been rezoned within the past twelve years indicating a pattern towards commercial development within the Esplanade Medical Center. However, the surrounding residential neighborhoods are zoned “RS-6” Single-Family 6 District.
- The requested development can be accomplished within the “RS-4.5” Single-Family 4.5 District without the need for a Planned Unit Development (PUD).
- The proposed PUD meets the Unified Development Code (UDC) requirements except the street yard (corner), right-of-way width, sidewalk requirements, and drainage requirements.
- The property is designated as per the future land use as medium density residential. As per PlanCC, medium density residential consists of between 4 and 13 units per acre. The proposed PUD is set as approximately 6.30 units per acre and is therefore in compliance with the future land use designation.
- The average lot size is approximately 5,671 square feet.
- The typical street standard for a local/residential street is a 50 foot wide right-of-way with a 28 foot wide paved street surface. The applicant is requesting a reduced right-of-way width of 40 feet with a 28 foot wide paved street surface.
- The PUD proposes all infrastructure will be publically maintained.
- According to section 3.5.4.A of the UDC, “The development is in harmony with the character of the surrounding area. The development is in conformity with the Comprehensive Plan and is consistent with the intent and purpose of this Section. The development contains a variety of housing types, employment opportunities or commercial services to achieve a balanced community. The orderly and creative arrangement of all land uses with respect to each other and to the entire community.”
- According to section 6.2.1.A of the UDC, “The Planned Unit Development Overlay zoning district encourages the unified design of a mix of residential, commercial, office, professional, retail or institutional uses. It is further the intent of this article to provide for: a maximum choice in the types of environment and living units available to the public; An integration of open space and recreation areas with residential development; A pattern of development which preserves trees, outstanding natural topography and geologic features; A creative approach to the use of land and related physical development; An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing and maintenance costs, without material, adverse impact on public costs; An environment of stable character in harmony with surrounding development; The development of vacant property within the presently developed urban area; The redevelopment of property where desirable by providing flexibility in redesign; and the production of a higher level of amenities.”
- The proposed PUD offers no additional amenities nor open space/recreational areas.
- The PUD has been reviewed by the Technical Review Committee (TRC). Staff disagrees with the proposed deviations described in the PUD document.

Staff Recommendation:

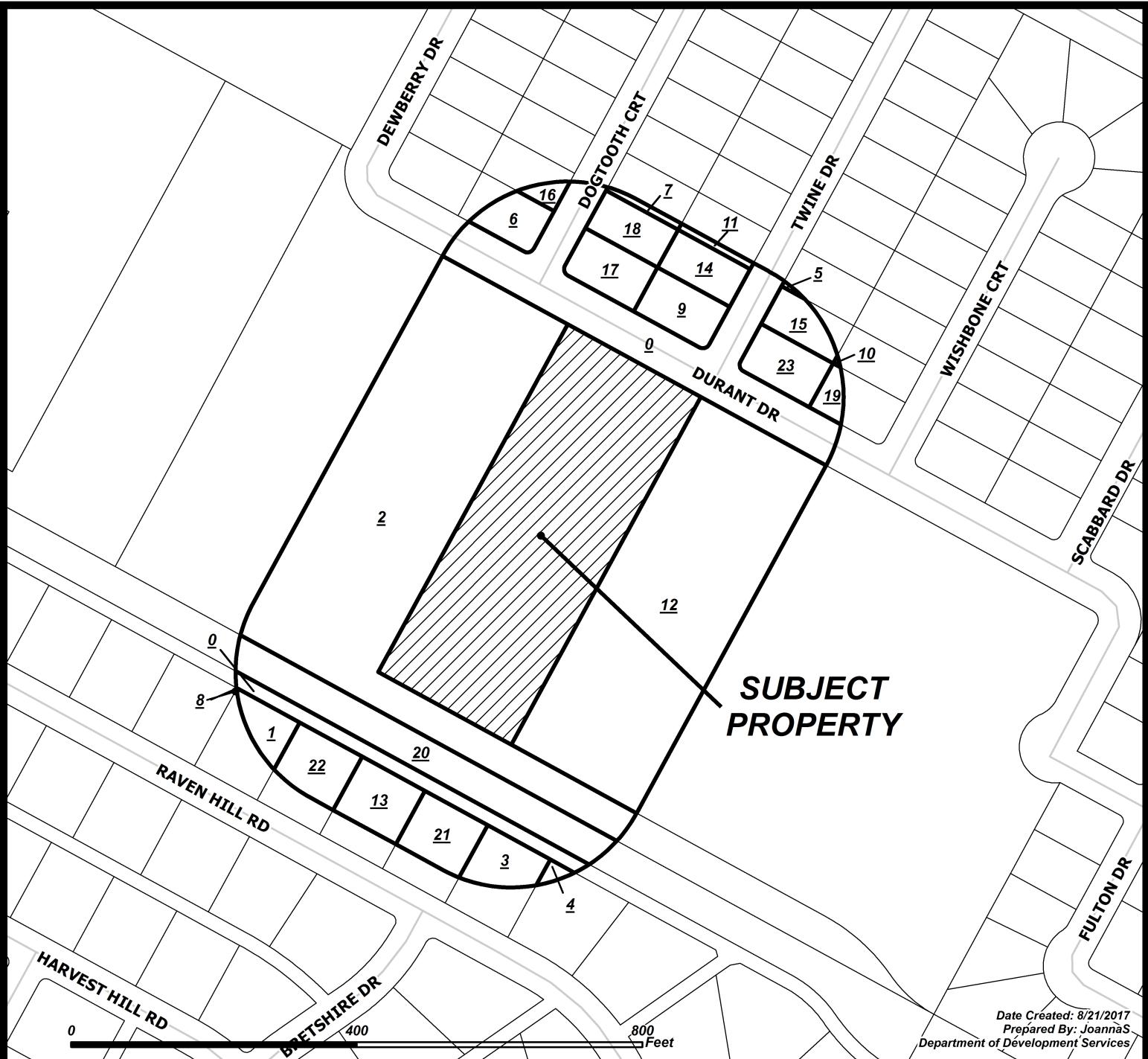
Denial of the change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 with a Planned Unit Development.

Public Notification	<p>Number of Notices Mailed – 23 within 200-foot notification area 5 outside notification area</p> <p><u>As of September 15, 2017:</u></p> <table><tbody><tr><td style="vertical-align: top; text-align: center;">In Favor</td><td>– 0 inside notification area – 0 outside notification area</td></tr><tr><td style="vertical-align: top; text-align: center;">In Opposition</td><td>– 2 inside notification area – 0 outside notification area</td></tr></tbody></table> <p>Totaling 3.94% of the land within the 200-foot notification area in opposition.</p>	In Favor	– 0 inside notification area – 0 outside notification area	In Opposition	– 2 inside notification area – 0 outside notification area
In Favor	– 0 inside notification area – 0 outside notification area				
In Opposition	– 2 inside notification area – 0 outside notification area				

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Master Site Plan and PUD Documents
- C. Public Comments Received (if any)

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CASE: 0917-01 ZONING & NOTICE AREA

RM-1 Multifamily 1
 RM-2 Multifamily 2
 RM-3 Multifamily 3
 ON Professional Office
 RM-AT Multifamily AT
 CN-1 Neighborhood Commercial
 CN-2 Neighborhood Commercial
 CR-1 Resort Commercial
 CR-2 Resort Commercial
 CG-1 General Commercial
 CG-2 General Commercial
 CI Intensive Commercial
 CBD Downtown Commercial
 CR-3 Resort Commercial
 FR Farm Rural
 H Historic Overlay
 BP Business Park

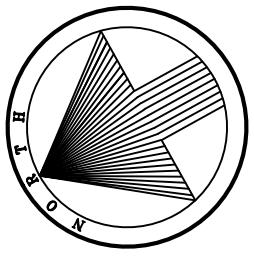
IL Light Industrial
 IH Heavy Industrial
 PUD Planned Unit Dev. Overlay
 RS-10 Single-Family 10
 RS-6 Single-Family 6
 RS-4.5 Single-Family 4.5
 RS-TF Two-Family
 RS-15 Single-Family 15
 RE Residential Estate
 RS-TH Townhouse
 SP Special Permit
 RV Recreational Vehicle Park
 RMH Manufactured Home

 Subject Property with 200' buffer

 Owners in favor

 Owners in opposition

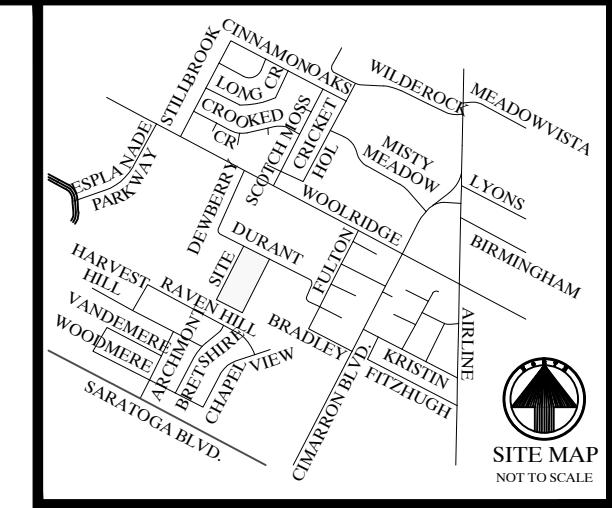




MASTER PLAN

PLAT OF LUXURY ESTATES

BEING A REPLAT OF BLOCK 2, LOT 2, BLANCHE MOORE SCHOOL
SUBDIVISION, AS SHOWN ON A MAP RECORDED IN VOLUME 52,
PAGES 67 - 68, MAP RECORDS NUECES COUNTY, TEXAS

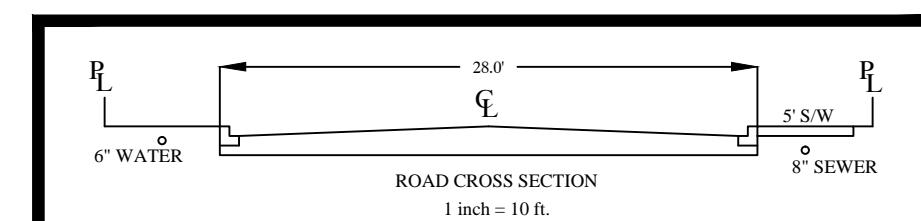
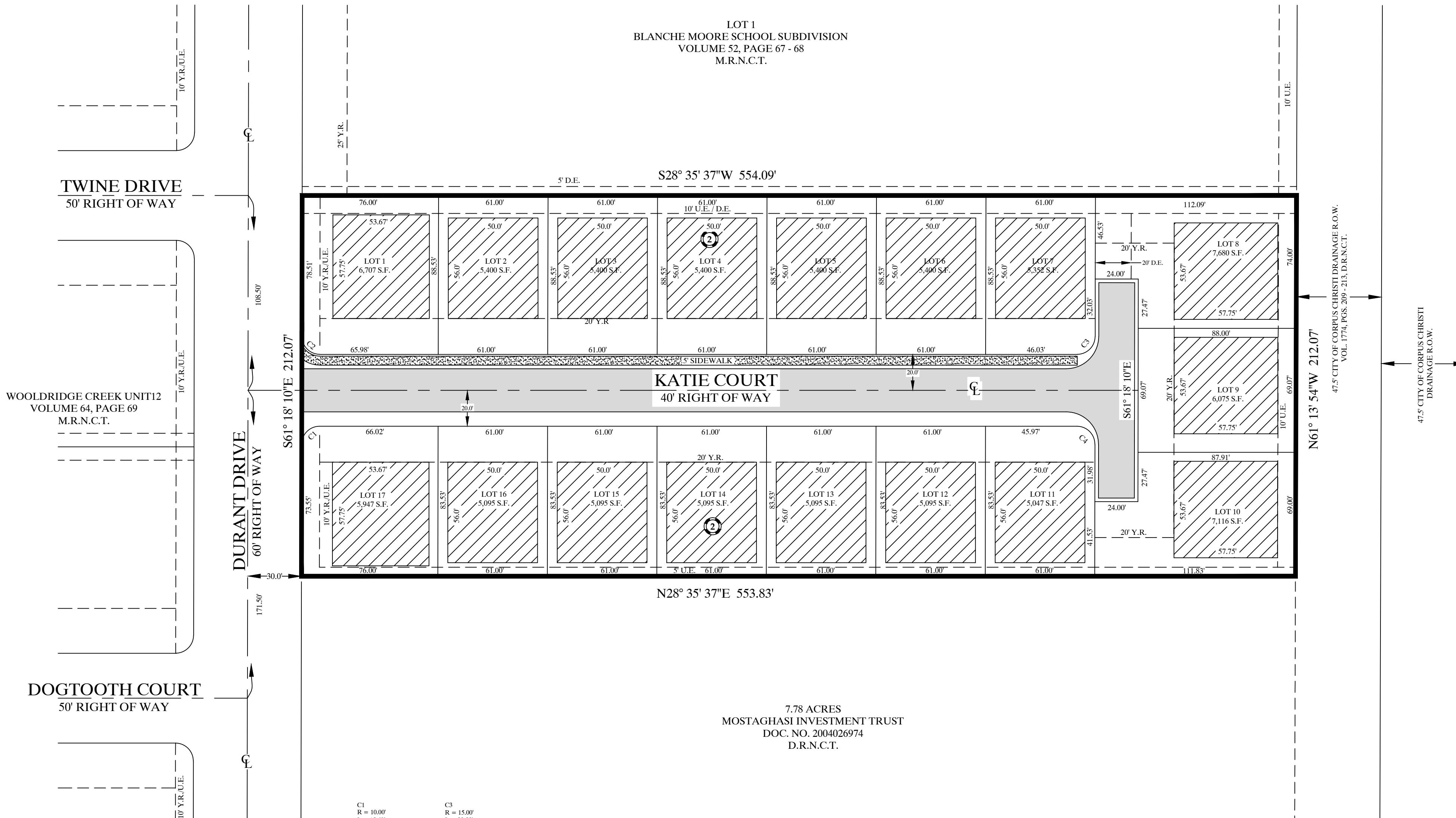


Brister Surveying

4455 South Padre Island Drive Suite 51
Corpus Christi, Texas 78411
Office 361-850-1800
Fax 361-850-1802
bristersurveying@corpus.twbc.com
Firm Registration No. 10072800



DATE OF MAP: 31 JULY 2017



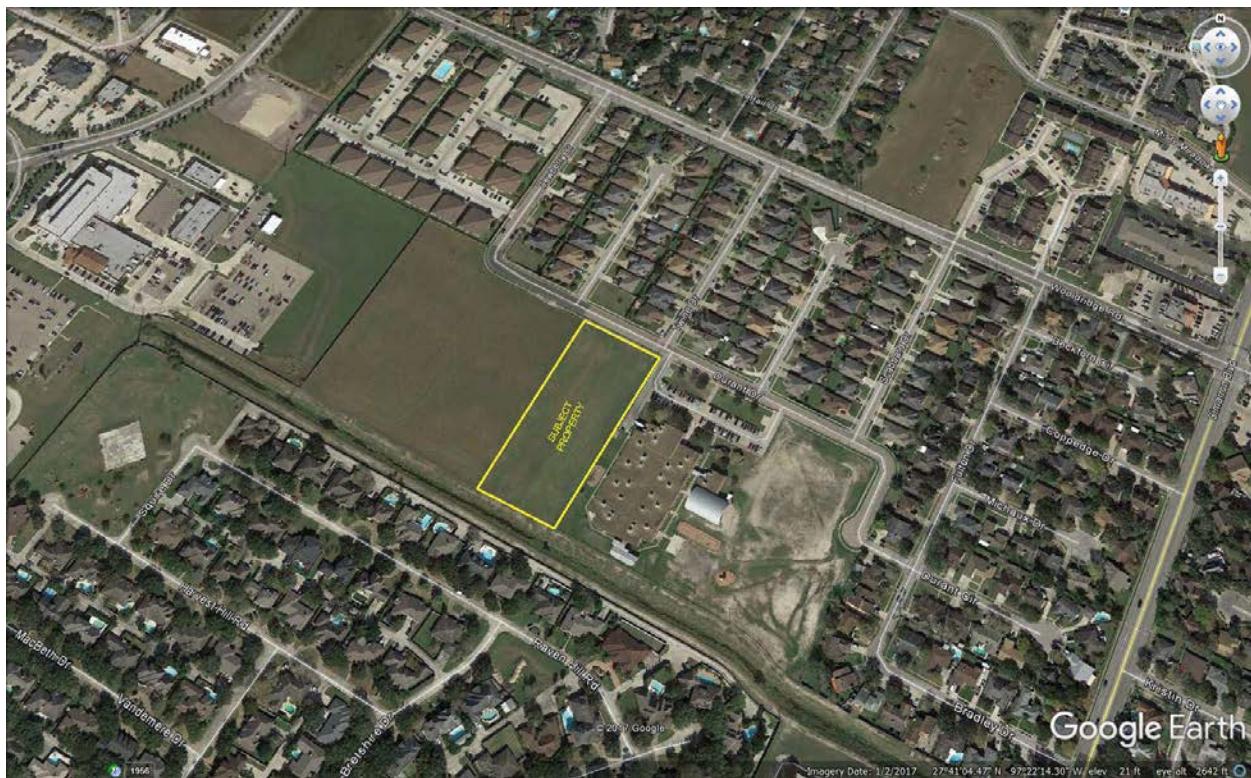
LUXURY ESTATES

PLANNED UNIT DEVELOPMENT

Development Description:

Luxury Estates Planned Unit Development is a proposed single-family development. The developer proposes to construct 17 single-family residential units on a 2.70-acre tract of land that was previously a public park. The developer intends to develop the property in a single phase. The requested zoning is from the current "F-R" Farm-Rural District to a "RS-4.5" Single-family Residential 4.5 District with a Planned Unit Development overlay. Deviations from the standard regulations are a 5-foot wide sidewalk along one side of the public roadway, 40-foot wide right-of-way, 10-foot side yard. This development will be an extension of the single-family residential area to the north.

Location Map:



Deviation Table:

LUXURY ESTATES SUBDIVISION			
	"RS-4.5" District	Planned Unit Development	Deviation
Minimum Lot Area	4,500 sq. ft.	4,500 sq. ft. Lots ave. – 5,670 sq. ft.	No
Density	9.68 units per acre	6.30 units per acre	No
Minimum Lot Width	45 ft.	45 ft.	No
Minimum Street Yard	20 ft.	20 ft.	No
Minimum Street Yard (Corner)	20 ft.	10ft.	Yes
Minimum Side Yard	5 ft.	5 ft.	No
Minimum Rear Yard	5 ft.	5 ft.	No
Minimum Open Space	30%	30%	No
Maximum Height	35 ft.	35ft.	No
Required Off-Street Parking	2 spaces/unit	2 space/unit	No
Right-Of-Way Width	50 ft.	40 ft.	Yes
Pavement Width	28 ft.	28 ft.	No
Curb and Gutter	6 in.	6 in.	No
Sidewalks	4 ft. on each side	5 ft. on one side	Yes
Drainage Easement	20 ft. with RCP pipe	20 ft. with HDPE pipe	Yes

Amenities Provided:

Speed Hump
5-foot wide sidewalk
Landscaped entrance
Lower speed limit – 25 mph

Deviation Requests:

Right-of-Way: Due to the narrowness of the tract of land, providing the typical 50-foot right-of-way would impact the typical floor plan created by the developer. This would in turn raise the cost of the homes for sale. The reduced right-of-way will not impact the actual roadway since it will be the standard 28-foot back-of-curb to back-of-curb, nor will it impact the placement of the public utilities.

Sidewalk: The ordinance requires a 4-foot wide sidewalk on each side of the roadway. The developer is requesting a 5-foot wide sidewalk along one side of the roadway. The 5-foot width provides ample room for people using the sidewalk to easily pass one another without having to step onto the grass or roadway. Since the road is slightly longer than a football field (466 feet) and there is no through traffic, the sidewalk on one side of the roadway will have minimal impact on the quality of life in this subdivision.

Drainage Easement: The developer will be providing a 20-foot wide drainage easement as required by the ordinance, but is requesting that an HDPE pipe be used in lieu of the typical RCP. Staff has allowed the use of HDPE pipe provided it is not under paved streets and limit the diameter of the pipe. The proposed HDPE drainage pipe will be located within a 20-foot wide drainage easement within Lot 8 (see attached Master Plan).

Corner Lot Side Setback: The ordinance requires that when a lot (Lot A) backs up to lot (Lot B) that has a front yard setback, the side yard of Lot A must equal to the required front yard of the zoning district. The developer is requesting a deviation from that requirement. **Proposed Lot 1** backs up to the school property which fronts on Durant Drive and has a 25-foot front yard setback. Therefore by ordinance, Lot 1 would be required to provide 20-foot setback along both Durant Drive and Katie Court. The setback is required to reduce any adverse impact the corner lot may have on the rear lot. Allowing the reduction of the side yard setback to 10 feet will not affect the school since the building is set back approximately 160 feet. **Proposed Lot 17** backs up to a vacant tract of land. If the property develops with single-family residential, there is a high probability that the lot behind Lot 17 will side on Durant Drive and require only a 10-foot side yard setback. If the property develops with apartments, as the current owner wishes, the apartment buildings will be set back at least 60 feet.

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0917-01**

Luxury Spec Homes, Inc. has petitioned the City of Corpus Christi to consider a change of zoning from the "FR" Farm Rural District with the Island Overlay to the "RS-4.5/PUD" Single Family 4.5 District with a Planned Unit Development Overlay, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

Blanche Moore School Subdivision, Lot 2, located on the south side of Durant Drive, south of Wooldridge Road, and west of Cimarron Boulevard.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, September 6, 2017, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

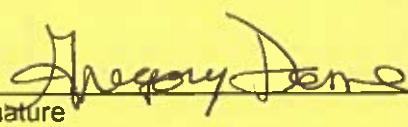
NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: Gregory Dame & Sandra Dame

Address: 5930 Raven Hill Rd City/State: Corp Christi, TX

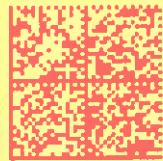
IN FAVOR IN OPPOSITION Phone: 361-244-4882

REASON:

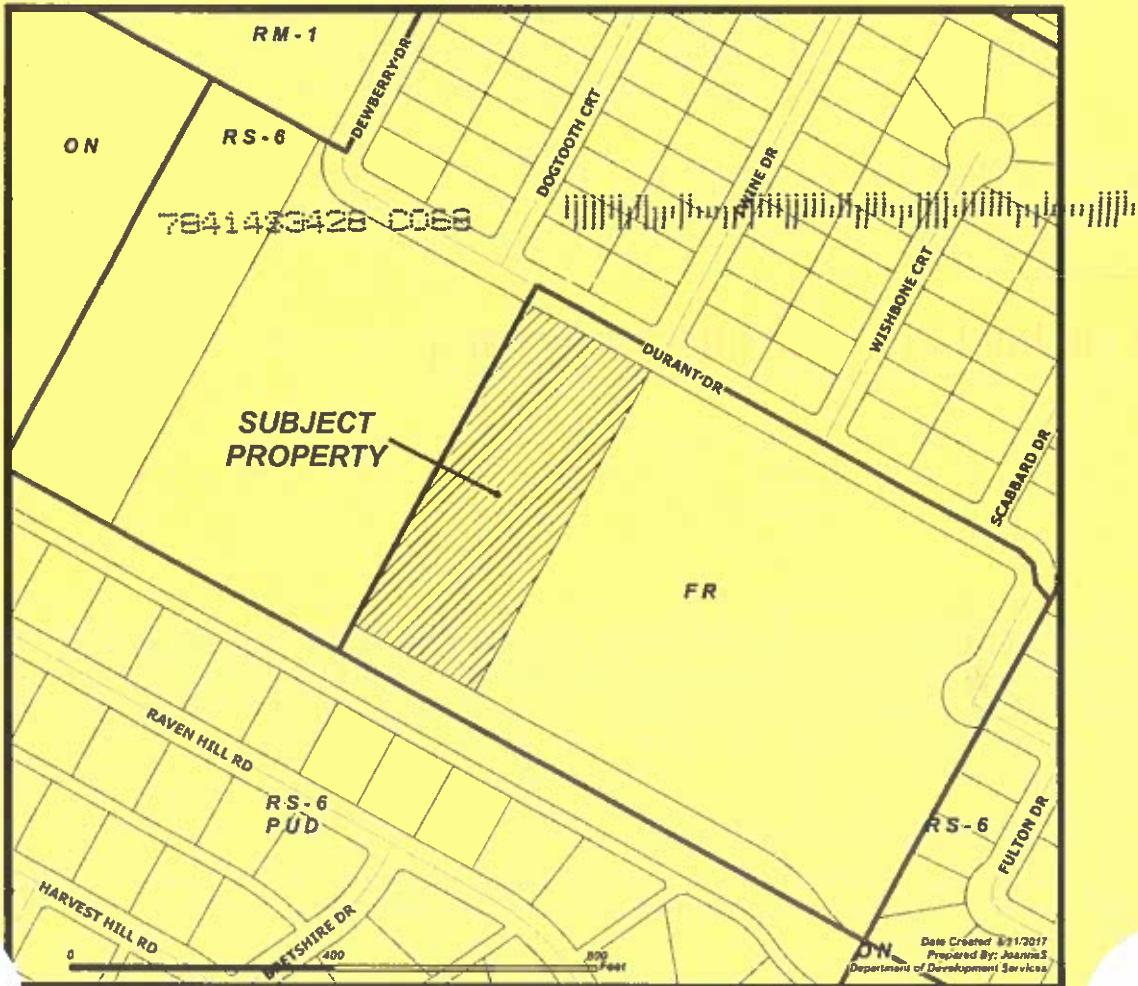

Signature

City of Corpus Christi
Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469

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DAME GREGORY A ET UX SAND
5930 RAVER HILL
Corpus Christi, TX 78414



CASE: 0917-01
SUBJECT PROPERTY WITH ZONING

Subject Property

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	HI	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev Overlay
ON	Office	RS-10	Single-Family 10
ON	Office	RS-6	Single-Family 6
ON	Multifamily AT	RS-4.5	Single-Family 4.5
CN-1	Neighborhood Commercial	RS-17	Two-Family
CN-2	Neighborhood Commercial	RS-18	Single-Family 18
CR-1	Resort Commercial	RS-20	Residential Sub-Estate
CR-2	Resort Commercial	RS-TM	Townhouse
CG-1	General Commercial	SP	Special Permit
CG-2	General Commercial	RV	Recreational Vehicle Park
CI	Intensive Commercial	RASH	Manufactured Home
CBD	Downtown Commercial		
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		



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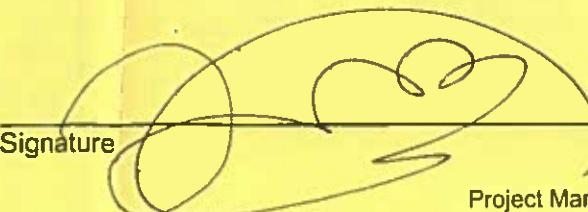
Printed Name: Jonathan Shaddock

Address: 5934 RAVEN HILL RO. City/State: CORPUS CHRISTI, TX

IN FAVOR IN OPPOSITION

Phone: 361 244-4012

REASON:

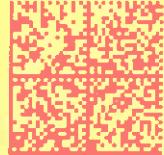

Signature

Case No. 0917-01

Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

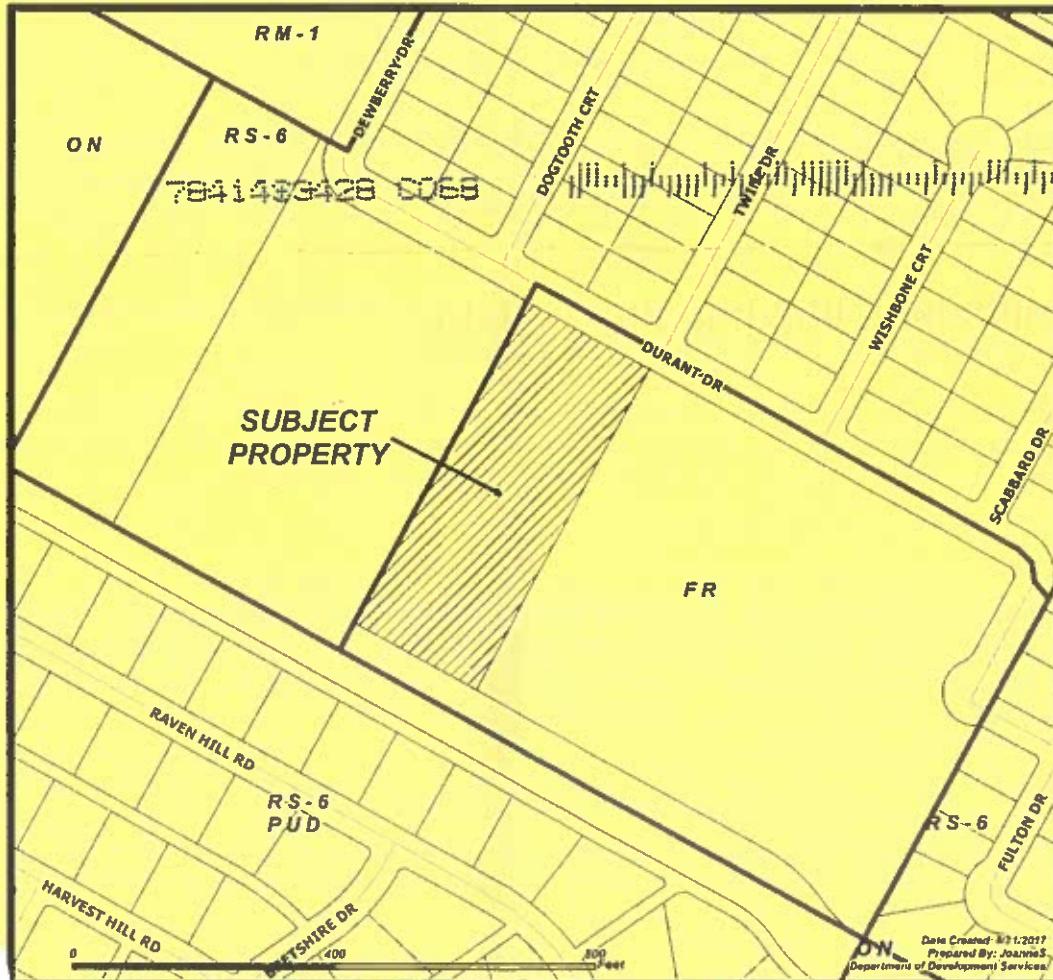
City of Corpus Christi
Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469

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SHADDOCK JONATHAN E AND
BRANDI N SHADDOCK HUSB &
5934 Raven Hill Rd
Corpus Christi, TX 78414



CASE: 0917-01
SUBJECT PROPERTY WITH ZONING

Subject
Property

RM-1	Multifamily 1	L	Light Industrial
RM-2	Multifamily 2	H	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-8	Single-Family 8
CH-1	Neighborhood Commercial	RS-6	Single-Family 6
Ch-2	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CR-1	Racon Commercial	RS-TF	Two-Family
CH-2	Resort Commercial	RS-15	Single-Family 15
CG-1	General Commercial	RE	Residential Estate
CC-2	General Commercial	RS-TH	Townhouse
CI	Intensive Commercial	SP	Special Permit
CBD	Downtown Commercial	HV	Recreational Vehicle Park
CR-3	Resort Commercial	RHM	Manufactured Home
FR	Farm/Rural		
H	Historic Overlay		
BP	Business Park		

