

# CITY COUNCIL ZONING REPORT

Case No.: 0813-05  
 HTE No. 13-10000024

**Planning Commission Hearing Date:** August 28, 2013

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Doug Shaw and Jill Shaw  <b>Representative:</b> Naismith Engineering, Inc.  <b>Legal Description/Location:</b> Lots 1-3, Block 2, Section E, Padre Island - Corpus Christi, located along the east side of Aruba Drive, approximately 175 feet west of Leeward Drive.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RM-AT/IO" Multifamily AT District with an Island Overlay  <b>To:</b> "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and Planned Unit Development Overlay  <b>Area:</b> 0.79 acres  <b>Purpose of Request:</b> To allow a 14-unit townhouse development that deviates from the typical townhouse development standards.</p>			
<b>Existing Zoning and 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 with an Island Overlay	Vacant	Tourist
<b>North</b>		"RM-AT/IO" Multifamily AT with an Island Overlay	Vacant	Tourist
<b>South</b>		"CR-1/IO" Resort Commercial District with an Island Overlay	Vacant & Low Density Residential	Tourist
<b>East</b>		"RM-AT/IO" Multifamily AT with an Island Overlay & "CR-2/IO" Resort Commercial District with an Island Overlay	Vacant	Tourist & Commercial
<b>West</b>		"CR-1/IO" Resort Commercial District with an Island Overlay	Vacant	Tourist & Commercial
<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> 029028  <b>Zoning Violations:</b> None</p>			

<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property is approximately 175 feet west of Leeward Drive, which is a “C1” Minor Residential Collector street, and has approximately 265 feet of frontage along Aruba Drive, which is a local residential street.				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume</b>
	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 to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay for a 14-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 14 single-family townhouse units on a 0.79-acre site resulting in a density of 17.72 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 one-way street with a minimum width of 20 feet and a five-foot wide sidewalk along one side. The development will contain 32 parking spaces for residents and guests. Each unit will be provided two parking spaces and four parallel parking spaces will be provided for guests. The development will maintain 37% open space. The development will provide common open space with amenities such as a swimming pool.

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.

<b>Minimum Dimensions</b>	<b>“RS-TH” District Standards</b>	<b>Proposed PUD</b>	<b>Deviation</b>
Site Area	20,000 SF	34,998 SF	No
Lot Area	2,600 SF	1,380 SF	<b>Yes</b>
Dwelling Unit Width	26 ft.	20 ft.	<b>Yes</b>
Front Yard	10 ft.	10 - 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%	37%	No
Maximum Height	45 ft.	30 ft.	No
Paved Street Width	28 ft.	20 ft.	<b>Yes</b>
Curb Type	6-in. curb & gutter	2-ft. ribbon curb	<b>Yes</b>
Parking Requirement	2.2/lot	2.2/lot (32 total)	No
Sidewalks	5 ft. on both sides or 6 ft. on one side of private street	5 ft. on one side of private street	<b>Yes</b>

**Existing Land Uses & Zoning:** The subject property contains undeveloped platted lots zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. North of the subject property is vacant land zoned “RM-AT/IO” Multifamily AT District with an Island Overlay. South of the subject property is vacant and low density residential uses zoned “CR-1/IO” Resort Commercial District with an Island Overlay. East of the subject property is vacant land zoned “RM-AT/IO” Multifamily AT District with an Island Overlay and “CR-2/IO” Resort Commercial District with an Island Overlay. West of the subject property is vacant 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 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 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 re-platted 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 three 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.

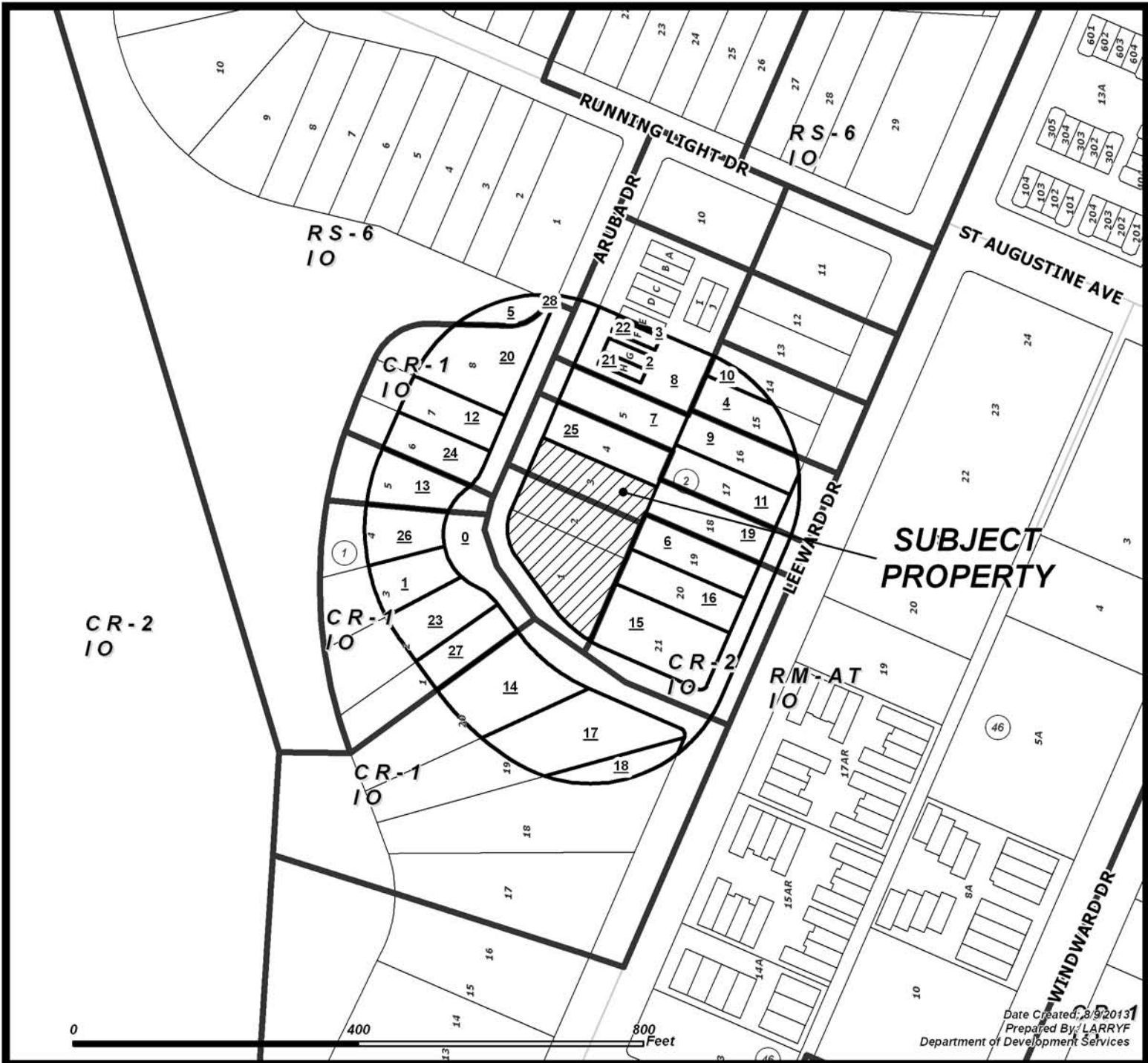
**Planning Commission and Staff Recommendation (August 28, 2013):**

Approval of the change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT 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 and the Plat as shown in Exhibit C. The development of the Property is to consist of 14 townhouse units and common area amenities and shall be constructed in one phase.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 17.72 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 28 standard parking spaces (9 feet wide by 18 feet long) and four 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 along Aruba Drive shall be 20 feet. 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 5 and 7. Minimum width for townhouse lots shall be 20 feet.
6. **Open Space:** The Property must maintain a minimum of 37% 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 20 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 minimum six-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.

<b>Public Notification</b>	<p>Number of Notices Mailed – 39 within 200’ notification area; 3 outside notification area</p> <p><u>As of September 3, 2013:</u></p> <p>In Favor – 0 (inside notification area); 0 (outside notification area)</p> <p>In Opposition – 0 (inside notification area); 0 (outside notification area)</p> <p>For 0.00% in opposition.</p>
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- Exhibits:      A. Location Map (With Existing Zoning & Notice Area)  
                    B. Master Site Plan

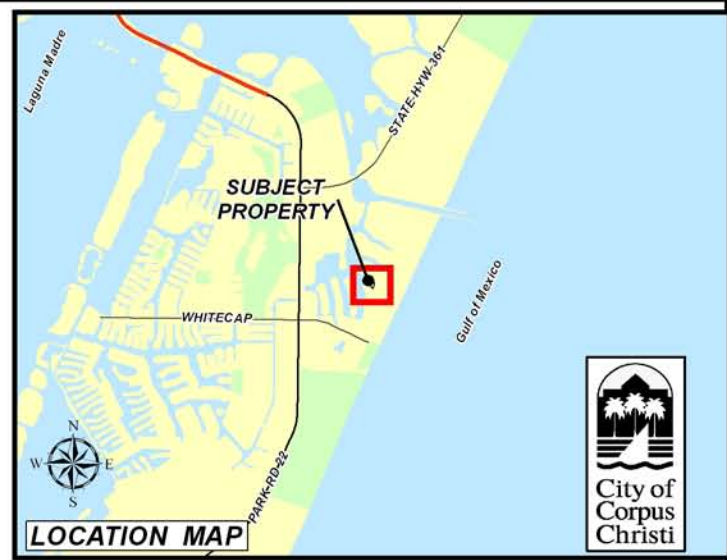


Date Created: 8/9/2013  
 Prepared By: LARRYF  
 Department of Development Services

## CASE: 0813-05 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 within 200' listed on attached ownership table  
 Owners in opposition



**Planned Unit Development for:**  
**Smuggler's Cove**



**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**

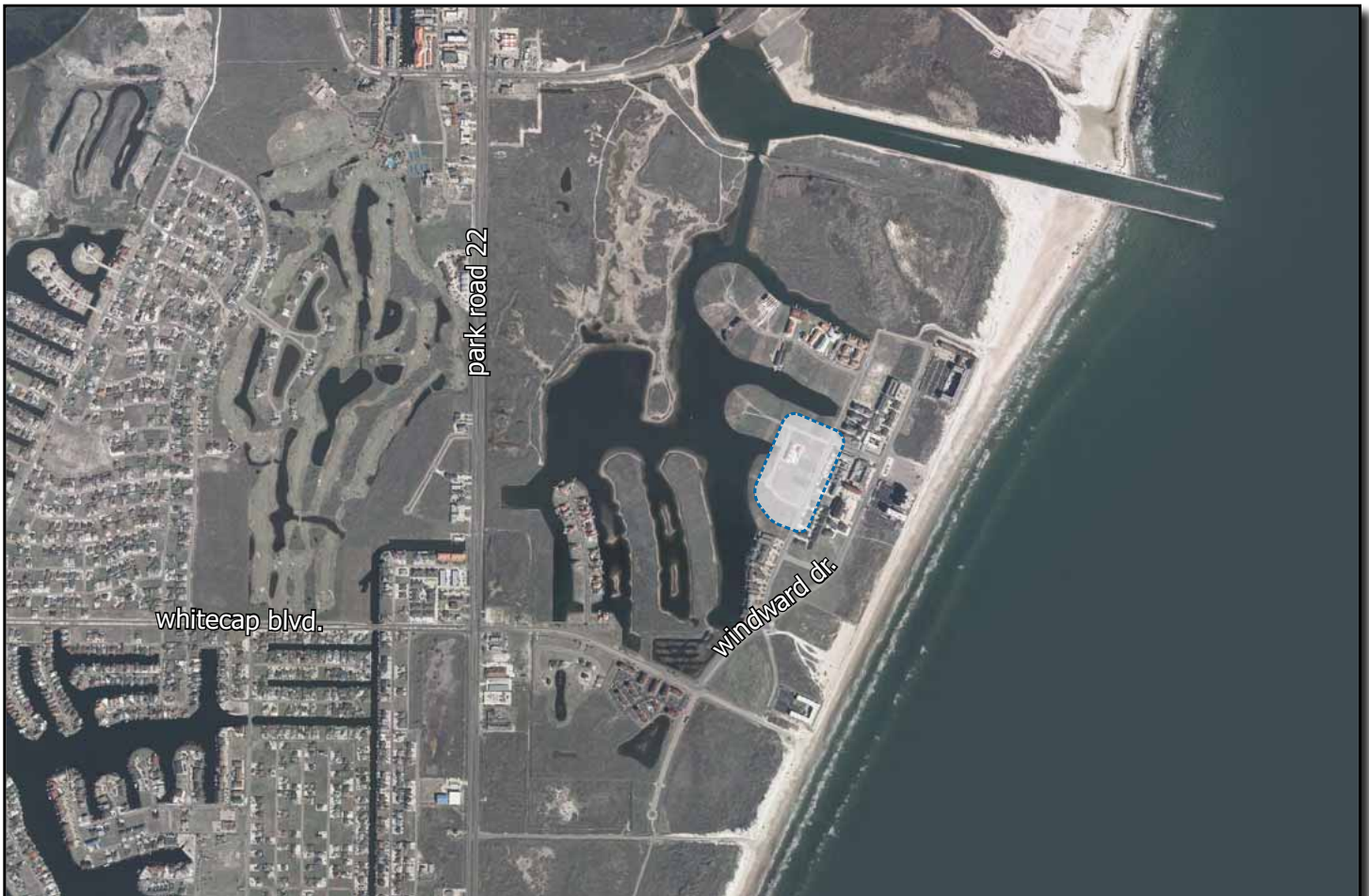
 **Naismith Engineering, Inc.**  
ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING



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## location map





## general info

The Planned Unit Development for Smuggler's Cove consists of a Re-Plat of Lots 1-3 on Block 2, Padre Island-Corpus Christi Section E, along Aruba Dr. on Padre Island. This development will be non-gated with attached single-family units.

Smugglers Cove will be a Re-Plat of lots 1-3 into 16 lots consisting of 14 Single Family Units and 2 Common Area lots. The property sits on 0.79 acres of vacant land and has an existing zoning of RM-AT/IO. The Future Land Use plan designates this area as 'Tourist'.

## adjacent zoning

The area around Smugglers Cove has a variety of different existing zoning designations. The properties to the west and south, across Aruba are zoned CR-1/IO. The adjacent area to the North is zoned RM-AT/IO while the property to the East is CR-2/IO.



# property description

The Planned Unit Development for Smuggler's Cove consists of a Re-Plat of Lots 1-3 Block 2, Padre Island-Corpus Christi Section E.

Smugglers Cove is a 0.79 acre tract of land along Aruba Dr. The existing zoning on the property is RM-AT/IO with a 'Tourist' designation on the Future Land Use Plan for the City of Corpus Christi. According to the Flood Insurance Rate Map (FIRM), this property is in Zone A13 EL 9.

This development fits with the existing characteristics of the surrounding properties and will fit with the culture of Padre Island.





## deviations table | smuggler's cove

Description	Zong / Platting Ordinance Requirement (RS-TH)	Smuggler's Cove
Min. Site Area (SF)	20,000	34,445
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	3
Side (single)	0	0
Side (total)	0	0
Rear	5	5
Min. Building Separation (FT)	10	10
Min. Open Space	30 %	37%
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 (32 total)
Sidewalks	5' on Both Sides of Road	5' on One Side of Road

## development guidelines | smuggler's cove

### Residential Lots: Block 1, Lots 1-5, 7-15

- Lot Size: Minimum 1,380 sf  
Maximum 2,819 sf
- Lot Width: Minimum 20 Feet  
Maximum 48.30 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 (31 Spaces Required)  
32 Spaces Provided - See Parking Layout on Page 8.
- Usage: Single Family Residential
- Improvements: Structure, decks, porches, etc. shall not portrude 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, Lots 16

- Maintenance: Home Owners Association (HOA)
- Parking Requirement: Parking allowed in Designated Areas only.  
Four (4) parallel parking spaces are provided adjacent to Lot 14.  
Parking Spaces to be clearly marked.  
No Parking allowed on Smugglers Court.  
Areas supporting the community: Vehicular Access Drive, Pedestrian Access, Walkways, etc.
- Usage:

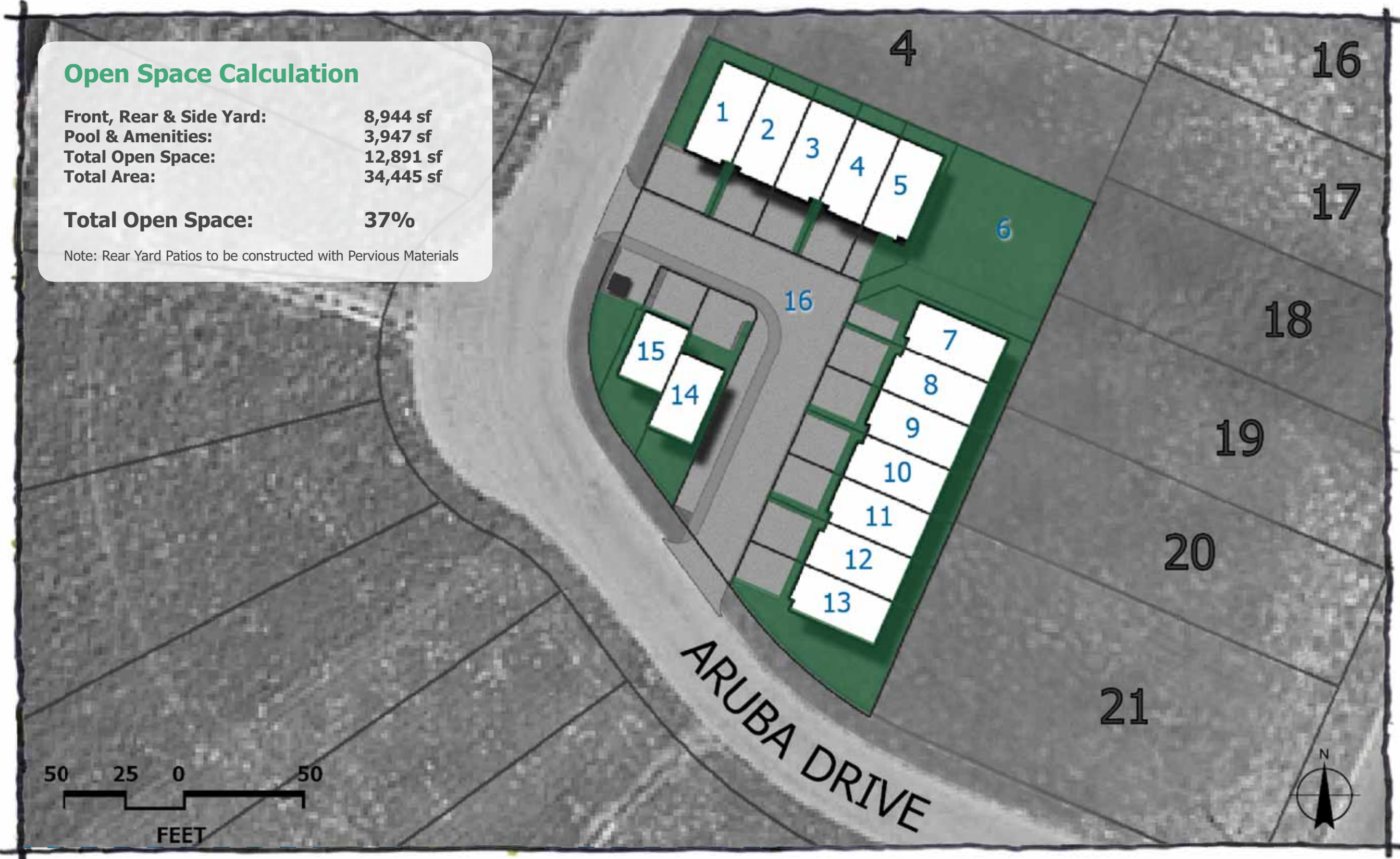
### Common Area: Block 1, Lot 6

- Lot Size: 4,099 sf
- Lot Width: Minimum 7 Feet  
Maximum 64 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 6
- Usage: Non-Residential Structures supporting the community.
- Improvements: Structure, decks, porches, etc. shall not portrude beyond the Yard, Easement or Property Line (whichever is applicable).





open space layout | smuggler's cove



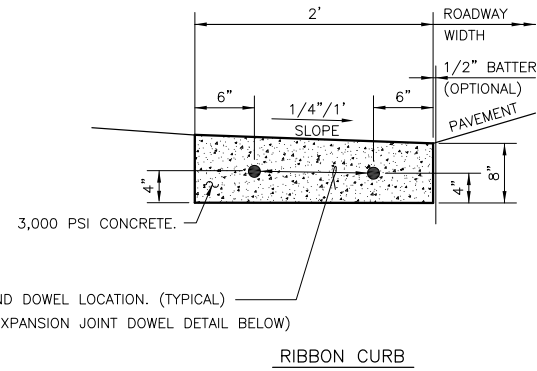


## vehicular / pedestrian access | smuggler's cove

Vehicular and Pedestrian access will be provided with a 20' back of curb to back of curb One-Way Private Access Drive named 'Smugglers Court' with access to each single family and common area lot. Smugglers Court will enter from Aruba Dr. on the Northwest side of the property and then exit back onto Aruba Dr. to the South. 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 Smugglers Court.

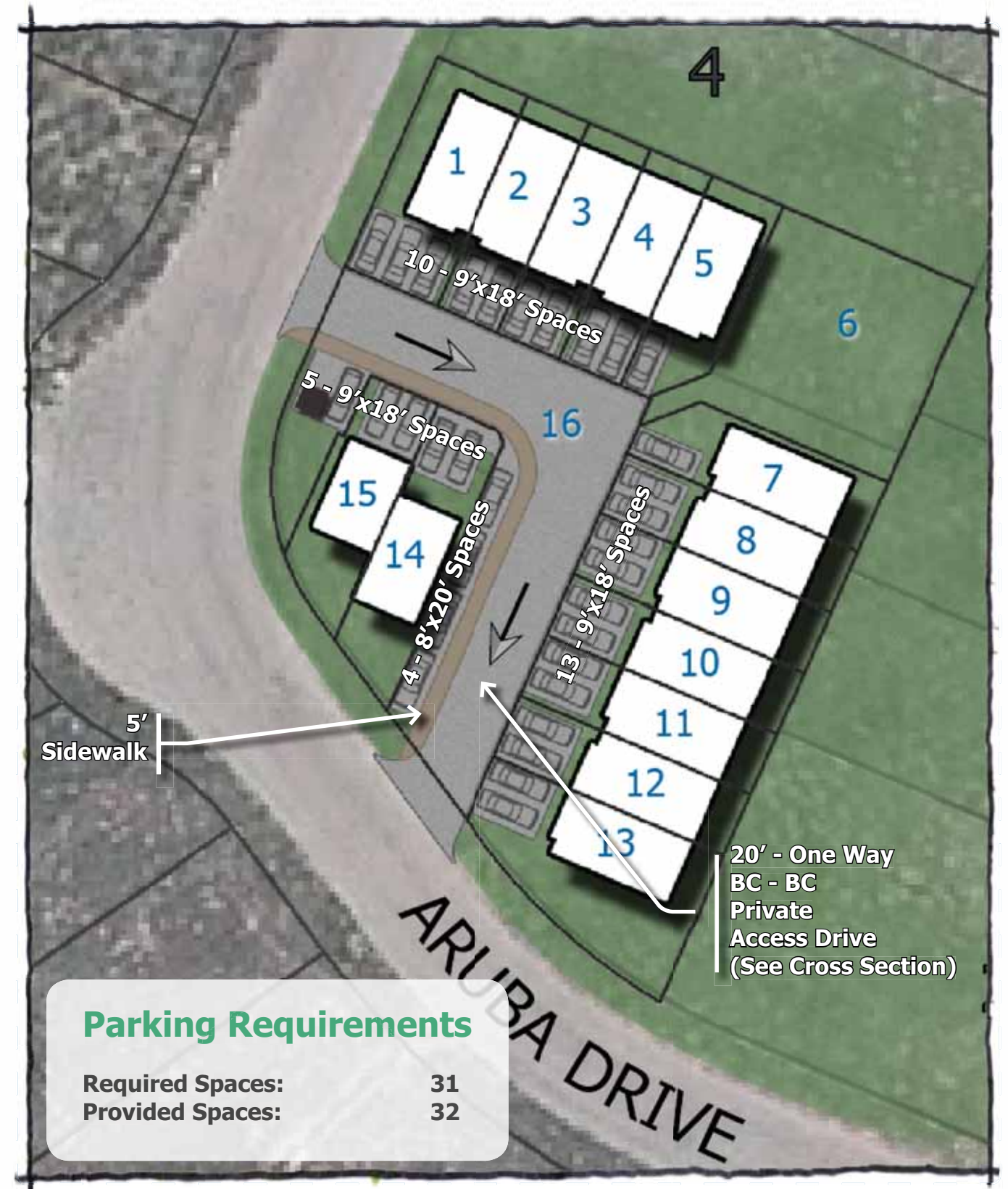
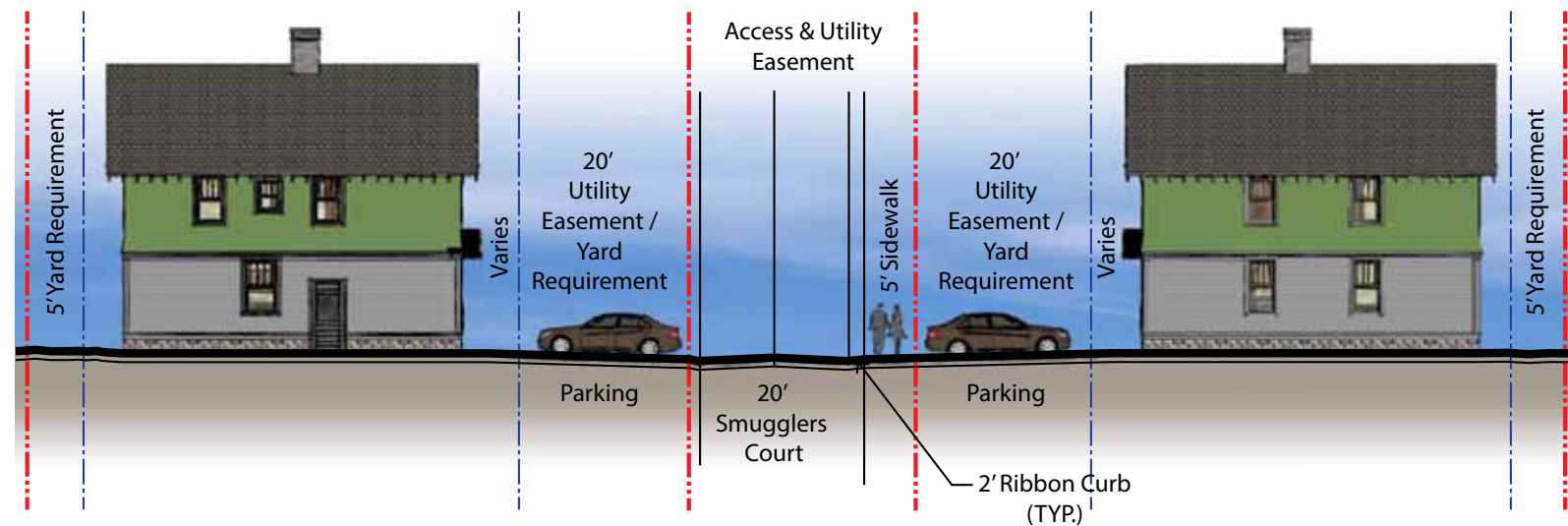


#4 REBAR AND DOWEL LOCATION. (TYPICAL)  
(SEE CURB EXPANSION JOINT DOWEL DETAIL BELOW)

### 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 INDEPENDENT OF THE CONSTRUCTION METHODS USED.

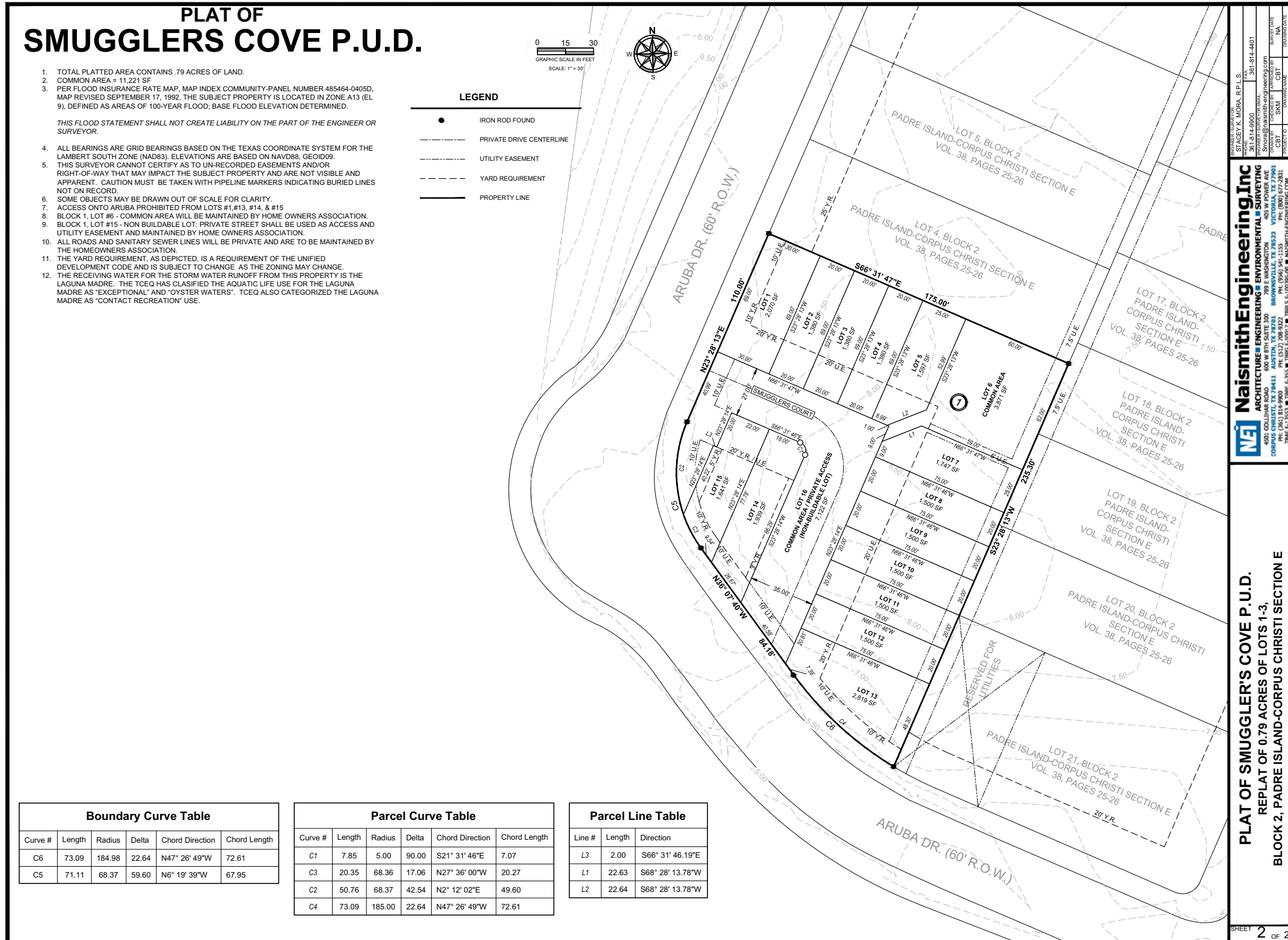
## typical cross section | smuggler's court



### Parking Requirements

Required Spaces:	31
Provided Spaces:	32

# preliminary plat | smuggler's cove



**PLAT OF SMUGGLER'S COVE P.U.D.**  
REPLAT OF 0.79 ACRES OF LOTS 1-3,  
BLOCK 2, PADRE ISLAND-CORPUS CHRISTI SECTION E

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PROJECT: SMUGGLERS COVE P.U.D.  
DRAWN BY: STACEY K. MORAN, R.P.L.S.  
CHECKED BY: STACEY K. MORAN, R.P.L.S.  
DATE: 04/18/2013