PLANNING COMMISSION FINAL REPORT

Case No. 0917-01 **INFOR No.** 17ZN1027

Planning	Commission	Hearing	Date: So	eptember 20,	2017
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Owner: Luxury Spec Homes, Inc.
Applicant/Representative: Miguel Sal
Location Address: 6113 Durant Drive
Legal Description: Blanche Moore Sub Applicant/Representative: Miguel Saldana

Legal Description: Blanche Moore Subdivision, Lot 2

Zoning Request

From: "FR" Farm Rural District

"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 District	Existing Land Use	Future Land Use
and	Site	"FR" Farm Rural	Vacant (Former park)	Medium Density Residential
	North	"RS-6" Single-Family 6	Low Density Residential	Medium Density Residential
Existing Zoning Land Uses	South	"RS-6/PUD" Single-Family 6 with a Planned Unit Development Overlay	Vacant, Drainage, and High Density Residential	Medium Density Residential
EXi	East	"FR" Farm Rural	Public/Semi- Public	Government
	West	"RS-6" Single-Family 6	Vacant	Agricultural

ADP, Map &

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 inconsistent 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.

reet O.W.	Street	Urban Transportation Plan Type	Existing Section	Traffic Volume
Str R.C	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 <u>not</u> 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 <u>inconsistent</u> with the Future Land Use Map, the Southside ADP, and PlanCC. The proposed rezoning is <u>inconsistent</u> 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 rightof-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, in lieu thereof approval of the "RS-4.5" Single-Family 4.5 District.

Planning Commission Recommendation (September 20, 2017):

Approval of the change of zoning from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 with a Planned Unit Development (PUD) with the following conditions:

- 1. Planned Unit Development Guidelines and Master Site Plan: The Owners shall develop the Property in accordance with The Luxury Estates Planned Unit Development (PUD) Guidelines and Master Site Plan. The development of the Property is to consist of 17 single-family lots.
- **2. Dwelling Units per Acre**: The density of dwelling units shall not exceed 6.30 dwelling units per acre.
- 3. Lot Size: The minimum size of any lot within the development is 4,500 square feet.
- **4. Lot Development Standards**: All development within the Property shall comply with the minimum requirements of the "RS-4.5" Single-family 4.5 District with the exception that the lots that side on Durant Drive shall have a street side yard of not less than ten (10') feet.
- 5. Public Right-of-Way: The public right-of-way shall be constructed as identified on the master site plan. The public right-of-way shall be a minimum of 40 feet in width and the street cross-section of not less than 28 feet back of curb to back of curb. A 5-foot wide sidewalk shall be constructed along one side of the roadway as shown on the master site plan.
- **6. Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
- 7. 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.

Vote Results:

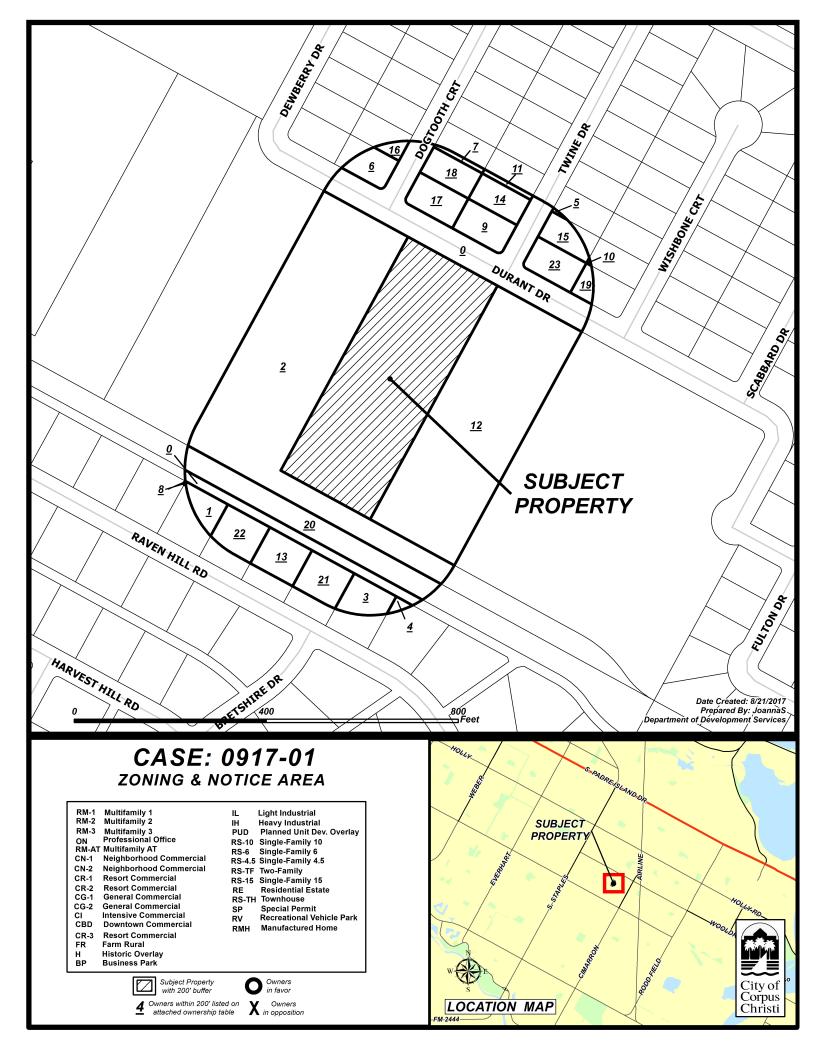
For: 6
Opposed: 0
Absent: 3
Abstained: 0

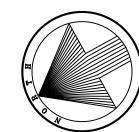
	Number of Notices Ma	ailed – 23 within 200-foot notification area 5 outside notification area
Notification	As of September 15, In Favor	2017: - 0 inside notification area - 0 outside notification area
Public N	In Opposition	4 inside notification area0 outside notification area
	Totaling 5.71% of the	land within the 200-foot notification area in opposition.

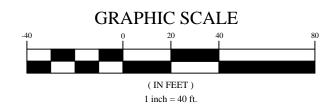
Attachments:

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

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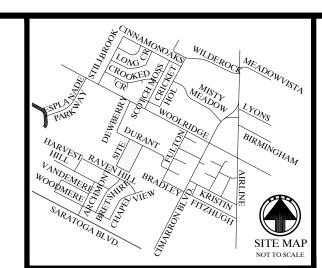




MASTER PLAN

PLAT OF LUXURY ESTATES

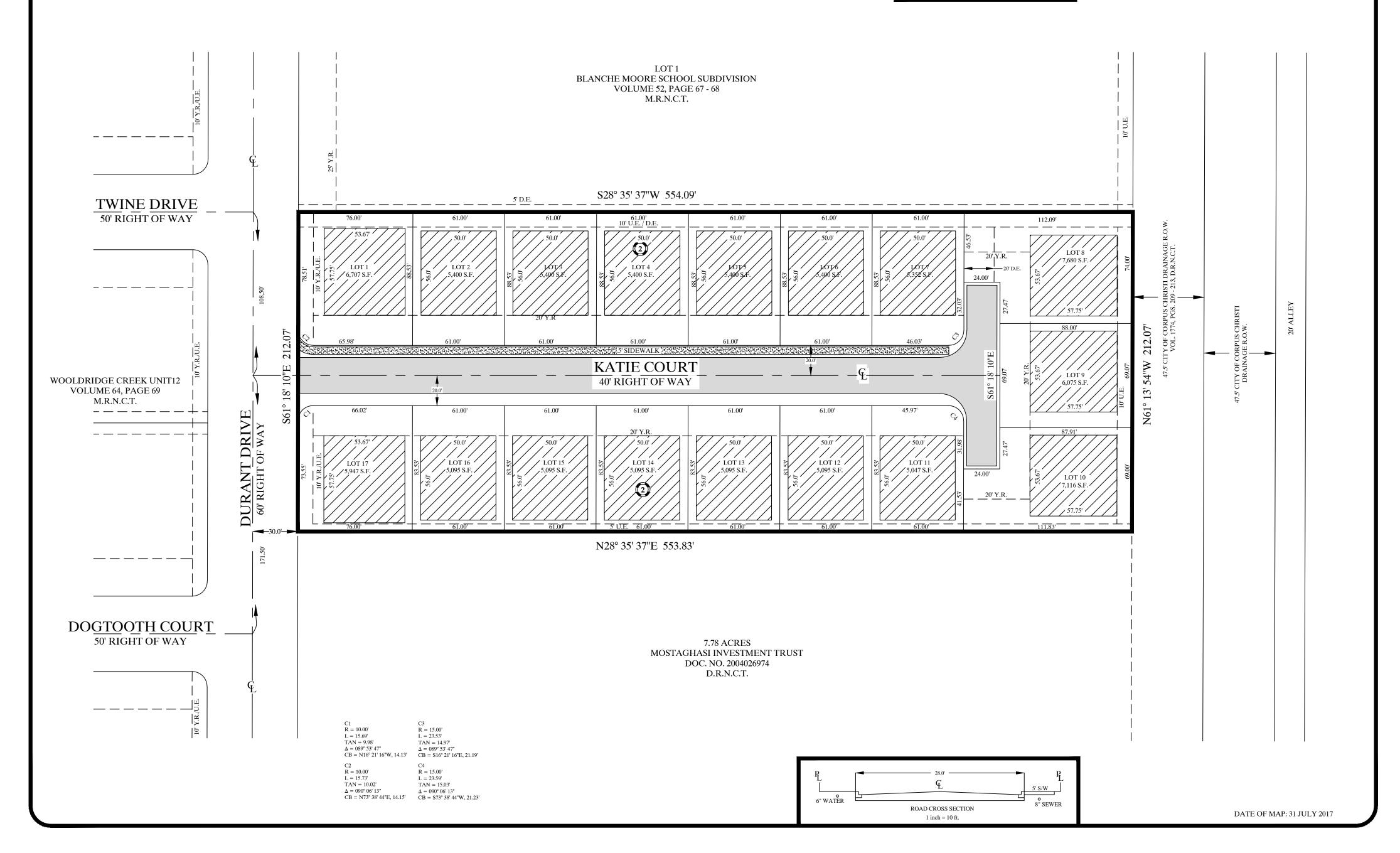
BEING A REPLAT OF BLOCK 2, LOT 2, BLANCHE MOORE SCHOOL SUBDIVISION, AS SHOWN ON A MAP RECORDED IN VOLUME 52, PAGES 67 - 68, MAP RECORDS NUECES COUNTY, TEXAS





Brister Surveying

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

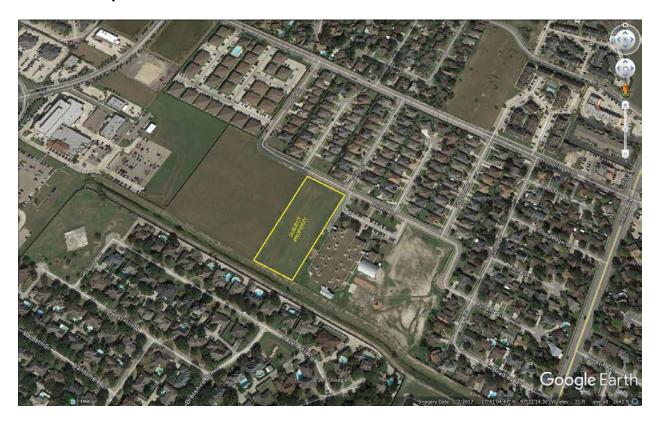


LUXURY ESTATES PLANNED UNIT DEVELOPMENT

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	

Luxury Estates Page 2

Amenities Provided:

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

Deviation Requests:

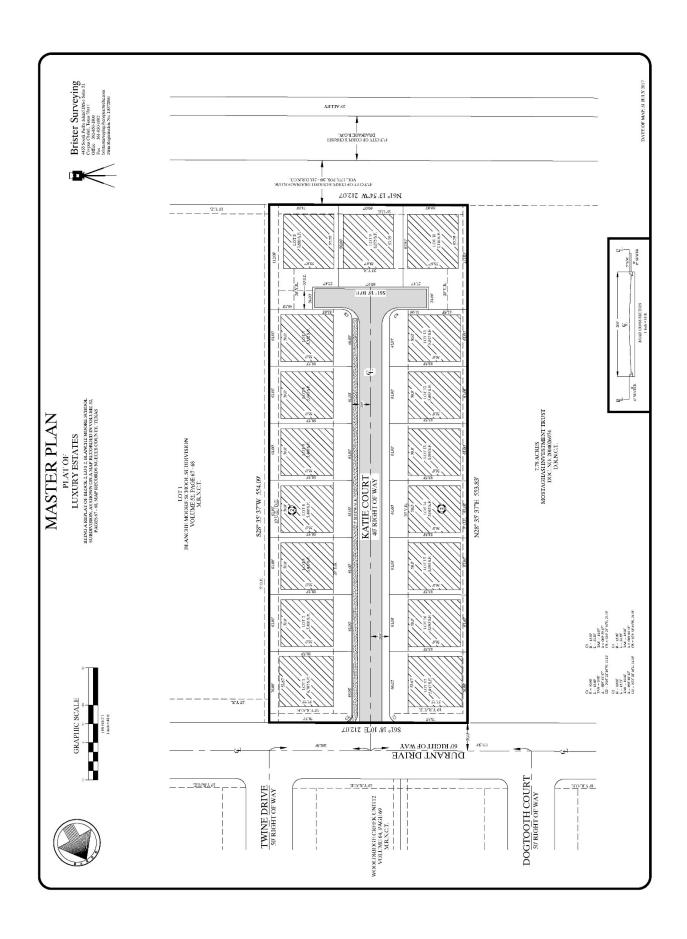
<u>Right-of-Way</u>: Due to the narrowness of the tract of land, providing the typical 50-foot right-of-way would impact the typical floor plan created by the developer. This would in turn raise the cost of the homes for sale. The reduced right-of-way will not impact the actual roadway since it will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

<u>Sidewalk</u>: 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.

<u>Drainage Easement</u>: 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.

Luxury Estates Page 3



Luxury Estates Page 4

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

<u>Luxury Spec Homes, Inc.</u> 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 <u>Planned Unit Development Overlay, resulting in a change to the Future Land Use Map.</u> 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 <u>Wednesday</u>, <u>September 6, 2017</u>, during one of the Planning Commission's regular meetings, which begins at <u>5:30 p.m.</u>, 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.

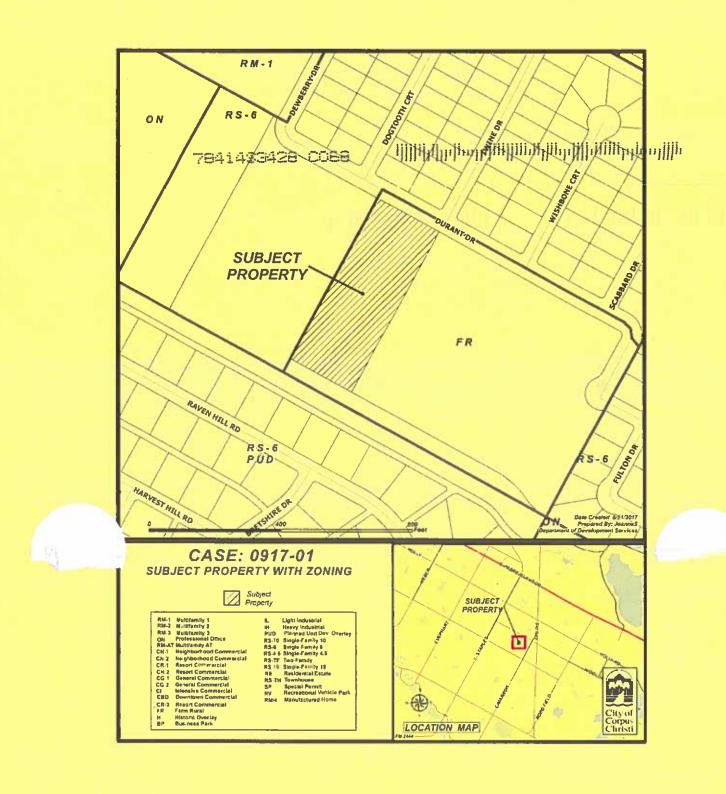
Printed Name: Gregory Dame	+ Sandra Dame
Address: 5930 Raven Hill Rd	City/State: Cap Christ, TX
() IN FAVOR () IN OPPOSITION REASON:	Phone: 361-244-4882

Signature

SEE MAP ON REVERSE SIDE INFOR Case No.: 17ZN1027 Property Owner ID: 13 Case No. 0917-01 Project Manager: Andrew Dimas Email: AndrewD2@cctexas.com



13 063700010240 DAME GREGORY A ET UX SAND 5930 RAVER HILL Corpus Christi, TX 78414



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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:

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Printed Name: Jonathan Shado	lock
Address: 5934 RAVEN HELL RO.	City/State: CORPUS CHRISTI, TX
() IN FAVOR (N IN OPPOSITION	Phone: 361 244 4012

Signature

REASON:

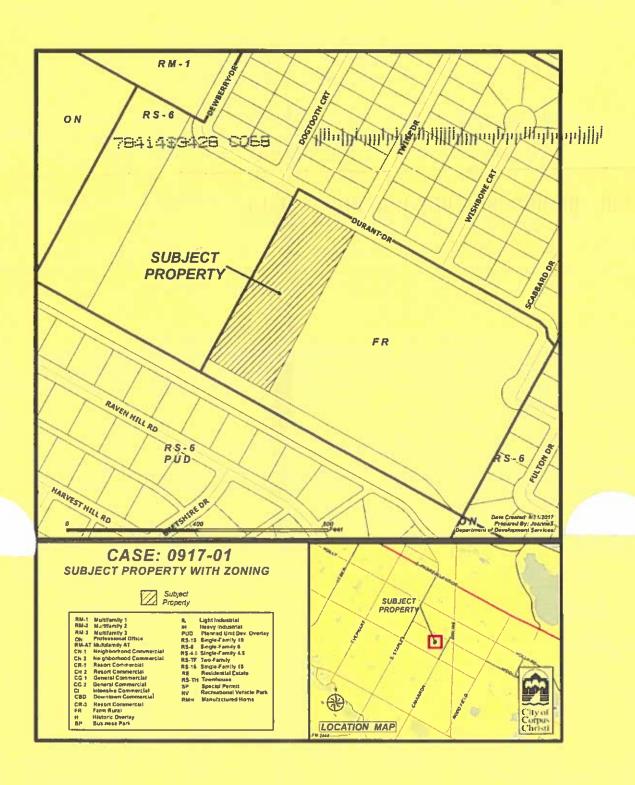
SEE MAP ON REVERSE SIDE INFOR Case No.: 17ZN1027 Property Owner ID: 21

Case No. 0917-01 Project Manager: Andrew Dimas

Email: AndrewD2@cctexas.com



21 063700010230 SHADDOCK JONATHAN E AND BRANDI N SHADDOCK HUSB & 5934 Raven Hill Rd Corpus Christi, TX 78414



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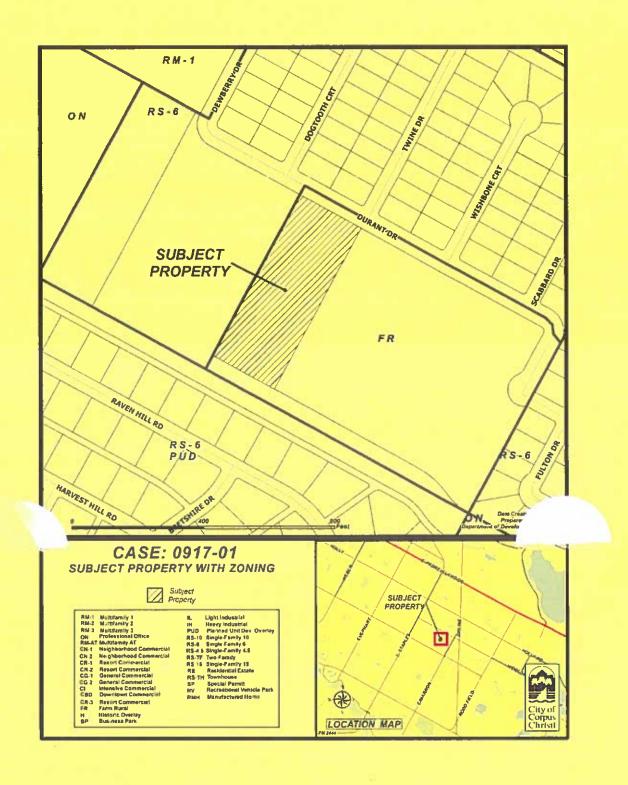
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Printed Name: Carla Sandifer	
Address: 6006 Raven Hill	city/state: Corpus Christi, T
() IN FAVOR () IN OPPOSITION	Phone: 3619477323
REASON: This notice provides now many homes are planne ourchase or rent? [5 this levelopement; disguised Canda signature SEE MAP ON REVERSE SIDE More (n form INFOR Case No.: 17ZN1027 Property Owner ID: 4 needed!	no information about d, are they planned for a multi-rent based multi-rent based modern ation is Project Manager: Andrew Dimas Email: AndrewD2@cctexas.com



4 063700010210 SANDIFER RANDY B AND CARL 6006 RAVEN HILL ROAD Corpus Christi, TX 78414



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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 commission 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

<u>Luxury Spec Homes, Inc.</u> has petitioned the City of Corpus Christi to consider a change of zoning from the <u>"FR" Farm Rural District with the Island Overlay</u> to the <u>"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.</u> 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 <u>Wednesday</u>, <u>September 20, 2017</u>, during one of the Planning Commission's regular meetings, which begins at <u>5:30 p.m.</u>, 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: Nader (assin

Address: 6002 Raven Hill Rd. City/State: C.C. TX78414

() IN FAVOR (VIN OPPOSITION Phone: (361) 994_8405

REASON:

SEE MAP ON REVERSE SIDE INFOR Case No.: 17ZN1027

Property Owner ID: 3

Case No. 0917-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com



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