

STAFF REPORT

Case No. 0719-02
 INFOR No. 19ZN1005

Planning Commission Hearing Date: July 10, 2019

| | | | | |
|--|---|--|------------------------------------|-----------------------------------|
| Applicant & Legal Description | <p>Owner: B&A Terra Firma Development, LLC. Applicant: Eric Zarghooni Location Address: 2110 Laguna Shores Road Legal Description: Being a 15.96 acre tract out of lots 9 and 10, Section 54, Flour Bluff and Encinal Farms and Garden Tracts, located on the west side of Laguna Shores Road, north of Hustlin Hornet Drive, and south of Lola Johnson Road.</p> | | | |
| Zoning Request | <p>From: "RE" Residential Estate District To: "RS-6" Single-Family 6 Residential District Area: 15.96 acres Purpose of Request: To allow for the construction of Single-Family Development.</p> | | | |
| Existing Zoning and Land Uses | | Existing Zoning District | Existing Land Use | Future Land Use |
| | <i>Site</i> | "RE" Residential Estate | Vacant | Low Density Residential |
| | <i>North</i> | "RS-6" Single-Family 6 | Low Density Residential | Low Density Residential |
| | <i>South</i> | "IH" Heavy Industrial and "CR-1" Resort Commercial | Vacant | Commercial |
| | <i>East</i> | "CR-1" Resort Commercial and "RS-15" Single-Family 15 | Vacant and Low Density Residential | Commercial |
| | <i>West</i> | "CR-1" Resort Commercial, "RM-1" Multifamily 1, and "RS-6" Single-Family 6 | Vacant | Water and Low Density Residential |
| ADP, Map & Violations | <p>Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RS-6" Single-Family 6 District is inconsistent with the adopted Comprehensive Plan (Plan CC) and warrants a Future Land Use Map amendment. Map No.: 035030 Zoning Violations: None</p> | | | |
| Transportation | <p>Transportation and Circulation: The subject property has approximately 1,190 feet of street frontage along Laguna Shores Road which is designated as a "P1" Parkway Collector Street. According to the Urban Transportation Plan, "P1" Parkway Collector Streets can convey a capacity between 1,000 to 3,000 Average Daily Trips (ADT).</p> | | | |

| Street R.O.W. | Street | Urban Transportation Plan Type | Proposed Section | Existing Section | Traffic Volume |
|------------------|-----------------------|--------------------------------------|----------------------|----------------------|-------------------|
| | Laguna Shores Road | "P1" Parkway Collector | 80' ROW 40' paved | 70' ROW 38' paved | N/A |

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RE" Residential Estate District to the "RS-6" Single-Family 6 District to allow for the construction of Single-Family homes.

On March 20, 2019, the Planning Commission recommended denial of the applicant's request to rezone the property from the "RE" Residential Estate District to the "RM-2" Multifamily 2 District to allow for the construction of an apartment complex. However, the City Council voted to deny the "RM-2" request which failed. The result of the item was no action by the City Council. In the event the City Council fails to act within six months, such proposed Zoning Map amendment is deemed denied.

Per UDC 3.3.6.B, if the applicant withdraws the application after Planning Commission has held a public hearing and made a recommendation on the application, no further application for rezoning the same district may be submitted for 12 months from the date of the recommendation.

The applicant has withdrawn the application for "RM-2 and submitted a new application to rezone the property from "RE" Residential Estate District to the "RS-6" Single-family 6 District to allow for the construction of Single-Family homes.

Development Plan: The subject property is 15.96 acres in size. The owner is proposing Single Family Homes.

Existing Land Uses & Zoning: The subject property is currently zoned "RE" Residential Estate, consists of vacant land, and has remained undeveloped since annexation in 1962. The subject property was zoned "RE" Residential Estate District in 2006 from the "RS-6" Single-Family 6 District, "CR-1" Resort Commercial District, "RM-1" Multifamily 1 District, and "IH" Heavy Industrial District. The associated project was a single-family residential subdivision that was never constructed. To the north is a single-family residential subdivision along Lola Johnson Road (Belk Lola Johnson Subdivision) platted in 1953 and zoned "RS-6" Single-Family 6 District. To the south are vacant properties zoned "IH" Heavy Industrial District and "CR-1" Resort Commercial District. To the east are vacant properties, submerged properties, and single-family homes zoned "CR-1" Resort Commercial District. Five properties were recently rezoned to the "RS-15" Single-Family District. To the west are vacant properties and a pond zoned "CR-1" Resort Commercial District, "RM-1" Multifamily 1 District and "RS-6" Single-Family 6 District.

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

Plat Status: The property is not platted.

Utilities:

Water: 12-inch ACP Line

Wastewater: 16-inch PVC Force Main located along Laguna Shores Road. Wastewater service is currently unavailable to the subject property. The closest available wastewater manhole is accessible through Jamaica Drive which connects to a lift station. The lift station on Jamaica Drive can accommodate the proposed development.

Gas: 2-inch Service Line

Storm Water: Road side drainage along Laguna Shores Road.

Plan CC & 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 "RS-6" Single-Family 6 District is consistent with the adopted Comprehensive Plan (Plan CC). The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas. (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 residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3).

Department Comments:

- The proposed rezoning is "RS-6" Single-Family 6 District is inconsistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning will not have a negative impact upon the surrounding neighborhood.
- The subject property was zoned "RE" Residential Estate District in 2006 from the "RS-6" Single-Family 6 District, "CR-1" Resort Commercial District, "RM-1"

Multifamily 1 District, and “IH” Heavy Industrial District. The associated project was a single-family residential subdivision that was never constructed.

- The proposed single-family homes project is compatible with the fabric of the neighborhood. The residential subdivision to the north along Lola Johnson Road and the recent rezonings across Laguna Shores Road to single-family zoning districts indicate that single-family residential is the predominate use on this portion of Laguna Shores Road.
- The subject property is 15.96 acres in size. The proposed “RS-6” Single-family 6 District allows up to 7 lots per acre. Therefore, the maximum number of allowable lots per the size of the property will be 88 lots including 20% open space and infrastructure. However, the applicant is proposing a preliminary layout of the single-family lots to yield approximately 70 lots due to the configuration of the property.
- Laguna Shores Road is designated as a “P1” Parkway which has a right-of-way width of 80-feet, but only has a pavement section of 40-feet (2 lanes). A “C1” Minor Collector Street also has a pavement section of 40-feet.
- Traffic should have direct access to an arterial street that can accommodate the larger traffic demands. The Peak Hour Trips submitted by the applicant shows a total of 125.3 Peak A.M and P.M Trips. Laguna Shores Road, a 2 lane 40-foot wide roadway, should be able to absorb the increased traffic.
- The only potential source of wastewater is to the northwest connecting though Jamaica Drive and an existing lift station.
- Due to the adjacency to properties zoned “RS-6” Single-Family 6 District, a buffer yard will not be required along the northern and a portion of the western property lines. Type B buffer yards consist of 10 feet in width and a 10 point requirement as per the Unified Development Code (UDC). Along the southern property line is a property zoned “IH” Heavy Industrial District. Therefore, a Type E buffer yard would be required. Type E buffer yards consist of 50 feet in width and a 50-point requirement as per the Unified Development Code (UDC).
- The 18 parcels zoned “RS-6 north of the property, south of Lola Johnson range from 3,250 sq. ft to 16,247 square feet averaging 8,064, sq. ft.

Staff Recommendation:

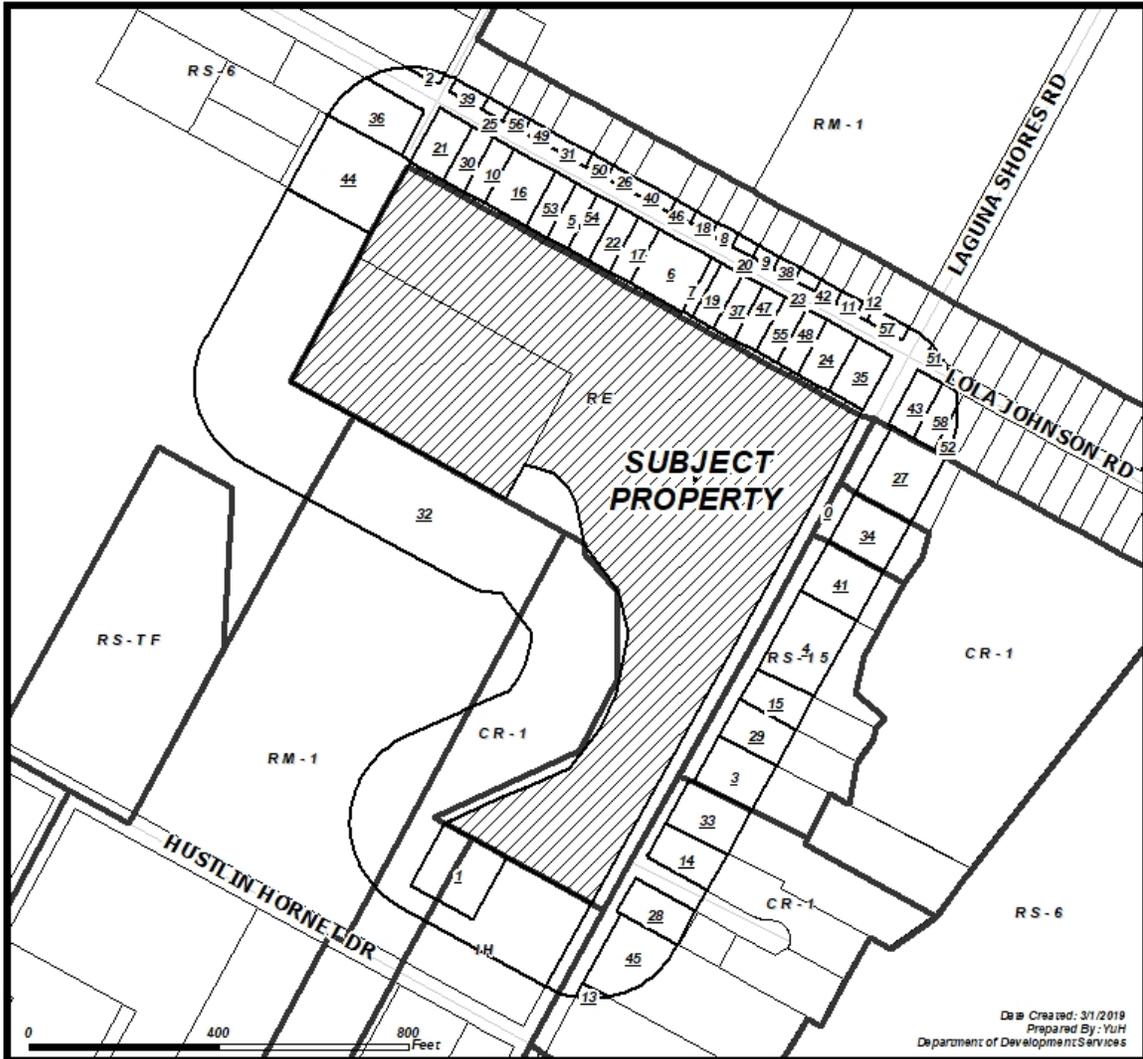
Approval of the change of zoning from the “RE” Residential Estate District to the “RS-6” Single-family 6 District.

| | | |
|----------------------------|--|---|
| Public Notification | Number of Notices Mailed – 58 within 200-foot notification area 5 outside notification area | |
| | <u>As of July 3, 2019:</u> | |
| | In Favor | – 0 inside notification area – 0 outside notification area |
| | In Opposition | – 3 inside notification area – 0 outside notification area |
| | Totaling 0% of the land within the 200-foot notification area in opposition. | |

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Public Comments Received (if any)

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Date Created: 3/1/2019
Prepared By: YUH
Department of Development Services

CASE: 0319-02
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-8 Single-Family 8 |
| CN-1 Neighborhood Commercial | RS-4.6 Single-Family 4.6 |
| CN-2 Neighborhood Commercial | RS-TF Two-Family |
| CR-1 Resort Commercial | RS-16 Single-Family 16 |
| CR-2 Resort Commercial | RE Residential Estate |
| CG-1 General Commercial | RS-TH Townhouses |
| 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 in favor
 Owners in opposition
4 Owners within 200' listed on attached ownership table



Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

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 comisión 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. 0719-02**

B&A Terra Firma Development, LLC, has petitioned the City of Corpus Christi to consider a change of zoning from the "**RE**" Residential Estate District to the "**RS-6**" Single Family Residential 6 Zoning District, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

2110 Laguna Shores Road and being a 15.96-acre tract out of lots 9 and 10, Section 54, Flour Bluff and Encinal Farms and Garden Tracts, located on the west side of Laguna Shores Road, north of Hustlin Hornet Drive, and south of Lola Johnson Road.

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 **Wednesday, July 10, 2019**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.** 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: Reinaldo R. Figueroa
Address: 221 Lola Johnson Rd. (Lot 54) City/State: Corpus Christi, Texas
() IN FAVOR IN OPPOSITION Phone: (956) 802-9004

REASON: *This development does not FIT the Area Development Plan. The road will NOT support the drastic increase in traffic. The run off will flood our properties, and contaminate the pond. The BOND project to fix Laguna Shores Rd. does NOT include sidewalks, or Bike Lanes BECAUSE the sensitive area development will NOT allow it. Lift station on Mora Rd. is too high of an elevation to gravity feed from the housing to the station. Lift station is also MATH BALLED according to City Staff.*

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1017
Property Owner ID: 55
Signature: _____
Senior City Planner: Osei Amo-Mensah
Email: osem@cctexas.com
Case No. 0719-02

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Printed Name: Darson AcVoet

Address: 281 Lola Johnson Rd (Lot 68) City/State: CC TX

() IN FAVOR IN OPPOSITION Phone: 361-658-1999

REASON: Infrastructure
Environment
Safety

Darson AcVoet
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1017
Property Owner ID: 30

Case No. 0719-02
Senior City Planner: Osei Amo-Mensah
Email: oseim@cctexas.com

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Printed Name: Elizabeth Figueroa

Address: 221 Lola Johnson Rd. (L+53) City/State: Corpus Christi, TX

() IN FAVOR IN OPPOSITION Phone: _____

REASON: Too many apartment units. Over crowded area will create trash and air pollution due to vehicles and large amount of people in a confined area. Water run-off will flood our properties. Why are you not following the Flour Bluff Area Development plan? The road will not support the traffic amount even after building up the road.

Elizabeth Figueroa
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1017
Property Owner ID: 47

Case No. 0719-02
Senior City Planner: Osei Amo-Mensah
Email: oseim@cctexas.com