



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of September 24, 2013
Second Reading Ordinance for the City Council Meeting of October 8, 2013

DATE: September 3, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Multifamily with an Island Overlay to Multifamily with an Island
Overlay and a Planned Unit Development Overlay
For Doug Shaw and Jill Shaw
Property Address: 15038, 15034, and 15030 Aruba Drive**

CAPTION:

Case No. 0813-05 Doug Shaw and Jill Shaw: A 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. The property is described as 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.

PURPOSE:

The purpose of this item is to rezone the subject property to allow 14 townhomes as part of a Planned Unit Development.

RECOMMENDATION:

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 "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 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.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a 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 for a 14-unit townhouse development.

Planned Unit Developments (PUDs) allow for reasonable deviations from required development standards and allow increased flexibility in project design. The proposed PUD for a townhouse development will deviate from development standards with regards to lot size, lot width, street width, curb type and sidewalk design. The proposed PUD is consistent with the Comprehensive Plan, is compatible with the surrounding developments, and would not have a negative impact on surrounding properties. The subject property is also suited for the proposed project.

ALTERNATIVES:

1. Modify the conditions of the Planned Unit Development; or
2. 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 the proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for a tourist use.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	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