

# PLANNING COMMISSION FINAL REPORT

Case No. 0916-02

HTE No. 16-10000032

Planning Commission Hearing Date: September 21, 2016

Applicant & Legal Description	<b>Applicant/Owner:</b> Dawn Melancon <b>Representatives:</b> Tomlinson Property Sales & Management <b>Legal Description/Location:</b> A 0.344-acre tract of land out of Lot 16, Section 56, Flour Bluff and Encinal Farm and Garden Tracts, located on the northeast corner of South Padre Island Drive (Hwy 358) and East Lakeside Drive.			
Zoning Request	<b>From:</b> "RS-6" Single-Family 6 District <b>To:</b> "CG-1" General Commercial District <b>Area:</b> 0.3444 acres <b>Purpose of Request:</b> To allow commercial status for sale of property.			
Existing Zoning and Land Uses		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	Site	"RS-6" Single-Family 6	Vacant	Commercial
	North	"RS-6" Single-Family 6	Vacant	Commercial
	South	"CG-2" General Commercial	Vacant	Commercial
	East	"RS-6" Single-Family 6	Vacant	Commercial
	West	"CG-2" General Commercial	Vacant	Commercial
ADP, Map & Violations	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-1" General Commercial District is consistent with the adopted Future Land Use Map and the Flour Bluff Area Development Plan. <b>Map No.:</b> 034031 <b>Zoning Violations:</b> None			
Transportation	<b>Transportation and Circulation:</b> The subject property has approximately 104 feet of street frontage along East Lakeside Drive, which the Urban Transportation Plan designates as a "C1" Collector street. The maximum desirable average daily trips (ADT) for a designated "C1" is 1,000 to 3,000 daily trips. The subject property is located on the east side of East Lakeside Drive and on the north side of South Padre Island Drive.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	East Lakeside Drive	"C1" Collector	60' ROW 40' paved	50' ROW 20' paved	N/A
	South Padre Island Drive	"F1" Freeway/Expressway	400' ROW varies paved	136' ROW 153' paved	2013 E 11,563 W 11,765

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CG-1" General Commercial District in order to market the property for commercial uses.

**Development Plan:** There is no development plan. The applicant is proposing to rezone the property to attract potential buyers with greater opportunity on a commercially zoned property.

**Existing Land Uses & Zoning:** The subject property is zoned "RS-6" Single-Family 6 and consists of a home on a slab foundation that burned down and an existing storage building. North of the subject property is zoned "RS-6" Single-Family 6 District and is vacant. South across South Padre Island Drive is vacant land in the "CG-2" General Commercial District. East of the subject property is vacant and zoned "RS-6" Single-Family 6 District. Land to the west is zoned "CG-2" General Commercial District and is also vacant.

**AICUZ:** The subject property is not located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

**Comprehensive Plan & Area Development Plan Consistency:** The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP). The proposed rezoning to the "CG-1" General Commercial District is consistent with the Flour Bluff ADP and the adopted Future Land Use Plan's designation of the property as commercial. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhood (Comprehensive Plan, Commercial Policy Statement D).
- Facilitate infrastructure planning through a reasonable estimate of future land use and densities. (Flour Bluff Principle Objective, d.)
- The City should continue to work with State and Federal agencies to balance protection of the environment with the development needs of the community. This is especially important in Flour Bluff where many public and privately owned lands contribute to the Bay area and coastal ecosystem.( Flour Bluff Policy Statement A.3)
- All public and private construction should be in accordance with Federal Emergency Management Agency (FEMA) standards. Compliance with these

standards will ensure continued availability of flood insurance to the community through the National Flood Insurance Program. Public and private construction should be in accordance with State and Federal programs (e.g. Environmental Protection Agency, Army Corps of Engineers).( Flour Bluff Policy Statement A.4)

**Plat Status:** The subject property is not platted based on the plat description.

**Department Comments:**

- The proposed rezoning complies with the Comprehensive Plan.
- It is staff's opinion that the proposed rezoning would benefit the surrounding area and is consistent with the Future Land Use Plan's designation of the property as commercial.
- A "CG-1" District would allow commercial development in an existing underutilized area.
- The property is located on a freeway, which is appropriate for a General Commercial District.

**Planning Commission and Staff Recommendation:**

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-1" General Commercial District.

**Vote Results**

For: 9

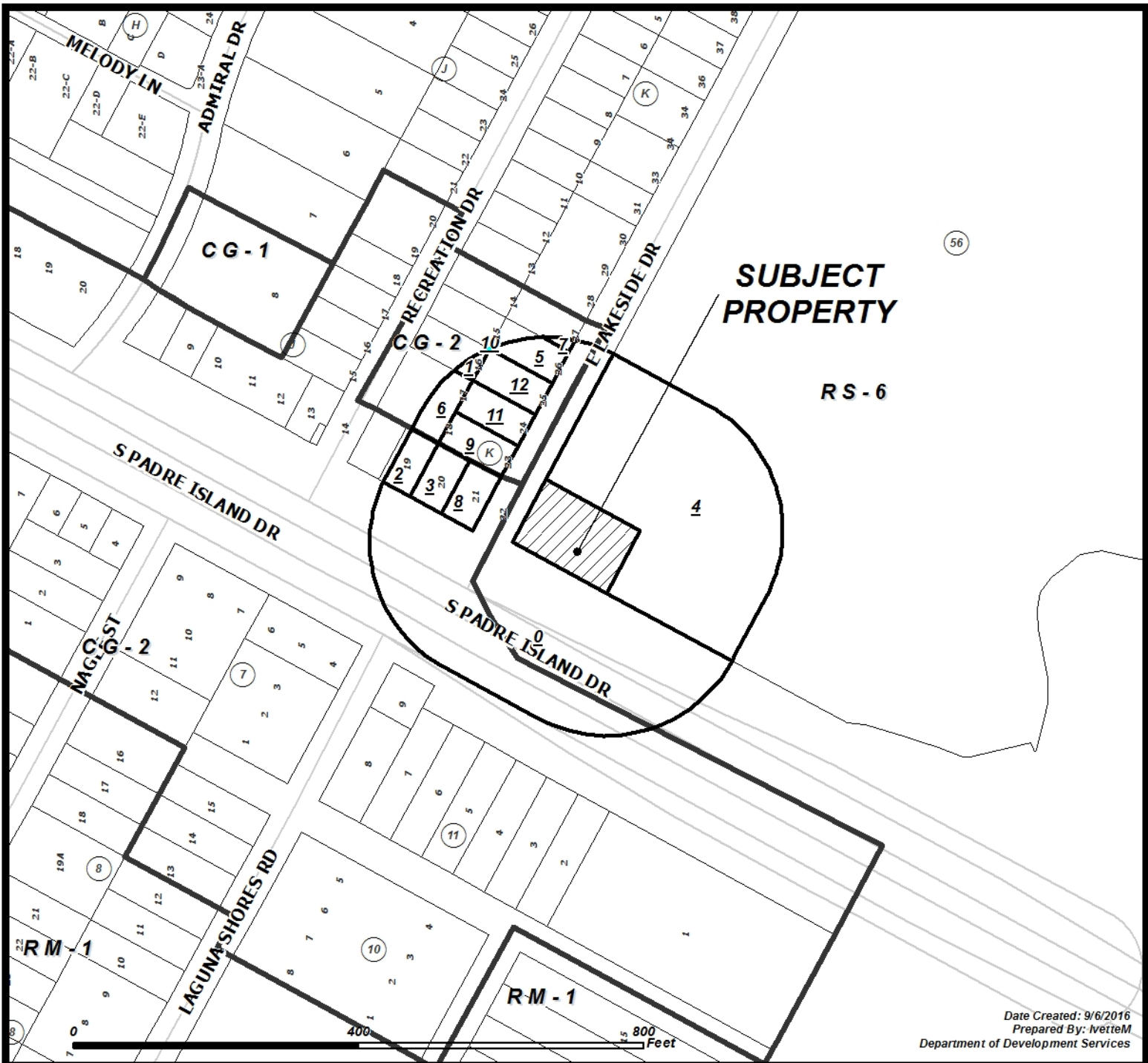
Against: 0

Absent: 0

<b>Public Notification</b>	Number of Notices Mailed – 12 within 200-foot notification area 1 outside notification area
	<b><u>As of September 26, 2016:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

**Attachments:**

1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)



## CASE: 0916-02 ZONING & NOTICE AREA

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		

Subject Property with 200' buffer

Owners within 200' listed on attached ownership table

Owners in favor

Owners in opposition





Development Services Dept.  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277  
(361) 826-3240  
Located at 2406 Leopard Street

# REZONING APPLICATION

Office Use Only

Case No.: 0916-02 Map No.: 03031

PC Hearing Date: 9-21-16 Proj.Mgr:

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street  
Hearing Time: 5:30 p.m.

\* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.  
\* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: Tomlinson Property Sales & Management Contact Person: Karl A. Tomlinson  
Mailing Address: 1234 Laguna Shores Rd  
City: Corpus Christi State: TX ZIP: 78418 Phone: (361) 442-5192  
E-mail: [REDACTED] Cell: (361) 548-0379

2. Property Owner(s): Dawn Melancon Contact Person: Dawn Melancon  
Mailing Address: 10714 Padre Island Dr. S  
City: Corpus Christi State: TX ZIP: 78418 Phone: (361) 548-0379  
E-mail: [REDACTED] Cell: (361) 548-0379

3. Subject Property Address: 1013 E. Lakeside Dr. Area of Request (SF/acres): 15000 Sqft  
Current Zoning & Use: RS-6 Proposed Zoning & Use: Commercial CG1  
12-Digit Nueces County Tax ID: 2 4 7 6 . 0 0 5 6 - 1 6 5 0  
Subdivision Name: FLOUR BLUFF & ENC FRM GDN TRACT Block: Lot(s):  
Legal Description if not platted: FLOUR BLUFF & ENC GDN TRACT .344 AC OUT OF LT 16 SEC 56

4. Submittal Requirements:  
☐ Early Assistance Meeting: Date Held ; with City Staff  
☒ Land Use Statement ☒ Disclosure of Interest ☐ Copy of Warranty Deed  
IF APPLICABLE:  
☐ Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) ☐ Site Plan for PUD or Special Permit  
☐ Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) ☐ Lien Holder Authorization  
☒ Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a complete application for review; that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

Owner or Agent's Signature

Applicant's Signature

Karl A. Tomlinson

Owner or Agent's Printed Name

Applicant's Printed Name

Office Use Only: Date Received: 7-15-16 Received By: ADP: FB  
Rezoning Fee: 1107.50 + PUD Fee 0 + Sign Fee 10.00 = Total Fee \$1127.50  
No. Signs Required 2 @ \$10/sign Sign Posting Date:

## LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

Owner plans to sell the property as commercial for use as potential Bed & Breakfast, Restaurant, Office, or similar.

2. Identify the existing land uses adjoining the area of request:

North - Residential

South - Commercial

East - Laguna Madre

West - Commercial



## DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Tomlinson Property Sales & Management  
STREET: 1234 Laguna Shores Rd CITY: Corpus Christi ZIP: 78418  
FIRM IS: ☐ Corporation ☐ Partnership ☒ Sole Owner ☐ Association ☐ Other \_\_\_\_\_

### DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Job Title and City Department (if known)
<u>NA</u>	<u>NA</u>
_____	_____
_____	_____

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Title
<u>NA</u>	<u>NA</u>
_____	_____
_____	_____

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Board, Commission, or Committee
<u>Karl A. Tomlinson</u>	<u>CCIA Board Of Directors</u>
_____	_____
_____	_____

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Consultant
<u>NA</u>	<u>NA</u>
_____	_____
_____	_____

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Karl A. Tomlinson Title: Broker/owner  
(Print Name)

Signature of Certifying Person: Karl A. Tomlinson Date: 7/15/2016





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NAME: Dawn Melancon

STREET: 10714 Padre Island Dr. S CITY: Corpus Christi ZIP: 78418

FIRM is: ☐ Corporation ☐ Partnership ☒ Sole Owner ☐ Association ☐ Other \_\_\_\_\_

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Name

NA

Job Title and City Department (if known)

NA

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NA

Title

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Board, Commission, or Committee

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Name

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Consultant

NA

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Certifying Person:

DAWN ANN MELANCON  
(Print Name)

Title:

Owner

Signature of Certifying Person:

Dawn Ann Melancon

Date:

July 15, 2016