



AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 04/21/20
Second Reading Ordinance for the City Council Meeting 05/12/20

DATE: March 9, 2020

TO: Peter Zaroni, City Manager

FROM: Al Raymond, AIA, Director
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Rezoning a property at or near 113 Porto Villageo Drive

CAPTION:

Zoning Case No. 0220-02, J3PV Investment, LP. (District 4). Ordinance rezoning property at or near 113 Porto Villageo Drive from the "RM-AT" Multifamily AT District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development.

SUMMARY:

The purpose of the zoning request is to allow for the construction of a single-family residential development.

BACKGROUND AND FINDINGS:

The subject property is 4.06 acres in size. According to the applicant the purpose of the request is to construct a single-family residential development. The proposed development will consist of 24 single family residences as a reconfiguration of a portion of the existing subdivision. A replat of the property will encompass Lots 8 through 11, Block 1, Lots 6, 7, 9, 10 through 15 and 17 through 21, Block 3, Porto Villageo. The redevelopment will utilize existing public roadways and sidewalks for access. This development will complement existing developments in the area.

Conformity to City Policy

The subject property is located within the boundaries of the Mustang/Padre Island Area Development Plan and is planned for Mixed Uses. The proposed rezoning to the "RS-4.5/PUD" Single-Family 4.5 with a Planned Unit Development is consistent with the adopted Future Land Use Map and the Mustang/Padre Island Area Development Plan, compatible with the adjoining residential properties, and does not have a negative impact upon the adjacent properties. The subject property currently consists of vacant platted properties within the Porto Villageo subdivision. The proposed rezoning to a PUD will allow flexibility to the development standards set by the Unified Development Code (UDC). Some units will be constructed on zero lot lines and may be situated closer than 10 feet apart. Fire walls will be constructed as required to meet the International Residential Code and other fire protection improvements will be constructed as required by the City.

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 also encourage development on difficult sites. Outreach to neighborhood was conducted by the applicant to determine the opinion of the nine existing single-family residences. The Porto Villageo HOA has endorsed the proposed PUD. The PUD has been reviewed by the Technical Review Committee (TRC). Staff finds that the proposed deviations are acceptable. This case was originally presented to the Planning Commission on February 19th, 2020. After review and deliberation, the Planning Commission voted to table the case to gather additional information and to hold an additional meeting with the HOA.

Public Input Process

Number of Notices Mailed
35 within 200-foot notification area
4 outside notification area

As of February 28, 2020:

In Favor	In Opposition
0 inside notification area	10 inside notification area
1 outside notification area	1 outside notification area

Totaling 8.14% of the land within the 200-foot notification area in opposition.

Commission Recommendation

Planning Commission recommended approval of the change of zoning from the “RM-AT” Multifamily AT District to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development with a condition that the side yard setback shall be 3 feet where the PUD adjoins lots that are not part of the development on March 4, 2020.

ALTERNATIVES:

1. Denial of the change of zoning from the “RM-AT” Multifamily AT District to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development.

FISCAL IMPACT: There is no fiscal impact associated with this item.

RECOMMENDATION: Staff recommends approval of the zoning request.

Planning Commission recommended approval of the change of zoning from the “RM-AT” Multifamily AT District to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development with a condition that the side yard setback shall be 3 feet where the PUD adjoins lots that are not part of the development and with following vote count.

Vote Count:

For:	4
Opposed:	3
Absent:	0
Abstained:	0

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation - Aerial Map
Planning Commission Final Report