



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of October 24, 2017
Second Reading for the City Council Meeting of October 31, 2017

DATE: September 29, 2017

TO: Margie C. Rose, City Manager

FROM: William J. Green, P.E., Interim Director,
Development Services Department
BillG@cctexas.com
(361) 826-3276

<p>Rezoning Property located at 6113 Durant Drive</p>
--

CAPTION:

Case No. 0917-01 Luxury Spec Homes, Inc.: A change of zoning from the “FR” Farm Rural District to the “RS 4.5/PUD” Single-Family 4.5 District with a Planned Unit Development Overlay. The property 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.

PURPOSE:

The purpose of this item is to rezone the property to develop a 17-lot single-family development with reduced street width and a five-foot sidewalk on one side of the street.

RECOMMENDATION:

Planning Commission Recommendation (September 20, 2017):
Approval 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 (PUD) Overlay with specified conditions.

Vote Results:

For:	6
Against:	0
Absent:	3
Abstained:	0

City Staff Recommendation (September 20, 2017):
Denial of the change of zoning from the “FR” Farm Rural District to the “RS-4.5/PUD” Single-Family 4.5 with a Planned Unit Development (PUD) Overlay with specified

conditions, in lieu thereof approval of the “RS-4.5” Single-Family 4.5 District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 with a Planned Unit Development (PUD) Overlay to allow for a 17-lot single-family development with reduced street width and a five-foot sidewalk on one side of the street. The proposed rezoning to the “RS-4.5” Single-Family 4.5 with a Planned Unit Development (PUD) Overlay is incompatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP).

The proposed use of single-family homes is compatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP). The applicant has requested a Planned Unit Development (PUD) as the mechanism to reduce the right-of-way width and minimum sidewalk requirements which are subdivision development standards. The base zoning of “RS-4.5” would allow the construction of the single-family homes. Therefore, the zoning portion does not limit the ability to construct the residences as the PUD is only addressing design criteria. The factor of the subdivision development standards would be more appropriately handled by a plat waiver request rather than a PUD.

ALTERNATIVES:

1. Deny the request.
2. Approve the “RS-4.5” Single-Family 4.5 District.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries the Southside Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the “RS-4.5” Single-Family 4.5 with a Planned Unit Development (PUD) Overlay is incompatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP).

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 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, exceeding the minimum requirement of 4,500 square feet.

According to section 3.5.4.A of the UDC regarding PUDs, “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.” The proposed PUD does not provide any attributes of “housing types, employment opportunities or commercial services.”

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 applicant contends that the athletic fields of Blanche Moore Elementary School should be used to satisfy the open space requirement. The applicant has not produced documentation from Corpus Christi Independent School District authorizing the use of elementary athletic fields for use by a residential subdivision to meet the development requirements of a PUD.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2016-2017	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:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report