# **STAFF REPORT**

**Case No.** 1015-02 **HTE No.** 15-10000059

Planning Commission Hearing Date: November 4, 2015 (Continued from Oct. 21, 2015)				
Applicant & Legal Description	Applicant/Owner: Edward Gonzalez.  Legal Description/Location: Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court.			
Zoning Request	From: "RE" Residential Estate District To: "RS-22" Single-Family 22 District Area: 4.259 acres Purpose of Request: To allow the property to be replatted into four smaller lots.			
		Existing Zoning District	Existing Land Use	Future Land Use
pu	Site	"RE" Residential Estate	Vacant	Estate Residential
Existing Zoning and Land Uses	North	"RE" Residential Estate/Special Permit	Vacant	Estate Residential
ting Zoning Land Uses	South	Outside City Limits	Vacant	Low Density Residential
XiXi	East	"RE" Residential Estate	Vacant	Estate Residential
	West	"RE" Residential Estate/Special Permit	Vacant	Estate Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the London Area Development Plan and is planned for estate residential uses or 1-acre residential lots. The proposed rezoning to the "RS-22" Single-Family 22 District is not consistent with the adopted Future Land Use Map.  Map No.: 046029  Zoning Violations: None			
Transportation	<b>Transportation and Circulation</b> : The subject property is currently served by a private utility and access easement along the northeast edge of the property. Once The Coves at Logo Vista Subdivision is completed, the subject property will have direct access to South Oso Parkway along the western edge of the property.			

. •	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2015)
Street R.O.W.	King Trail	Local	NA	Two lanes, no curb gutter or sidewalks	NA
	South Oso Parkway	Parkway/Collector	80' ROW, two lanes, hike bike trail	None	NA

### **Staff Summary**:

**Requested Zoning**: The applicant is requesting a rezoning from the "RE" Residential Estate District with minimum lot size of one acre to the "RS-22" Single-Family 22 District with minimum lot size of 0.5 acres. The property owner wishes to plat the property into three lots that are 0.5 acres in size and one lot over one acre. Easements across the property are limiting development with the existing "RE" Residential Estate one acre minimum lot size.

**Development Plan:** The proposed rezoning is within The Coves at Largo Vista Unit 3 Subdivision. The applicant is proposing a single-family development on the 4.259-acre tract of land. The rezoning application land use statement indicates a desire to replat the property into four single-family lots. At a minimum, the Unified Development Code would require a 25-foot wide front yard and 10-foot rear and side yards for each lot. The subject property currently has access from a 60-foot wide access easement on the northern edge of the property. In the future South Oso Parkway will abut the western edge of the property.

**Existing Land Uses & Zoning**: To the West and North of the subject property the area is zoned with an "RE" Residential Estate District with a Special Permit allowing a minimum lot size of ½ acres. The land use to the West and North is a combination of vacant land and a subdivision under construction. East of the subject property is zoned "RE" Residential Estate District and is developed with a single family dwelling. South of the subject property is outside city limits and is vacant King Ranch property. The "RE" Residential Estate District requires setback requires are: 50 foot front yard; 25 side yard; and 15 foot rear yard. The "RS-22" Residential 22 District setbacks are: 25 foot front yard; 10 side and rear yards.

**AICUZ:** The subject property is <u>not</u> 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 London Area Development Plan (ADP). The proposed rezoning to the "RS-22" Residential Single-Family District is consistent with the London ADP but not consistent with the adopted Future Land Use Map's designation of the property as Estate Residential with minimum lot sizes of one acre.

While the land use designation is not exactly consistent with the Future Land Use designation, the proposed density is substantially less than standard urban residential densities and should still be considered a "large lot" residential density more similar to densities found in Estate Residential than found in Low Density Residential Development land use categories. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- The density of development in an area should be directly related to the design capacity of the infrastructure. (Policy Statements General. Policy F.) Since there is no municipal wastewater service in this area, the minimum lot size will allow development to occur and still meet minimum lot size standards for on-site waste disposal systems.
- Each neighborhood of the City shall be protected and/or improved so as to be a
  desirable and attractive residential environment. (Policy Statements –
  Residential. Policy A.) Development in the area is of a large lot character as
  proposed by this rezoning.
- The London Area Development Plan suggested that the city discourage on-site waste disposal systems due to the low permeability of the Victoria Clay soils in the area. While the proliferation of on-site waste disposal systems remains a concern, a municipal wastewater system to serve the area is unlikely in the foreseeable future.
- Provide flood plain management to reduce erosion, peak flows, and poor water quality. (Policy Statements Stormwater System. Policy B.) The property location is very near the Oso Creek. Large lot development is generally preferable in this location as there is less impervious service associated with large lots (compared with smaller lots/high density development) and, therefore, less urban runoff will flow directly into Oso Creek.

**Plat Status:** The subject property is platted, however, the property owner wishes to replat Lot 21 into smaller lots. The property owner has indicated the desire to replat into four lots. The RS-22 District will allow Lot 21 to be replatted into a maximum of eight lots.

### **Department Comments:**

- The proposed rezoning deviates from the Future Land Use Map designation but the
  deviation is not considered significant since the proposed density of a large lot
  character and proposed uses for single-family is very similar or identical to the
  designation of Estate Residential in the Comprehensive Plan.
- The proposed rezoning is consistent with recent (2007) past rezoning of the Lago Vista subdivision to the North and West allowing a Special Permit to reduce lot sizes in the Estate Residential District to 0.5 acres.
- It is staff's opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The property to be rezoned is suitable for half-acre lots.

### Staff Recommendation:

Approval of the change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

Public Notification

Number of Notices Mailed – 10 within 200-foot notification area 2 outside notification area

## As of October 28, 2015:

In Favor – 0 inside notification area

- 0 outside notification area

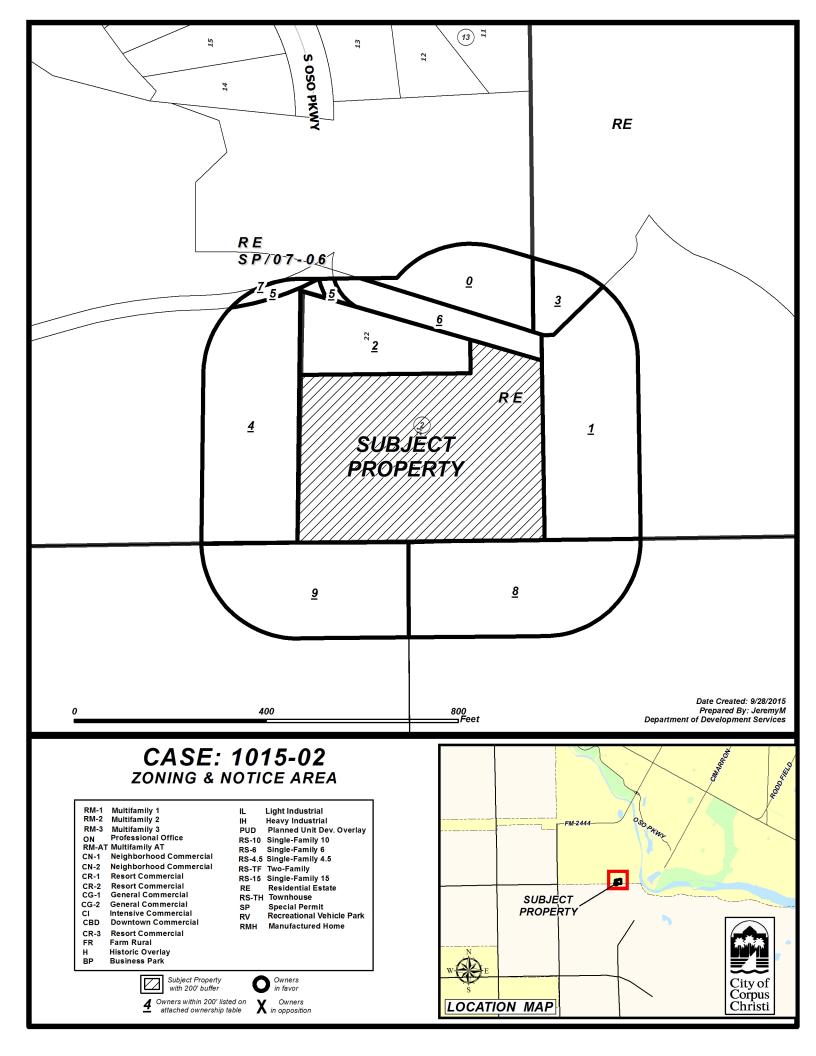
In Opposition —7 inside notification area

- 0 outside notification area

Totaling 56.68% 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)





Development Services Dept. P.O. Box 9277

# **REZONING APPLICATION**

ice Use Only

Case No.: \_\_\_\_\_\_1015-02 \_\_\_\_\_ Map No.: \_\_\_\_\_046029

PC Hearing Date: 10/21/15 Proj.Mgr:\_

Bob Payne

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street

Hearing Time: 5:30 p.m.

(	(361) 826-3240  Located at 2406 Leopard Street  * A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING. * INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.				
1.	Applicant: Edward Gonzalez Contact Person: Victor S. Medina				
	Mailing Address: P.O. Box 7129				
	City: Corpus Christi  State: TX  ZIP: 78414-3981  Phone: ()				
	204 502 0077				
	E-mail: Cell: (301 ) 503-9977				
2.	Property Owner(s): Edward Gonzalez Contact Person : Victor S. Medina				
	Mailing Address: 6113 Queen Jane Street				
	City: Corpus Christi State: TX ZIP: 78414-3981 Phone: ()				
	E-mail: Cell: (361 )563-9977				
3.	Subject Property Address: 6425 King Trail Area of Request (SF/acres):				
	Current Zoning & Use: RE - Residential Proposed Zoning & Use: RS-22 - Residential				
	12-Digit Nueces County Tax ID: 1956 0002 0210				
	Subdivision Name: Lago Vista Unit 3  Block: 2  Lot(s): 21				
	Legal Description if not platted:				
***	Legal Description in not platted.				
4.	Submittal Requirements:				
	■ Early Assistance Meeting: Date Held June 3, 2015; 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					
Edward Gonzalez Edward Gonzalez					
Owner or Agent's Printed Name Applicant's Printed Name					
	fice Use Only: Date Received: 9/28/15 Received By: BKP ADP: London				
Re	Rezoning Fee: 1692.50 + PUD Fee 0 + Sign Fee 10.00 = Total Fee 1702.50				
No	No. Signs Required 1 @ \$10/sign Sign Posting Date: 10/6/15				

# 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.

Reduction in the size of residential lots for the purpose of re-platting 4.259 acres into (4) smaller lots so as to comply with RS-22 zoning requirements.

2. Identify the existing land uses adjoin	ing the area of request
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North	_ RE - Residential	
South	N/A - No present zoning	
East	RE - Residential	
	RE - Residential	



### **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".

NA	<sub>ME:</sub> Edwar	d Gonzales		•	
ST	REET: 6113 (	Queen Jane Street	CITY: Corp	us Christi	ZIP: 78414-3981
FIF	RM is: Corpo	oration Partnership	Sole Owner	Association	Other
		•	DISCLOSURE QU	ESTIONS	
lf a	dditional space	is necessary, please use			ch separate sheet.
	•	• • •			having an "ownership interest"
٠.		% or more of the owner			navnig an ownership interest
	Name			Job Title and C	City Department (if known)
	N/A				
2.	State the na constituting 3	mes of each "official" 8% or more of the owner	of the City of ship in the above	Corpus Christi named "firm".	having an "ownership interest'
3.		nes of each "board men 8% or more of the owner			ti having an "ownership interest"
	Name			Board, Commis	ssion, or Committee
	N/A				
4.	on any matte		of this contract a		City of Corpus Christi who worked ership interest" constituting 3% o
	Name			Consultant	
	N/A				
	-				
l v	certify that all invithheld disclosu	ure of any information requ the City of C	uested; and that su Corpus Christi, Tex	the date of this statemental statement	
Се	rtifying Person:	Edward Gonzales	5		Title: OWNER
Sig	nature of Certif	(Print Name)  ying Person		· [	Date: 8/21/15

#### APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in

this request. Name of Agent: Victor S. Medina Mailing Address: P.O. Box 7129 City: Corpus Christi State: TX Zip: 78467-7129 Home Phone: ( ) Business Phone: ( ) Cell: ( 361 ) 877-1255 I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to: Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the patity. \*Signature of Agent: Printed/Typed Name of Agent: Victor S. Medina \*Signature of Property Owners Printed/Typed Name of Property Owner: Edward Gonzalez \*Signature of Property Owner: Title: Printed/Typed Name of Property Owner: \_\_\_\_\_\_ Date: \_\_\_\_\_ \*Signature of Property Owner: \_\_\_\_\_\_ Title: Printed/Typed Name of Property Owner: \_\_\_\_\_\_\_ Date: \_\_\_\_

<sup>\*</sup>Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.



## CITY OF CORPUS CHRISTI DISCLOSURE OF INTERESTS

M MANTE	78/62
REET: P. U. BOX 1129 CITY:	CORPUS CHRISTI ZIP: 78467
M is: 1. Corporation 2. Partnership _	3. Sole Owner 4. Association
5. Other	
	RE QUESTIONS
dditional space is necessary, please use the reverse	side of this page or attach separate sheet.
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	Job Title and City Department (if known)
Name A/A	
14714	
State the names of each "official" of the Ci	ity of Corpus Christi having an "ownership interest"
constituting 3% or more of the ownership in the	above named "TIFTH".
Name	Title
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constituting 3% or more of the ownership in the	
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	Board, Commission or Committee
Name N/A	Board, Commission or Committee
Name N/A	Board, Commission or Committee
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Name N/A	a "consultant" for the City of Corpus Christi who worked tract and has an "ownership interest" constituting 3% or
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## CITY OF CORPUS CHRISTI DISCLOSURE OF INTERESTS

NOTE HOMER SERNIET 4650 BROOKELE	CITY: Corpus Christi TEXAS ZIP: 78415
Man 1 Corporation 2 Partne	ership 3. Sole Owner 4. Association
5 Other Employee W	ith Medina Consultants
/ /	CLOSURE QUESTIONS
	reverse side of this page or attach separate sheet.
	of the City of Corpus Christi having an "ownership interest"
State the names of each "employee" of constituting 3% or more of the ownership	o in the above named "Hirm".
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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 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. 1015-02

Edward Gonzalez has petitioned the City of Corpus Christi to consider a change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Map from estate residential uses to low density residential uses. The property to be rezoned is described as:

Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court

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>October 21, 2015</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.

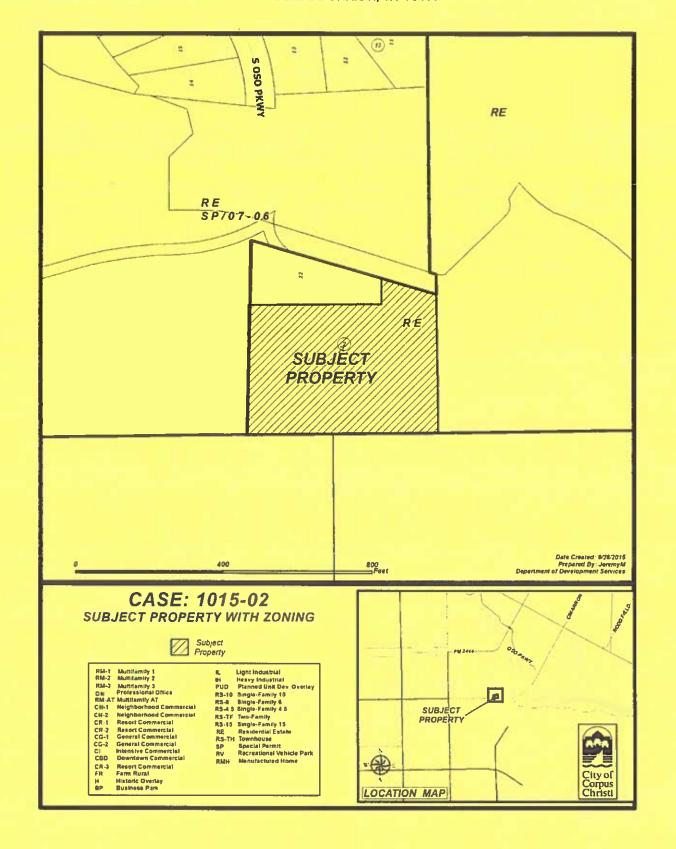
NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in\_person, by telephone call or by letter.

Printed Name: Frank Shumate	
Address: 6118 King Trail	City/State: Co-pus 7x
( ) IN FAVOR ( ) IN OPPOSITION	Phone: 3(1-8/6-807/
REASON:    CEVELOP ENT SERVICES   SIGNATURE   Signature	On the

City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469



3 425000320125 SHUMATE FRANK THOMAS TRUST NO 2 8253 King Ranch Dr CORPUS CHRISTI, TX 78414



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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.

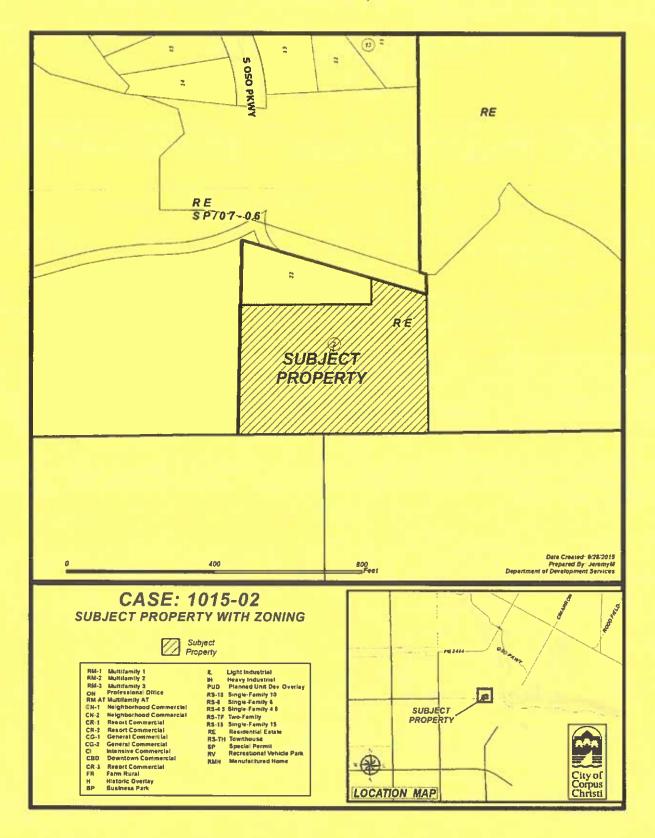
Printed Name: 18m Shum	ite
Address: 6118 King Trail	City/State: Cogus Tx
( ) IN FAVOR ( ) IN OPPOSITION	Phone: 361-816-807/
REASON:  DECEIVED  OCT 20 2015  DEVELOPMENT SERVICES  SPECIAL SERVICES	Jun Al
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City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469





1 425000320100 SHUMATE FRANK THOMAS TRUST NO 2 8253 King Ranch Dr CORPUS CHRISTI, TX 78414



Betty P.
City of Corpus Christi
Development Services Department
P.O. Box 9277
Corpus Christi, TX 78469-9277

Betty,

I am writing in protest of the zoning change Case No. 1015-02 Edward Gonzalez. I am an adjacent landowner and respectfully request that the rezone of this subject tract not be accepted nor approved. Listed below are the items for the basis of my protest:

- Flood Zone issues, inadequate drainage from subject property onto my prpoerty
- Easement issues on the subject property that are granted to myself
- Access to the subject property, easement issues
- Maintenance on the easement access
- Schedule of future City Streets accessing the subject property

Respectfully,

Frank Tom Shumate Jr.

6118 King Trail

Corpus Christi, TX 78414

FID #'s 1 and 3

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 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 interprete ser presente durante la junta.

OCT 26 2015

DEVELOPMENT SERVICES

SPECIAL SERVICES

CITY PLANNING COMMISSION PUBLIC HEARING NOTICE Rezoning Case No. 1015-02 DEVEL STRUMENT SPECIAL SERVICES

Edward Gonzalez has petitioned the City of Corpus Christi to consider a change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Map from estate residential uses to low density residential uses. The property to be rezoned is described as:

Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court

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>October 21, 2015</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.

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Printed Name: RONALD VOSS	
Address: 6838 GREENWOOD DRIVE	City/State: CORPUS CITRIST, TOSA
( ) IN FAVOR ( IN OPPOSITION ( STIMES)	Phone: 3618546202
REASON: 15 NOT CONSISTENT WITH SURROUNDING AEREREE.	DEVELOPMENT of THE
THIS IS FOR & PARCERS.	STAFF NOTE: FID #'S 0, 6, 7, 8, 9

Signature