

ZONING REPORT

Case No.: 0812-02

HTE No. 12-14000001

Planning Commission Hearing Date: February 13, 2013 (Tabled on Aug. 15, Sept. 12, & Dec. 19)

Applicant & Legal Description	Applicant/Representative: N.P. Homes, L.L.C. Owner: N.P. Homes, L.L.C. Legal Description/Location: King's Crossing West Unit 2, Block 2, Lot 3, located at the northeast corner of Chicago Drive and approximately 500 feet west of South Staples Street (FM 2444).			
Zoning Request	From: "CG-2" General Commercial District To: "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay Area: 3.301 acres Purpose of Request: To allow construction of a 32-unit townhouse development.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-2" General Commercial	Vacant	Commercial
	<i>North</i>	"CG-2" General Commercial	Vacant	Commercial
	<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
	<i>East</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>West</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay is consistent with the adopted Future Land Use Plan because the base zoning district is not changing. Map No.: 045031 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has 576 feet of frontage along the north side of Chicago Drive and has 235 feet of frontage along the east side of Chicago Drive, which is a Local Residential Street. The subject property has indirect access to South Staples Street (FM 2224), which is an "A3" Primary Arterial Divided Street, via Chicago Drive. The subject property is approximately 500 feet west of South Staples Street.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2010)
	Chicago Drive	Local Residential	60' ROW, 40' paved	60' ROW, 40' paved	Not Available
	South Staples Street (FM 2224)	"A3" Primary Arterial Divided	130' ROW, 79' paved	92' ROW, 65' paved	7,651 ADT

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the "CG-2" General Commercial District to the "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay (PUD) in order to construct a 32-unit townhouse development. The proposed development would be classified as a medium-density residential land use, which ranges from 8 to 22 dwelling units per acre. The applicant is requesting the PUD zoning because it offers flexibility in the required development standards that the "CG-2" District imposes, such as setbacks and street design.

Applicant's Development Plan: The applicant plans to construct a gated townhouse development consisting of three four-plex structures, six three-plex structures, and one duplex structure for a total of 32 dwelling units and a density of 9.7 dwelling units per acre. The proposed lot sizes are a minimum of 3,000 square feet and the floor area of each dwelling unit would range from 1,300 to 1,500 square feet with an attached two-car garage and two parking spaces in front of the garage. The development would maintain the existing building setback lines along Chicago Drive (20 feet along the north-south portion of Chicago Drive and 10 feet along the east-west portion of Chicago Drive). With the exception of the proposed street design, open space requirements, and rear yard setback, the proposed development complies with the typical dimensional requirements for townhouse developments, which are:

Townhouse Requirements	Proposed	Complies
Minimum Site Area: 20,000 square feet	135,036 SF	Yes
Minimum Dwelling Unit Area (front access): 2,600 square feet	3,012 SF	Yes
Minimum Dwelling Unit Width (front access): 26 feet	36 ft.	Yes
Internal Street Yard Setback: 10 feet	15 ft.	Yes
Side Yard: Zero (0) feet	0 ft.	Yes
Rear Yard Setback: 15 feet	7.5-15 ft.	No
Building Separation: 10 feet	10 ft.	Yes
Maximum Height: 45 feet	35 ft.	Yes
Minimum Open Space: 30%	34.34%	Yes

Existing Land Uses & Zoning: Located to the north of the subject property is a vacant lot, which is zoned as the “CG-2” General Commercial District. Across Chicago Drive to the south and west of the subject property is a single-family residential neighborhood, which is zoned as the “RS-6” Single-Family 6 District. To the east of the subject property is an animal hospital, which is zoned as the “CG-2” General Commercial District.

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: Although the adopted Future Land Use Plan states the subject property for commercial uses rather than medium-density residential uses, the requested Planned Unit Development (PUD) would not change the Future Land Use Plan because the base zoning district will not change. The requested PUD would be compatible with the surrounding commercial and residential uses and would protect the neighborhood from further encroachment of commercial uses. The rezoning is consistent with portions of the Comprehensive Plan and the Southside Area Development Plan such as:

- Medium-Density residential development should be located in areas with convenient arterial access (*Comprehensive Plan*, Residential Policy Statement F).
- Provide for a compatible configuration of activities with emphasis on accommodation of existing zoning patterns and the protection of low-density residential activities from incompatible activities (Southside ADP, Policy Statement B.1).
- Planned Unit Developments and other creative land planning techniques should be encouraged (*Comprehensive Plan*, Residential Policy Statement K).
- Encouraging infill development on vacant tracts within developed areas (*Comprehensive Plan*, Residential Policy Statement H).

Transportation: The subject property has frontage along the north and east sides of Chicago Drive, which is designated as a Local Residential Street. The Comprehensive Plan states that medium-density developments should be located with convenient access to arterial streets. The subject property is approximately 500 feet west of South Staples Street (FM 2224), an “A3” Primary Arterial Divided street. The proposed townhouse development has adequate access to an Arterial street.

Plat Status: The subject property is currently platted and will be replatted in accordance with the approved Planned Unit Development.

Department Comments:

- The proposed townhouse development would be compatible with the surrounding single-family neighborhood and would provide a better transition between the existing and potential adjacent commercial uses and the single-family neighborhood to the south and west of the subject property.

- The PUD zoning offers more protection to the single-family neighborhood from nuisances associated with commercial development. The existing “CG-2” General Commercial District permits a broad range of commercial uses.
- The rezoning to the PUD would help to protect the surrounding single-family neighborhood from further encroachment of commercial uses, which are allowed by-right today with subject property’s existing commercial zoning designation.
- The subject property has sufficient access to an Arterial street.

Planning Commission and Staff Recommendation (February 13, 2013):

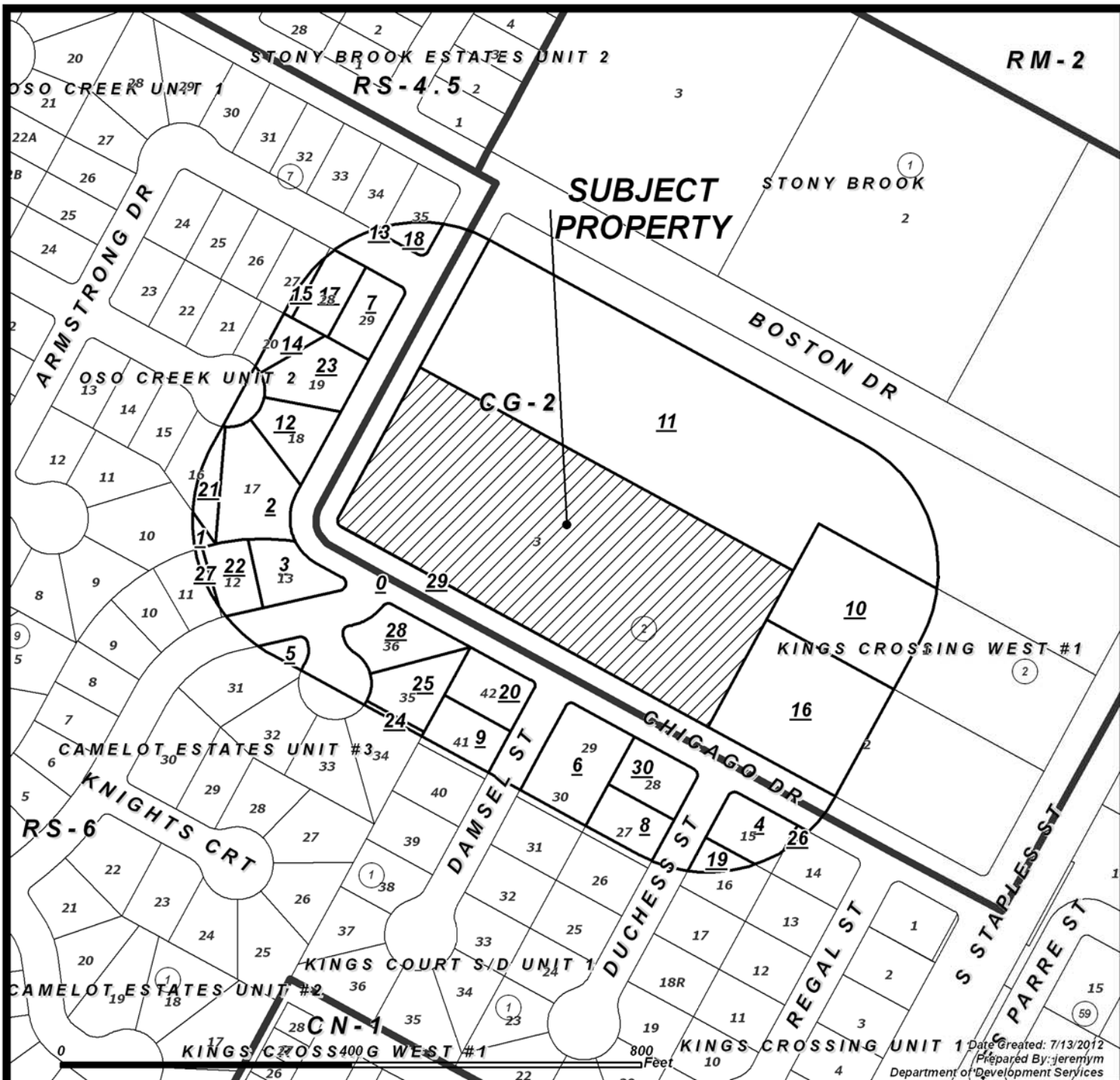
Approval of the change of zoning from the “CG-2” General Commercial District to the “CG-2/PUD” General Commercial District with a Planned Unit Development Overlay, subject to the following eight conditions:

1. **Development Plan:** The Owner shall develop the Property in accordance with Exhibit A. The development of the Property is to consist of six townhouse buildings with three dwelling units in each building, three townhouse buildings with four dwelling units in each building, and one duplex townhouse building with two dwelling units in the building. The development of the Property shall be constructed in one phase.
2. **Dwelling Units per Acre:** The density of dwelling units on the Property cannot exceed 32 dwelling units on the site’s 3.301 acres.
3. **Building Height:** The maximum height of the townhouse buildings on the Property shall not exceed 35 total feet.
4. **Parking:** Each dwelling unit must have two parking spaces within a private garage, and each dwelling unit must also contain two guest parking spaces available on the 18-foot long by 18-foot wide driveway located within the dwelling unit’s lot.
5. **Setbacks:** A minimum 20-foot front yard setback shall be provided along the north-south portion of Chicago Drive and a 10-foot front yard setback along the east-west portion of Chicago Drive. On individual lots not sharing a common wall with another dwelling unit on the Property, Owner shall provide a 5-foot wide side yard setback and a minimum 7.5-foot wide rear yard setback. Individual lots fronting on internal private streets shall have a minimum front yard setback requirement of 15 feet. The separation distance between buildings shall be not less than 10 feet. The Owners shall provide a minimum open space requirement of 30% on the Property.
6. **Private Street Access:** Each lot shall have access to a private street with a paved width of not less than 24 feet. The private street shall be striped to indicate “Fire Lane/No Parking.”
7. **Pedestrian Access:** A minimum four-foot wide sidewalk is required to be constructed along the internal private street and shall be located in a four-foot wide dedicated sidewalk easement.

- 8. Time Limit:** The Owners shall commence construction of the development on the Property within 24 months from the date this Planned Unit Development Overlay ordinance is approved by the City Council.

Public Notification	Number of Notices Mailed – 30 within 200' notification area; 1 outside notification area
	<u>As of February 14, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 9 (inside notification area); 19 (outside notification area)
	For 10.4% in opposition.

- Attachments:
1. Site Map (Existing Zoning & Notice Area)
 2. Associated PUD Replat
 3. Public Comments

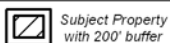


Date Created: 7/13/2012
 Prepared By: jeremym
 Department of Development Services

CASE: 0812-02

2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

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	



4 Owners within 200' listed on
 attached ownership table



X Owners
 in opposition



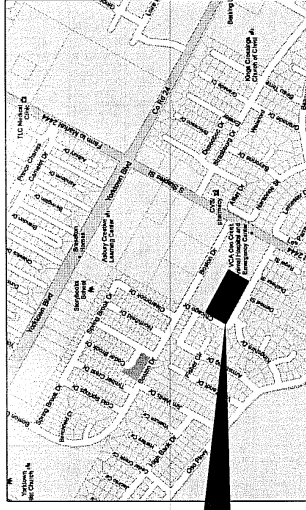
KING'S CROSSING WEST UNIT 2 P.U.D.

BEING A REPLAT OF LOT 3, BLOCK 2, KING'S CROSSING WEST, UNIT 2,
A MAP OF WHICH IS RECORDED IN VOLUME 66, PAGE 143 (M.R.N.C.T.)
CORPUS CHRISTI, NUECES COUNTY, TEXAS

NOTES:

1. YARD REQUIREMENTS AS DEPICTED ARE A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE AND SUBJECT TO CHANGE. AS THE ZONING MAY CHANGE, ETC. UNLESS OTHERWISE SPECIFIED.
2. SET 50 INCH IRON RODS AT ALL LOT CORNERS, P.C.'S, P.T.'S, BLOCK CORNERS, ETC. UNLESS OTHERWISE SPECIFIED.
3. A.G. DENOTES ACRES OF LAND
S.F. DENOTES SQUARE FEET OF LAND
Y.R. DENOTES YARD REQUIREMENT
P.C. DENOTES PLAT CORNER
D.E. DENOTES DRAINAGE EASEMENT
S.E. DENOTES SIDEWALK EASEMENT
D.W. DENOTES DRIVEWAY
D.H. DENOTES DRIVEWAY
F. DENOTES FOUND 50' IRON ROD
F. DENOTES FOUND 50' IRON ROD
F. DENOTES FOUND 50' IRON ROD
F. DENOTES FOUND 50' IRON ROD
4. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONES 'B' & 'C' ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 45064-0302 D, CITY OF CORPUS CHRISTI, TEXAS, EFFECTIVE DATE OF JUNE 4, 1987, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
5. THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS OSO CREEK, BUT IT IS RECOGNIZED AS AN ENVIRONMENTALLY SENSITIVE AREA. THE AQUATIC LIFE USE FOR THE OSO BAY AS 'OPTIONAL' AND 'OYSTER WATERS' AND CATEGORIZED THE RECEIVING WATER AS A 'CONTACT RECREATION USE.'
6. TOTAL PLATTED AREA IS 3.31 ACRES.
7. BEARINGS ARE BASED ON THE PLAT OF KING'S CROSSING WEST, UNIT 2, A MAP OF WHICH IS RECORDED IN VOLUME 66, PAGE 143 OF THE MAP RECORDS OF NUECES COUNTY, TEXAS.
8. THE CITY OF CORPUS CHRISTI HAS NO RESPONSIBILITY FOR REPAIR AND MAINTENANCE OF UTILITY LINES INSIDE THE BOUNDARY OF THE PLAT OF KING'S CROSSING WEST, UNIT 2, P.U.D. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF CONCRETE, INSTEAD OF THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF ASPHALT. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO REPAIR OR MAINTAIN A CITY UTILITY LINE. THE CITY WILL ONLY PATCH THE PAVEMENT IN A MANNER SIMILAR TO THAT USED ON ASPHALT STREET SURFACES. THE CITY IS NOT REQUIRED TO RESTORE THE PAVED SURFACE WITH CONCRETE TO MATCH THE UNPAVED PAVEMENT.
9. ALL STREET AREAS SHALL BE DEDICATED UTILITY EASEMENTS, THE CITY OF CORPUS CHRISTI HAS NO RESPONSIBILITY FOR REPAIR AND MAINTENANCE OF UTILITY LINES INSIDE THE BOUNDARY OF THE PLAT OF KING'S CROSSING WEST, UNIT 2, P.U.D. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF CONCRETE, INSTEAD OF THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF ASPHALT. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO REPAIR OR MAINTAIN A CITY UTILITY LINE. THE CITY WILL ONLY PATCH THE PAVEMENT IN A MANNER SIMILAR TO THAT USED ON ASPHALT STREET SURFACES. THE CITY IS NOT REQUIRED TO RESTORE THE PAVED SURFACE WITH CONCRETE TO MATCH THE UNPAVED PAVEMENT.
10. THE CONVEYANCE TO ANY GRANTEE OF ANY LOT WITHIN THE SUBJECT SUBDIVISION SHALL INCLUDE MEMBERSHIP IN THE HOMEOWNERS ASSOCIATION, WHICH ASSOCIATION SHALL HOLD TITLE TO ALL COMMON AREAS IN THE SUBDIVISION. THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREET'S.
11. THE CITY OF CORPUS CHRISTI IS NOT RESPONSIBLE FOR ANY DRAINAGE WITHIN THE PLAT OF KING'S CROSSING WEST, UNIT 2, P.U.D. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF CONCRETE, INSTEAD OF THE CITY OF CORPUS CHRISTI HAS CHOSEN TO CONSTRUCT THE STREETS OF ASPHALT. THE CITY OF CORPUS CHRISTI HAS CHOSEN TO REPAIR OR MAINTAIN A CITY UTILITY LINE. THE CITY WILL ONLY PATCH THE PAVEMENT IN A MANNER SIMILAR TO THAT USED ON ASPHALT STREET SURFACES. THE CITY IS NOT REQUIRED TO RESTORE THE PAVED SURFACE WITH CONCRETE TO MATCH THE UNPAVED PAVEMENT.
12. LOT 16, BLOCK 1 IS A NON-BUILDABLE LOT.

SITE



VICINITY MAP (NTS)

STATE OF TEXAS
COUNTY OF NUECES

I, NADER KARIM, OWNER OF THE HEREIN DESCRIBED PROPERTY, APPROVED BY THE
COUNTY OF NUECES, HEREBY CERTIFY THAT I AM THE OWNER OF
KING'S CROSSING WEST, UNIT 2, P.U.D. EMBRACED WITHIN THE BOUNDS OF THE
FOREGOING MAP THAT I HAVE HAD SAID LAND SURVEYED AS SHOWN THAT ALL
NECESSARY RECORDS HAVE BEEN FILED FOR RECORD IN MY OFFICE THIS
PURPOSES OF DESCRIPTION AND DEDICATION.

THIS THE _____ DAY OF _____, 2013.

NADER KARIM, OWNER

STATE OF TEXAS
COUNTY OF NUECES

I, DIANA T. BARBERA, CLERK OF THE COUNTY COURT, IN AND FOR NUECES
COUNTY TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED
THIS _____ DAY OF _____, 2013, AT _____ O'CLOCK _____ AND DULY
BEHALF OF SAID INDIVIDUAL.

THIS THE _____ DAY OF _____, 2013.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED BY THE
PLANNING COMMISSION OF THE CITY OF CORPUS CHRISTI, TEXAS, PROVIDED
THE PLAT COMES WITHIN THE BOUNDS OF THE PLAT OF KING'S CROSSING WEST, UNIT 2,
FILED WITH THE COUNTY WITHIN SIX (6) MONTHS HEREFTER.

DATED THIS THE _____ DAY OF _____, 2013.

GOVIND MADKARN, P.E., C.E.
CHAIRMAN

MARK VAN VLECK, P.E.
SECRETARY

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY APPROVED BY THE
DEPARTMENT OF DEVELOPMENT SERVICES OF THE CITY OF CORPUS CHRISTI,
TEXAS.

THIS THE _____ DAY OF _____, 2013.

CHARLES F. DIBRELL, II, P.E.
DEVELOPMENT SERVICES ENGINEER

STATE OF TEXAS
COUNTY OF NUECES

I, DIANA T. BARBERA, CLERK OF THE COUNTY COURT, IN AND FOR NUECES
COUNTY TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED
THIS _____ DAY OF _____, 2013, AT _____ O'CLOCK _____ AND DULY
AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE THIS
RECORDED IN VOLUME _____ PAGE _____ (M.R.N.C.T.)

WITNESS MY HAND AND SEAL OF OFFICE IN CORPUS CHRISTI, TEXAS, THIS
DAY OF _____, 2013.

DIANA T. BARBERA, COUNTY CLERK

STATE OF TEXAS
COUNTY OF NUECES

I, RONALD A. VOSS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF VOSS
ENGINEERING, INC., HEREBY CERTIFY THAT THE FOREGOING
PLAT WAS PREPARED FROM SURVEYS MADE ON THE GROUND UNDER MY
DIRECTION AND IS TRUE AND CORRECT THAT VOSS AND VOSS ENGINEERING &
ASSOCIATES, INC. HAVE BEEN ADVISED OF THE LOCATION OF ALL
CORNERS AS SHOWN AND TO COMPLETE SUCH OPERATIONS WITHOUT DELAY.

THIS THE _____ DAY OF _____, 2013.

SEAL

RONALD A. VOSS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2293

VOSS
ENGINEERING, INC.
FIRM NO. F-166

ENGINEERING AND LAND SURVEYING
6838 GREENWOOD DRIVE
CORPUS CHRISTI, TEXAS 78415
361.854.6202 FAX: 361.853.4696

SHEET 1 OF 2

JOB NO. 11-6695

BEING A REPLAT OF LOT 3, BLOCK 2, KING'S CROSSING WEST,
UNIT 2, A MAP OF WHICH IS RECORDED IN VOLUME 66, PAGE 143
(M.R.N.C.T.) CORPUS CHRISTI, NUECES COUNTY TEXAS

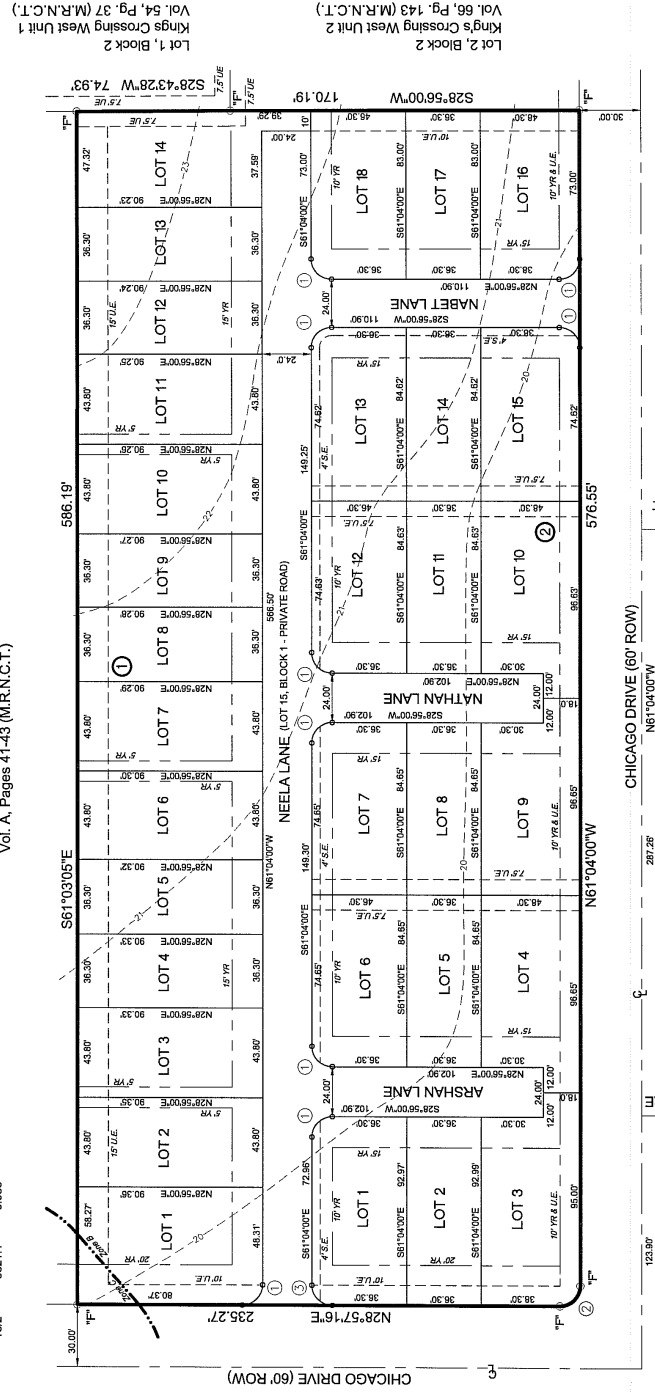
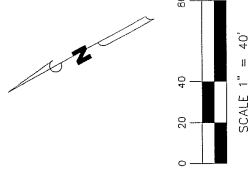
CURVE DATA

① $CA = 90^{\circ}00'00''$
 $R = 10.00'$
 $T = 10.00'$
 $La = 15.71'$

Tract 1
Out of Lots 25 & 26, Section 6
Flour Bluff & Encinal Farm & Garden Tracts
Vol. A, Pages 41-43 (M.R.N.C.T.)

NOTES:

- [illegible]



SHEET 2 OF 2

ENGINEERING AND LAND SURVEYING
6838 GREENWOOD DRIVE
CORPUS CHRISTI, TEXAS 78415
361.854.6202 FAX: 361.853.4696

JOB No. 11-6695

**COMMENTS RECEIVED
FROM PUBLIC NOTICES MAILED**

**Case No: 0812-02
Name: N.P. Homes, L.L.C.**

I. Notices returned from WITHIN the 200-foot notification area:
(Note: The number(s) next to name corresponds to the attached map.)

Total number mailed: 30

Favor: 0

Opposition: 9

#14 Mike Riley (5414 Fisher): Needs to meet setback

#2 Steve Seidel (5417 Fisher Circle): The proposal would create hazardous traffic patterns.

#3 Margaret and Gary Fenn (7801 Kingshire Dr.): Traffic congestion and safety issues with young children.

#21 Donna Worley (5413 Fisher Circle): Traffic congestion and crime.

#5 Rafael Fontanez (5409 Lady Diana): Thinks it will devalue the neighborhood.

18 Raul G. and Eloisa M. Garcia (5426 Armstrong Dr.): Increase in traffic, townhomes are too small, decrease in property value.

II. Responses received from OUTSIDE the 200-foot notification area:

Total number mailed: 1

Favor: 0

Opposition: 0

III. Responses received from owners/applicants of subject area:

Favor: 0

Opposition: 0

IV. Unsolicited responses received concerning subject area:

Favor: 0

Opposition: 19

Marilyn Gonzales (7846 Armstrong): Traffic and Crime

Joshua Molina (7830 Terrell Circle): Crime rate, traffic, taxes

David Crawford (7842 Terrell Circle): Crime and traffic

Daniel Gains and Stacey Gains (5402 Borden Circle): Crime and traffic

Simon and Arielle Badillo (7805 Armstrong): Traffic, crime, lower home values

John and Cindy Oliveira (7801 Armstrong) Traffic, crime, and property value decreasing.

Alberto Alvarado (7826 Regal): Traffic, property values

Claudia Jackson (7818 Duchess): Traffic, parking congestion, and safety

Mario Garcia (7826 Duchess): Property value will decrease

Laura Griffiths (5401 Knights Circle): Safety and traffic

Mildred Zapata (5409 Borden): Traffic and home value

Joey Sienkiewicz (7825 Duchess): Traffic, parking, and home values