

ZONING REPORT

Case # 1022-07

Applicant & Subject Property			
City Council District: 1 Owner: Arriba Development, LLC Applicant: Urban Engineering Address: 10902 Interstate 37 (Up River Road) Location: Along the north side of Interstate Highway 37 and along the west side of Sessions Road Legal Description: 14.63 acres out of Tract 13-A, Assessor Map 138 Acreage of Subject Property: 14.63 acres Pre-Submission/Early Assistance Meeting: 06/24/2022			
Zoning Request			
From: "RS-6" Single-Family 6 District and "CN-1" Neighborhood Commercial District To: "RM-1" Multifamily District and "RM-2" Multifamily District Purpose of Request: To allow for a 280-unit apartment community.			
Land Development & Surrounding Land Uses			
	Zoning District	Existing Land Use	Future Land Use
Site	"RS-6" Single-Family 6	Vacant	Low-Density Residential
North	"RS-6" Single-Family 6	Mobile Home, Vacant	Flood Conservation and High-Density Residential
South	"CN-1" Neighborhood Commercial	Vacant	Low-Density Residential
East	"RS-6" Single-Family 6	Low-Density Residential	Medium Density Residential
West	"RS-6" Single-Family 6	Low-Density Residential	Flood Conservation and Low-Density Residential
Plat Status: The property is not platted. Code Violations: None.			
Transportation and Circulation			
	Designation-Urban Street	Section Proposed	Section Existing
IH 37 Access (Up River Road)	F1 Freeway/Expressway	Access Road 2 Lanes 40-feet (Paved)	Access Road 2 Lanes 40-feet (Paved)
Sessions Road	C1 Minor Collector	2 Lanes 60-foot ROW 40-feet (Paved)	2 Lanes 44-foot ROW 20-feet (Paved)
C1 Collector Street Maximum Capacity is 1,000 to 3,000 ADT Proposed Infrastructure Design Manual is 4,000 to 8,000 ADT			

Utilities

Gas: 4" WS along Sessions Road.

Stormwater: A stormwater ditch along the west side of Sessions Road.

Wastewater: 10" VCP line along Sessions Road for Tract 2, a 10" VCP line transects Tracts 1 and 2, 10" VCP Line along the western property Line for Tract 1.

Water: An 8-inch PVC waterline runs along Sessions Road.

Corpus Christi Comprehensive Plan

Plan CC: Provides a vision, goals, and strategies, to guide, regulate, and manage future development and redevelopment within the corporate limits and extraterritorial jurisdiction (ETJ) was adopted in 2016.

Area Development Plan (ADP): According to Plan CC the subject property is located within the Northwest Area Development Plan (Adopted on January 9, 2001).

Water Master Plan: A 24" water line is proposed along Up River Road.

Wastewater Master Plan: No improvements have been proposed.

Stormwater Master Plan: No improvements have been proposed.

Public Notification

Number of Notices Mailed

- 39 within a 200-foot notification area
- 1 outside 200-foot notification area

In Opposition

- 8 notices received in opposition totaling **21.73%** opposition within the 200-foot notification area
- 0% in opposition outside the notification area

The 20% rule is invoked. A super-majority (3/4 vote) will be required at City Council.

Public Hearing Schedule

Planning Commission Hearing Date: November 30, 2022

City Council 1st Reading/Public Hearing Date: March 28, 2023

City Council 2nd Reading Date: April 11, 2023

Comprehensive Plan (Plan CC) Consistency:

The proposed rezoning is inconsistent with the following Goals and Strategies for Decision Makers:

- Future Land Use, Zoning, and Urban Design
 - 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 Map Consistency:

The proposed rezoning to allow for an apartment community, which would be high-density residential use, is inconsistent with the Future Land Use Map and would require an amendment:

- Designated Future Land Use: Low-density residential.

Traffic Data Table:

ITE					
Code	Use	Type	Weekday	AM	PM

220	Apartments	DU	6.65	0.51	0.62
210	SF Homes	DU	9.52	0.75	1
240	Mobile Home	DU	4.99	0.44	0.59
1-Day Study (Tues. 9/27/22)					
ADT	AM Peak	PM Peak			
662	11	5			

Arriba Development (Sessions Road) Data						
Zoning District	Acreage	UDC Density	Max. Buildout	ADT	AM Peak	PM Peak
CN-1 (Existing)	4.47	37.00	165.39	1,099.84	84.35	102.54
RM-1 (Proposed)	5.77	22.00	127.01	844.59	64.77	78.74
RM-2 (Proposed)	4.38	30.00	131.37	873.61	67.00	81.45
		Total	423.77	2,818.04	216.12	262.73

All Development	Dwelling Units	ADT	AM	PM	Alt. ADT
Commercial (CN-1)	165.39	1,099.84	84.35	102.54	1,099.84
Apartments	258.38	1,718.20	131.77	160.19	1,718.20
Existing Homes	163	1,492.87	118.22	157.67	662
Totals	586.77	4,310.91	334.34	420.40	3,480.04

ROW Information (Sessions Road-C1 Collector Street)				
	Existing	Standard		
ROW Width (feet)	43	60		
Pavement Width (feet)	20	40		
ADT Capacity	1,000-3,000 ADT	Alt. ADT	4,000-8,000 ADT	Alt. ADT
Proposed @ Max. Build	143.70%	116%	54%	44%
Alternative #3 (Special Permit)	94.10%	84%	42%	35%
As is today	109.81%	82%	41%	31%

Alternative Scenario #3 (Special Permit)						
Zoning District	Acreage	UDC Density	Max. Buildout	ADT	AM Peak	PM Peak
RS-6/SP	10.15	N/A	200.00	1,330.00	678.30	420.55
Existing Homes			163.00	1,492.87	118.22	157.67
		Totals	363.00	2,822.87	796.52	578.22

As is today						
Zoning District	Acreage	UDC Density	Max. Buildout	ADT	AM Peak	PM Peak
RS-6	10.15	7.26	73.70	701.66	526.24	526.24
CN-1	4.47	37.00	165.39	1,099.84	84.35	102.54

Existing Homes			163.00	1,492.87	118.22	157.67
		Totals	402.09	3,294.37	728.81	786.45

Staff Analysis:

“While the comprehensive plan is consulted when making decisions about rezoning. It does not justify the denial of a plat or the development of land.” (Plan CC). Staff reviewed the subject property’s background information and the applicant’s purpose for the rezoning request and conducted research into the property’s land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning’s consistency with the applicable elements of the comprehensive plan. As a result of the above analysis staff notes the following:

- The Future Land Use Map recommends low-density residential which is at or below 3 du/ac.
- The proposed rezoning to “RM-1” and “RM-2” Multifamily Districts is a high-density residential use.
- For Tract 1 (5.773 acres), the “RM-1” would allow for 13+ dwelling units per acre which is approximately 127 units.
- For Tract 2 (4.397 acres) “RM-2” would allow for 13+ dwelling units per acre which is approximately 132 units.
- Sessions Road is classified as a C1 Minor Residential Collector. C1 Collector Streets consist of a 60’ ROW, 40’ of pavement, and 2 lanes. Currently, Sessions Road only consists of 44’ of ROW, 20’ of pavement, and 2 lanes.
- The subject property is adjacent to residential uses on two sides.
- There is insufficient road infrastructure to support the traffic generated by the proposed development. The proposed development will generate approximately 2,800 additional average daily trips to the existing 1,500 trips generated by the existing neighborhood.
- The maximum capacity of a C1 Collector Street is 3,000 average daily trips (ADT). The existing neighborhood and the proposed property at maximum buildout will create 4,300 ADT and therefore Sessions Road will be at over 140% capacity.
- The site is not appropriate due to the incompatibility of surrounding uses.

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff recommends denial of the change of zoning in lieu of a Special Permit.

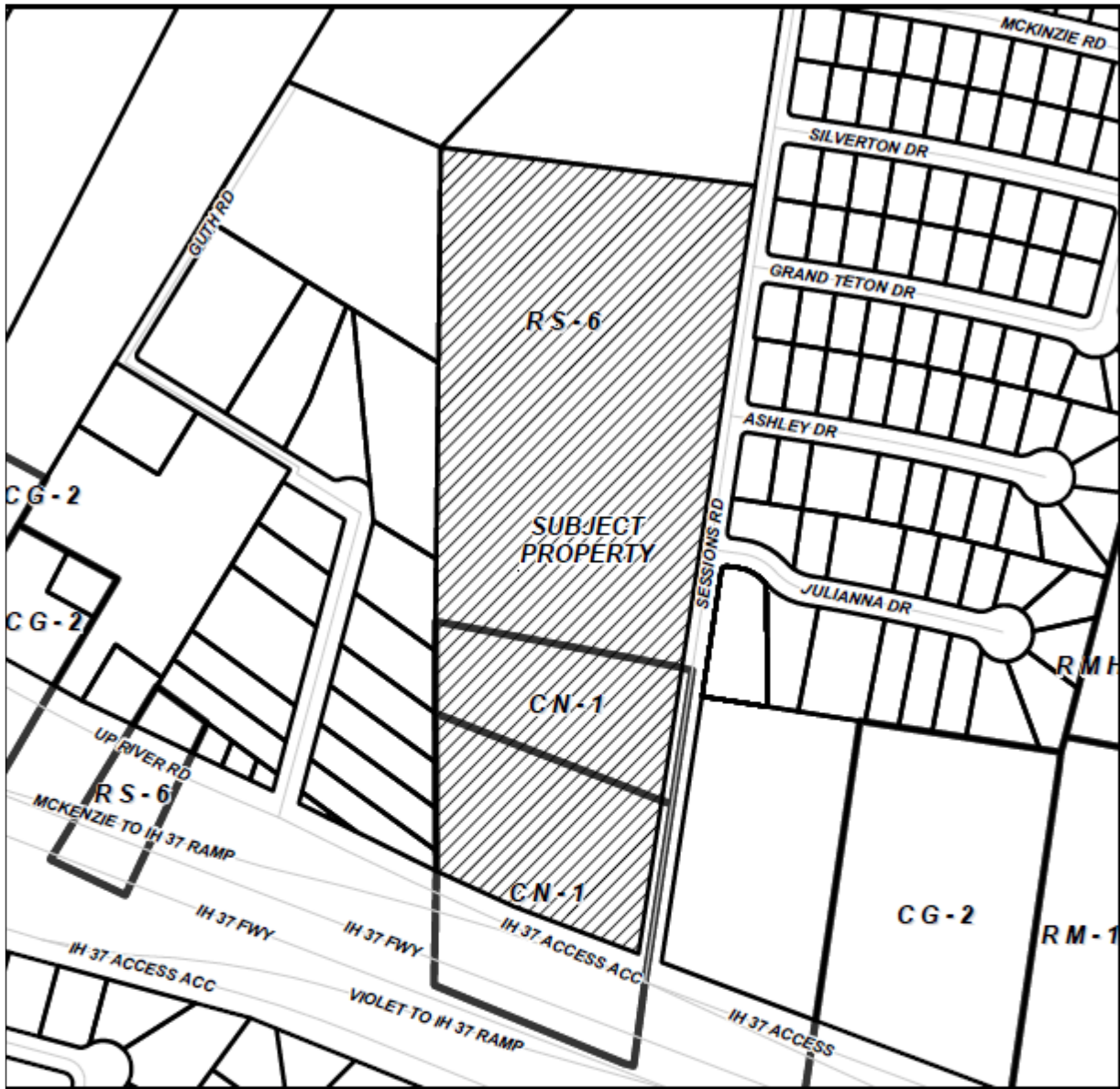
Planning Commission and Staff Recommendation (November 30, 2022): Denial of the requested change of zoning in lieu thereof, Approval of the “RS-6/SP” Single-Family 6 District with a Special Permit and subject to the following conditions.

1. **Use:** The only use allowed on the subject property other than uses permitted in the base zoning districts is a multifamily apartment complex with a density not to exceed 280 dwelling units over the entire 14 acres owned by the applicant creating a density of 20 units per acre.
2. **Buffer Yard:** A 10-foot-wide buffer yard and 10-buffer yard points shall be required along the property boundaries adjacent to single-family residential zoning districts or residential use.

3. **Building Height:** No multifamily or nonresidential structure shall be located nearer any property line adjacent to a single-family use or two-family use than a horizontal distance of twice the vertical height of the structure as illustrated below. The height shall be measured from the existing ground level to the plate.
4. **Sessions Road:** The applicant or subsequent owner will be responsible for the completion of Sessions Road to the "C1" Collector Street standard of 60 feet of right-of-way and a 40-foot pavement section. The reconstruction of Sessions Road to City standards of a rural street section and will include the following: paving of the street section, storm water management, and the dedicating of land. Completion and acceptance by the City of Sessions Road is required prior to the issuance of any building permits.
5. **Interstate 37:** The applicant or subsequent owner will be responsible for the coordination with the Texas Department of Transportation (TXDOT) of traffic delineators along the outside lane of the Interstate 37 access road to prevent access to/from Sessions Road to Interstate 37 on/off the access road.
6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Attachment A: Zoning and Notice Area

ATTACHMENT A: ZONING AND NOTICE AREA



**CASE: 0922-04
SUBJECT PROPERTY WITH ZONING**



- | | |
|--|---|
| A-1 Apartment House District | I-1 Limited Industrial District |
| A-1A Apartment House District | I-2 Light Industrial District |
| A-2 Apartment House District | I-3 Heavy Industrial District |
| AB Professional Office District | PUD Planned Unit Development |
| AT Apartment-Tourist District | R-1A One Family Dwelling District |
| S-1 Neighborhood Business District | R-1B One Family Dwelling District |
| S-1A Neighborhood Business District | R-1C One Family Dwelling District |
| S-2 Bayfront Business District | R-2 Multiple Dwelling District |
| S-2A Barrier Island Business District | RA One Family Dwelling District |
| S-3 Business District | RE Residential Estate District |
| S-4 General Business District | R-TH Townhouse Dwelling District |
| S-5 Primary Business District | SP Special Permit |
| S-6 Primary Business Core District | T-1A Travel Trailer Park District |
| SD Corpus Christi Beach Design Dist. | T-1B Manufactured Home Park District |
| F-R Farm Rural District | T-1C Manufactured Home Subdivision District |
| HC Historical-Cultural Landmark Preservation | |



ATTACHMENT B: Returned Notices (Property Owner 3)

Persons with disabilities planning to attend this meeting, who may require special services, should call the Development Services Department at (361) 826-3240 at least 48 hours in advance at (361) 826-3240. Personas con discapacidades que deseen asistir a la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

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**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0922-04
(INFOR No. 22ZN1030)**

Arriba Development LLC has petitioned the City of Corpus Christi to consider a change of zoning from the **"RS-6" Single-Family 6 District** to the **"RM-1" Multi-Family District and "RM-2" Multi-Family District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

A property located at or near 10902 Interstate Highway 37 Access Road and described as 14.63 acres out of Tract 13-A, Assessor Map 138, located along the north side of Interstate Highway 37, and west of Sessions 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, November 30, 2022**, 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.

NAME: DANIEL F. FALCON
ADDRESS: 3737 SESSIONS RD LOT 2 PHONE: (361) 726-5100
() IN FAVOR IN OPPOSITION C.C. TX 78410
REASON:

Daniel F. Falcon
SIGNATURE

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 3

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 6)

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NAME: Homar Mendora
ADDRESS: 4802 Guth Rd. PHONE: 361-429-5585

() IN FAVOR (X) IN OPPOSITION

REASON: Property Taxes will increase, Traffic issue

SIGNATURE: Homar Mendora

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 6

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 14)

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NAME: Carlos Mendoza
ADDRESS: 4730 Guth st. PHONE: 361-726-9709

IN FAVOR IN OPPOSITION

REASON: Traffic is Bad on sessions st, & IH37.
Property taxes will increase.
Too Much crime.

Carlos Mendoza
SIGNATURE

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 14

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 22)

Persons with disabilities planning to attend this meeting... the Development Services... 48 hours... que tiene la intención de asistir a la junta... horas... junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

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NAME: Richard G. Blackwell and Judy L. Blackwell
ADDRESS: 10834 Grand Teton Dr. 78410 PHONE: _____

() IN FAVOR IN OPPOSITION

REASON: 1) Concerned about added number of people traveling Sessions Rd.
2) Concerned about entrance & exit locations of proposed complex.

3) We feel the zoning change to multi-family complex will change the character of our neighborhood.
SIGNATURE: Judy L. Blackwell

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 22

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

4) Is the zoning consistent with the comprehensive plan for our area?

ATTACHMENT B: Returned Notices (Property Owner 23)

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NAME: Paul Douglas
ADDRESS: 10830 Grand Teton PHONE: 361-371-1689

IN FAVOR IN OPPOSITION

REASON: Too much traffic, Safety concerns for children playing -

Paul Douglas
SIGNATURE

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 23

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 26)

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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, November 30, 2022**, 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.

NAME: George and Fredda Martin
ADDRESS: 10829 Silverton Dr Corpus Christi PHONE: 361-815-2919

() IN FAVOR IN OPPOSITION

REASON:

Fredda Martin
SIGNATURE

SEE MAP ON REVERSE SIDE
INFOR Case No. 22ZN1030
Property Owner ID: 26

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 27)

Persons with disabilities planning to attend this meeting should contact the Development Services Department at least 48 hours in advance to request an interpreter. *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. 0922-04
(INFOR No. 22ZN1030)**

Arriba Development LLC has petitioned the City of Corpus Christi to consider a change of zoning from the **"RS-6" Single-Family 6 District** to the **"RM-1" Multi-Family District and "RM-2" Multi-Family District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

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NAME: Paz Acosta & Rosemary Castillo
 ADDRESS: 10833 Silverton Drive PHONE: 361-500-3589

() IN FAVOR () IN OPPOSITION

REASON: Safety HAZZARD Too much TRAFFIC
Property Value goes down.

SIGNATURE: Castillo Rosemary & Paz Acosta

SEE MAP ON REVERSE SIDE
 INFOR Case No. 22ZN1030
 Property Owner ID: 27

Case No. 0922-04
 Case Manager: Elena Buentello
 Email: elenab@cctexas.com
 361-826-3598

ATTACHMENT B: Returned Notices (Property Owner 29)

Persons with disabilities attending the meeting, who may require special services, are requested to call the Development Services Department at least 48 hours in advance at (361) 826-3240 to request an interpreter. 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. 0922-04
(INFOR No. 22ZN1030)**

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NAME: Bill J Tomlinson Jr

ADDRESS: 10834 Silverton Dr PHONE: 361-413-5004

() IN FAVOR (X) IN OPPOSITION

REASON: Traffic Concerns, Safety of Children, Property Values.

[Signature]
SIGNATURE

SEE MAP ON REVERSE SIDE
INFOR Case No.: 22ZN1030
Property Owner ID: 29

Case No. 0922-04
Case Manager: Elena Buentello
Email: elenab@cctexas.com
361-826-3598