

ZONING REPORT

Case No.: 0413-04
 HTE No. 13-10000014

Planning Commission Hearing Date: April 24, 2013

Applicant & Legal Description	<p>Applicant/Owner: The Palms at Leopard, Ltd. Representative: George Clower, The Clower Company Legal Description/Location: Being a 2.11-acre tract of land out of Tract C, Hawn Tract, and all of Tracts D and E, Hawn Tract, located along the east side of Palm Drive between Leopard Street and Lipan Street.</p>			
Zoning Request	<p>From: "IH/SP" Heavy Industrial District with a Special Permit To: "CI" Intensive Commercial District Area: 5.2 acres Purpose of Request: To eliminate the existing Special Permit and allow an apartment use by right.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IH/SP" Heavy Industrial with a Special Permit	Vacant & Light Industrial	Light Industrial
	<i>North</i>	"CI" Intensive Commercial	Vacant	Commercial
	<i>South</i>	"IH" Heavy Industrial	Light Industrial & Public Semi-Public	Light Industrial
	<i>East</i>	"IH" Heavy Industrial	Light Industrial & Public Semi-Public	Light Industrial
	<i>West</i>	"IL" Light Industrial	Public Semi-Public, Light Industrial, & Vacant	Light Industrial, Public Semi-Public
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Port/Airport/Violet Area Development Plan (ADP) and is planned for light industrial uses. The proposed change of zoning to the "CI" Intensive Commercial District is not consistent with the Future Land Use Plan. Map No.: 047044 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has 758 feet of frontage along Palm Drive, which is a Local Residential street, and approximately 250 feet of frontage along Lipan Street, which is a "C1" Minor Residential Collector street. The subject property is part of a proposed apartment complex also having approximately 450 feet of frontage on Leopard Street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Palm Dr.	Local Residential	50' ROW 28' paved	60' ROW 40' paved	Not Available
	Lipan St.	"C1" Minor Residential Collector	60' ROW 40' paved	60' ROW 38' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the "IH/SP" Heavy Industrial District with a Special Permit for a 120-unit apartment complex to the "CI" Intensive Commercial District in order to eliminate the Special Permit and allow an apartment complex by right. Residential uses are not allowed in the "IH" Heavy Industrial District. The property was rezoned in 2011 to the "IH/SP" Heavy Industrial District with a Special Permit for a 120-unit apartment complex to allow the buyer to apply for tax credits for the construction of the apartment complex. The original landowner did not want to concede the subject property's "IH" Heavy Industrial District until the sale of the property was complete.

Applicant's Development Plan: The proposed apartment complex will consist of nine apartment buildings and one club house and leasing office. Seven of the apartment buildings will be three stories in height and the two remaining apartment buildings will be two stories. The developer is planning to construct a total of 120 dwelling units at a density of 16.5 dwelling units per acre.

Existing Land Uses & Zoning: North of the subject property is the remainder of the owner's property that will be developed into an apartment complex zoned "CI" Intensive Commercial District. South of the subject property is a manufacturing facility zoned "IH" Heavy Industrial District. West of the subject property are industrial and Corpus Christi Independent School District (CCISD) properties zoned "IH" Heavy Industrial District. East of the subject property is a CCISD baseball field and an industrial facility zoned "IH" Heavy Industrial District.

AICUZ: The subject property is not located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan (ADP) Consistency: The proposed change of zoning is in the Port/Airport/Violet Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for light industrial uses.

Plat Status: The property is currently platted and will be replatted into one lot.

Department Comments:

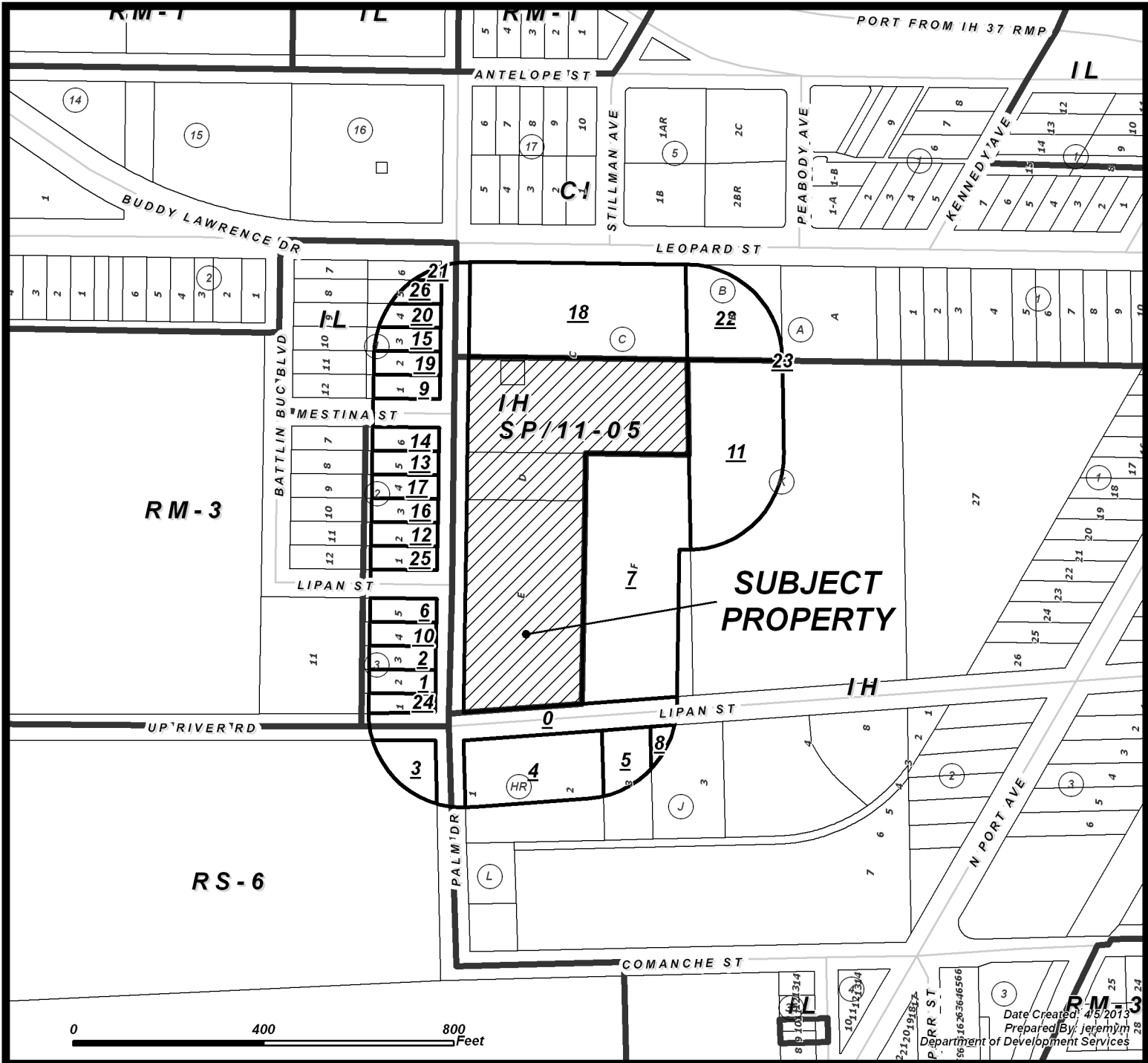
- Vacant buildings currently occupy the subject property and present a hazardous environment. Allowing a multifamily use on the property will improve the desirability of the neighborhood and will redevelop unused and dilapidated property.
- The Future Land Use Plan calls for future light industrial uses on the subject property and surrounding properties. Although inconsistent with the Future Land Use Plan, a multifamily use will not negatively affect the surrounding properties.
- This rezoning is a reasonable expansion of the planned commercial uses and existing “CI” Intensive Commercial District along Leopard Street.

Planning Commission and Staff Recommendation (April 24, 2013):

Approval of the change of zoning from the “IH/SP” Heavy Industrial District with a Special Permit to the “CI” Intensive Commercial District.

Public Notification	Number of Notices Mailed – 26 within 200’ notification area; 2 outside notification area
	<u>As of April 25, 2013:</u>
	In Favor – 10 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
	For 0.00% in opposition.

- Attachments:
1. Location Map (Existing Zoning & Notice Area)
 2. Site Plan

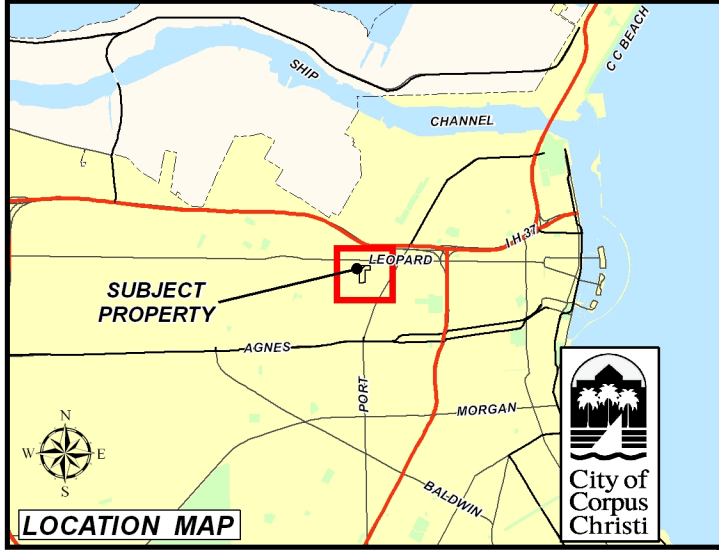


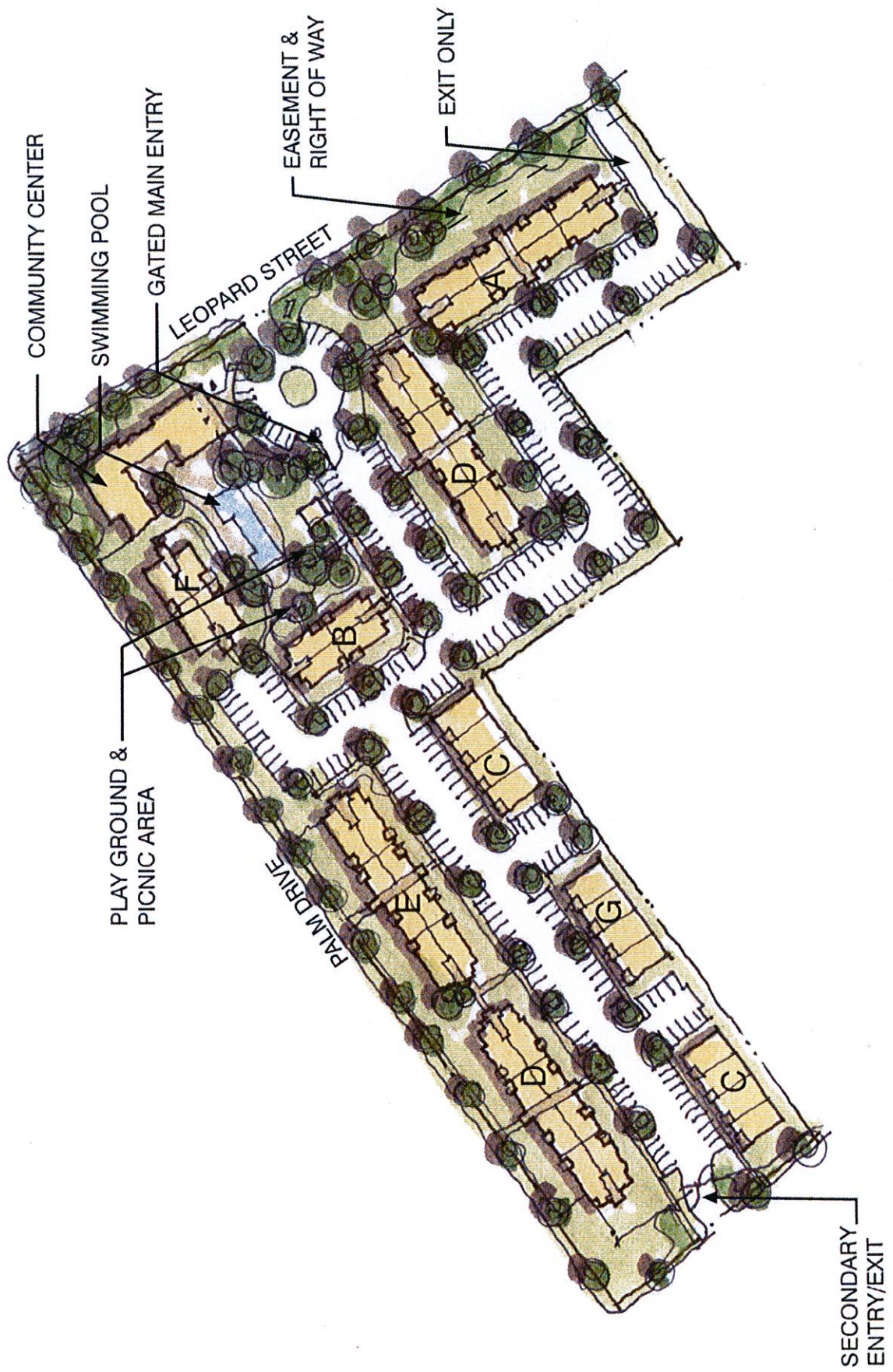
Date Created: 4/5/2013
 Prepared By: Jeremy
 Department of Development Services

CASE: 0413-04 2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

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 in favor
 Owners within 200' listed on attached ownership table
 Owners in opposition





SITE PLAN

THE PALMS AT LEOPARD - FEBRUARY 2011