

PLANNING COMMISSION FINAL REPORT

Case No. 0615-04

HTE No. 15-10000022

Planning Commission Hearing Date: July 15, 2015 (continued from June 17, 2015)

Applicant & Legal Description	<p>Applicant/Owner: Jesus Mora Legal Description/Location: Lot 4-B, Barthlome Acre Tracts, located along the south side of Barthlome Street between Nueces Bay Boulevard and Lily Street.</p>			
Zoning Request	<p>From: "CI" Intensive Commercial District To: "IL" Light Industrial District Area: 0.41 acres Purpose of Request: To allow the warehouse storage of equipment and vehicles associated with a cable contractor.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CI" Intensive Commercial	Vacant	Commercial
	<i>North</i>	"CI" Intensive Commercial	Vacant, Commercial, and Light Industrial	Commercial and Light Industrial
	<i>South</i>	"RS-6" Single-Family 6 and "RM-1" Multifamily 1	Vacant and Low Density Residential	Commercial
	<i>East</i>	"CI" Intensive Commercial	Medium Density Residential	Medium Density Residential
	<i>West</i>	"CI" Intensive Commercial	Commercial	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "IL" Light Industrial District remains inconsistent with the adopted Future Land Use Plan. Map No.: 048044 Zoning Violations: N/A</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 120 feet of street frontage along Barthlome Street, which is a Local/Residential Street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Barthlome Street	Local/Residential	N/A	50' ROW 28' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “CI” Intensive Commercial District to the “IL” Light Industrial District to allow warehouse storage of equipment and vehicles.

Development Plan: On the Land Use Statement submitted with the application to rezone, the applicant indicates that his business is that of a contractor that install cable wire for telecommunication services.

Existing Land Uses & Zoning: The current use of the property is commercial. North, and west of the subject property are commercial uses. East of the subject property is a multifamily complex zoned “RM-1” Multifamily 1 District. South of the subject property is designated as a low density residential area.

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

Plat Status: The subject property is platted.

Comprehensive Plan & Area Development Plan Consistency:

The proposed designation of “IL” Light Industrial District is not consistent with the Future Land Use Plan or the Westside Development Plan.

Department Comments:

The applicant purchased the property as currently constructed. The existing buildings on the subject property were constructed without permits and the site is in violation of code with respect to setback, screening, and building code requirements. The applicant is a cable subcontractor that installs underground cable. The applicant employs three people. The buildings on the property are used to store company trucks, supplies, and tools.

1. The proposed designation of “IL” Light Industrial District is not consistent with the Comprehensive Plan or the Westside Area Development Plan.
2. The Future Land Use Plan identifies the subject property for Commercial uses.
3. Adjacent land uses include apartments and single-family dwellings.
4. The existing use is a contractor’s yard, which equates to the warehouse storage of equipment, supplies and vehicles and is not in itself incompatible with existing land uses in the immediate vicinity if properly screened.

5. A change to the “IL” Light Industrial District is not the most appropriate action given existing land uses.
6. A Special Permit in lieu of a change to the “IL” Light Industrial District is the better alternative as a change to the “IL” Light Industrial District would alter the character of the area and would be incompatible with adjacent residential uses..
7. Special Permit conditions may ensure the existing use of a contractor’s yard with storage of equipment and vehicles is compatible with existing and future land uses in the immediate vicinity.

The Unified Development Code Special Permit Review Criteria: The Unified Development Code sets forth review criteria for Special Permits; Section 3.6.3. Review criteria applicable to this application (after conformance is achieved) are as follows:

1. The use is compatible with surrounding uses.
2. The use does not substantially adversely affect adjacent and neighboring uses permitted.
3. The use does conform in all other respects to regulations and standards in the Unified Development Code.
4. The physical appearance, hours of operation and conduct of the use does not generate excessive noise, or other forms of environmental or visual pollution or detrimentally affect the residential character.
5. The development provides ample off-street parking and loading facilities.

Planning Commission and Staff Recommendation:

Denial of the change of zoning from the “CI” Intensive Commercial District to the “IL” Light Industrial District and, in lieu thereof, approval of the “CI/SP” Intensive Commercial District with a Special Permit for a contractor’s shop and storage yard.

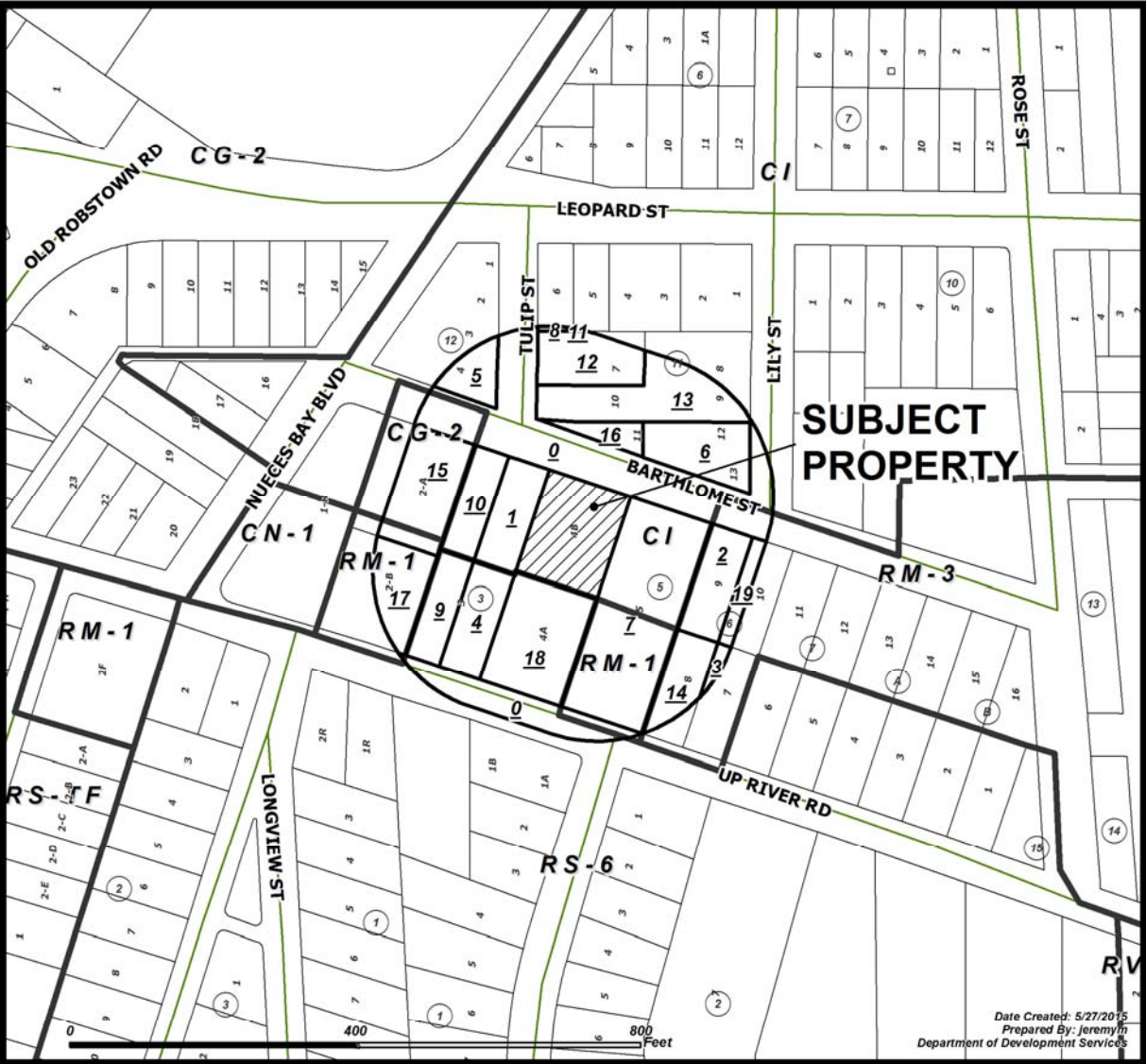
1. **Use.** The only use permitted under this Special Permit, other than those permitted by right in the “CI” Intensive Commercial District, is the contractor’s use which includes the storage of equipment and vehicles as described herein.
2. **Access.** Vehicular access shall be as per the site plan.
3. **Hours of operation.** Business hours shall be limited to the hours between 7:00 A.M. and 5:00 P.M.
4. **Time Limit:** This Special Permit shall expire in one (1) year if applicable permits are not applied for to bring the site into conformance.
5. **Setbacks and Buffer Yards.** Conformance includes, but is not limited to, the following:
 - a. The removal or relocation of the carport structure at the rear of the property to ensure that a minimum rear and side yard setback of ten (10) feet is met.
 - b. Buffer yards as required by the Unified Development Code (U.D.C) shall be installed along the south and east property lines.
 - i. A Type C buffer yard shall be provided along the south property line; a ten (10) foot buffer yard and fifteen (15) points.
 - ii. A Type B buffer yard shall be required along the east property line; a five (5) foot buffer and ten (10) points.
6. **Lighting.** All lighting shall comply with U.D.C.requirements.

7. **Storage of materials.** All storage of materials (including but not limited to spools of cable) shall occur within an enclosed building or screened from view per U.D.C. requirements.
8. **Noise.** The applicant must comply with the City’s Noise Ordinance.
9. **Other Requirements.** The Special Permit conditions listed herein do not preclude compliance with other applicable U.D.C. and Building Code requirements.

Public Notification	Number of Notices Mailed – 19 within 200-foot notification area 6 outside notification area
	<u>As of July 21, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 2 inside notification area – 0 outside notification area
	Totaling 4.85% of the land within the 200-foot notification area in opposition.

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Site Plan
3. Application
4. Notices Returned

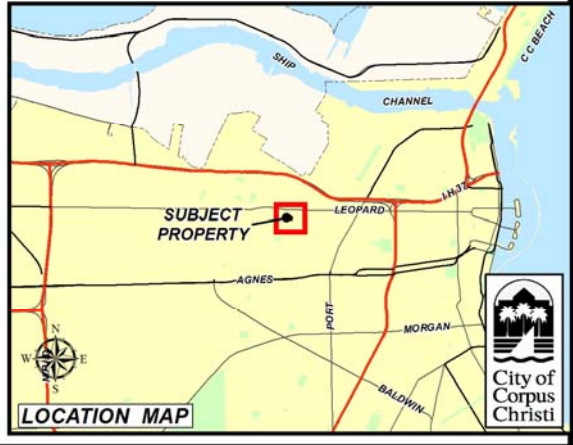


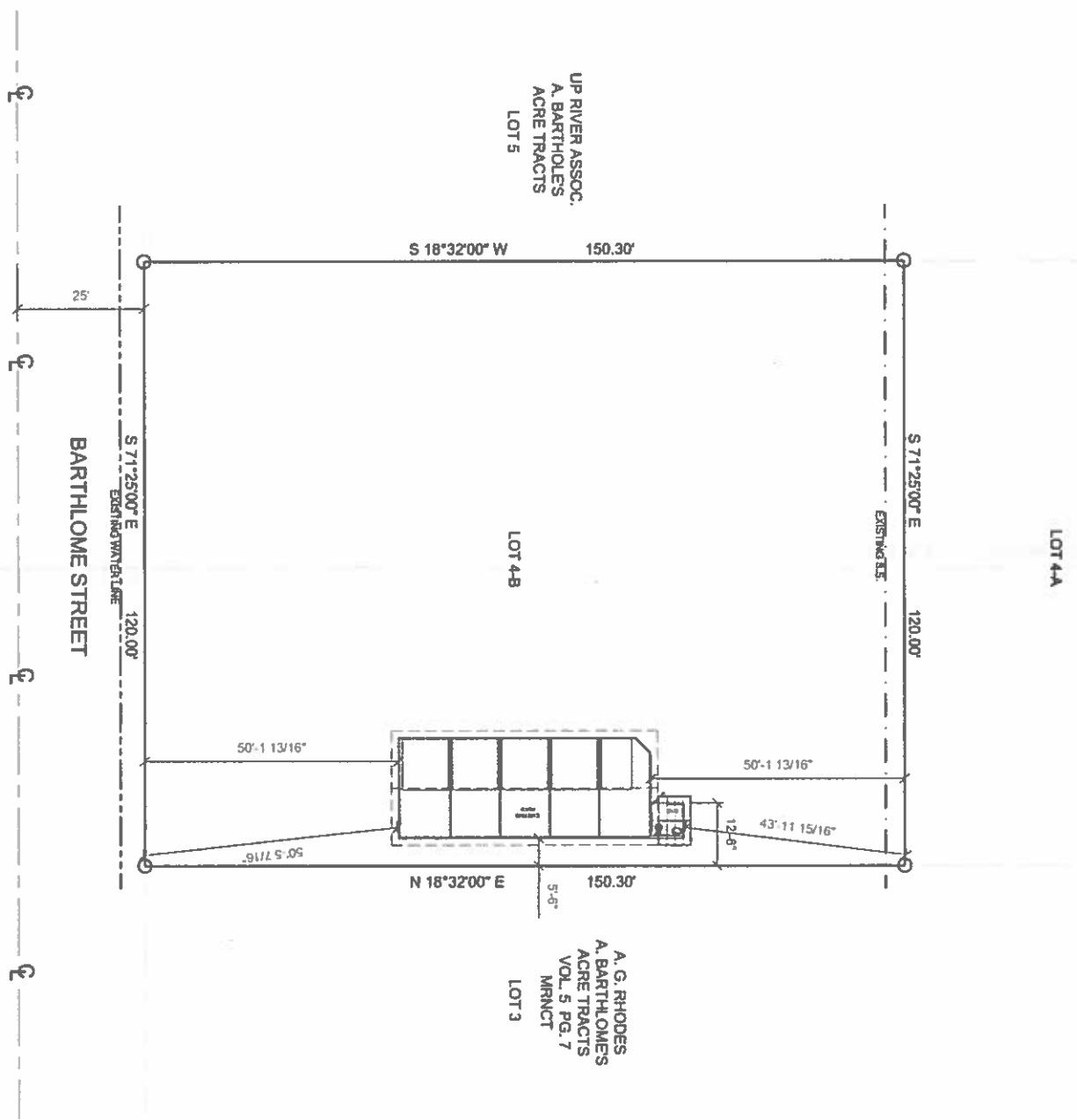
Date Created: 5/27/2015
Prepared By: Jeremy
Department of Development Services

CASE: 0615-04
Zoning & Notice Area

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RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
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RM-AT Multifamily AT	RS-6 Single-Family 6
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CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	SP 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





UP RIVER ASSOC.
A. BARTHOMES
ACRE TRACTS
LOT 5

LOT 4B

A. G. RHODES
A. BARTHOMES
ACRE TRACTS
VOL. 5 PG. 7
MNRCT
LOT 3

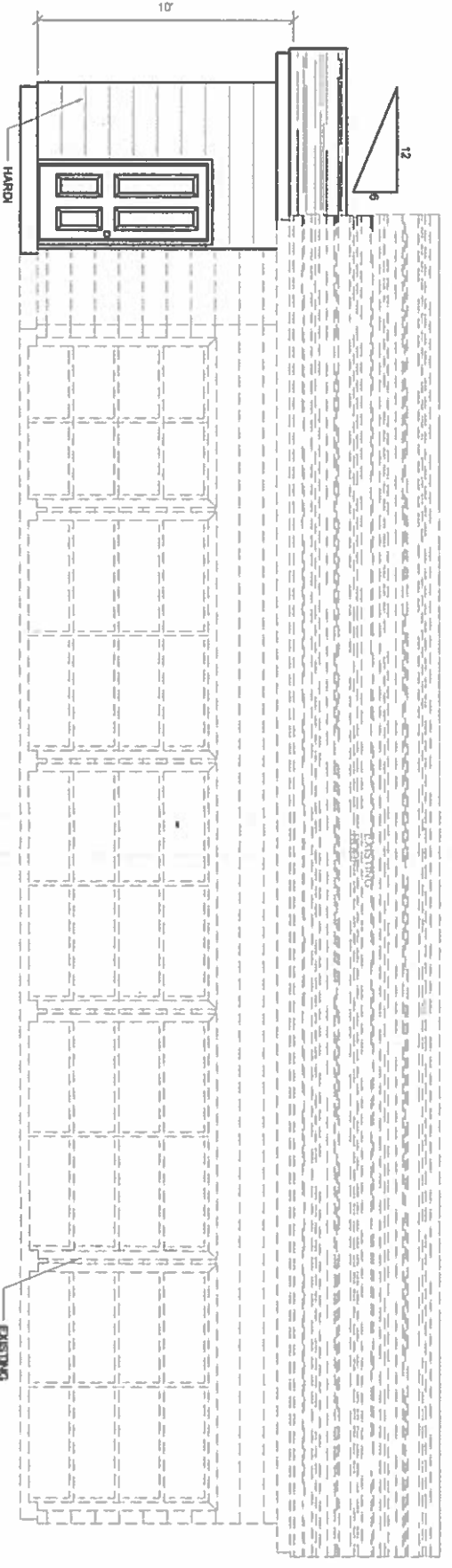
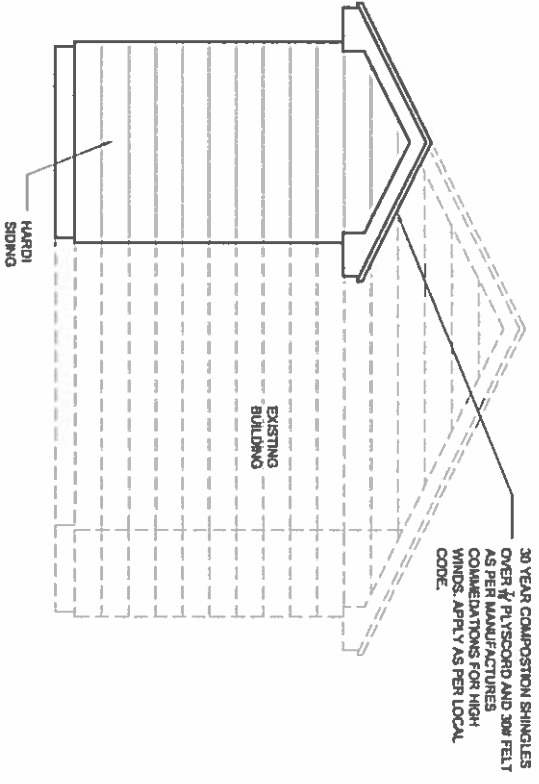
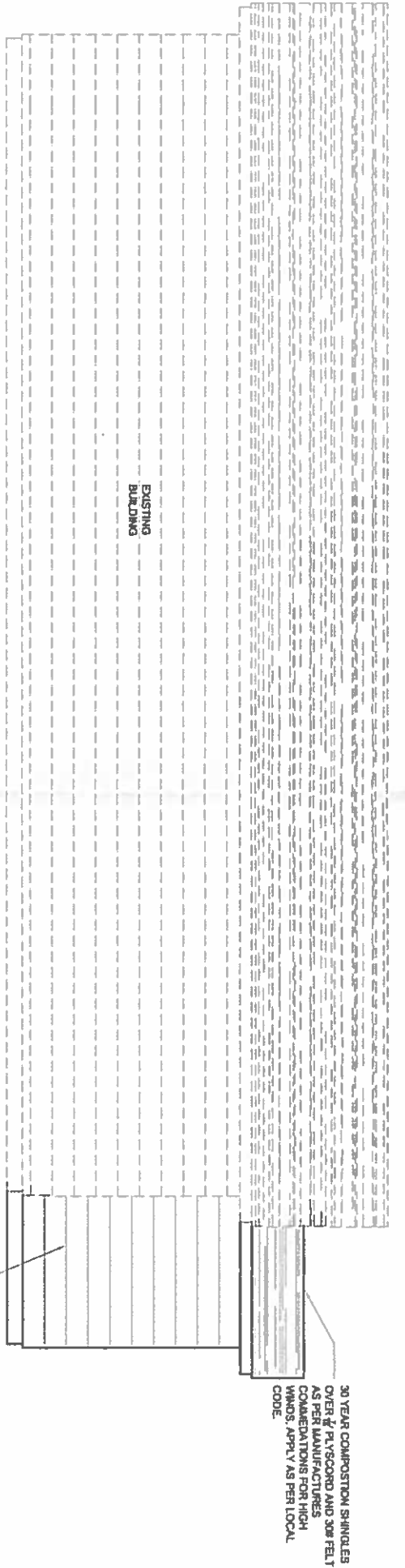
BARTHLOME STREET

SITE PLAN
SCALE: 1" = 20'-0"

EXISTING SITE PLAN

CS&M CABLE CONSTRUCTION
LOT 4-B BARTHLOME ACRE TRACTS
3313 BARTHLOME ST.
CORPUS CHRISTI, TEXAS

APPROVED BY:	DRAWN BY:
DATE: 3-05-12	SCALE: 1/4" = 1'
DRAWING #:	
PAGE:	OF:



FRONT VIEW
SCALE: 1/4" = 1'-0"

ELEVATIONS

CS&M CABLE CONSTRUCTION
LOT 4-B BARTHLOME ACRE TRACTS
3313 BARTHLOME ST.
CORPUS CHRISTI, TEXAS

APPROVED BY:	DRAWN BY:
DATE: 3-05-12	SCALE: 1/4" = 1'
DRAWING #:	
PAGE:	OF:



CITY OF CORPUS CHRISTI
DEVELOPMENT SERVICES

P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street
(Corner of Leopard Street and Port Avenue)

APPLICATION FOR A CHANGE OF ZONING

Office Use Only

Case No.: _____ Map No.: _____

*Planning Commission Hearing Date: _____

Location: City Hall Council Chambers, 1201 Leopard Street at 5:30 p.m.
*A maximum of five applications are scheduled per hearing. Applications received after the five maximum will be scheduled to the next available meeting.

1. Applicant/Representative: Jesus Mora Telephone: () _____
Address (City, State, Zip): Haltom City, TX
E-mail Address: _____ Cell Phone: (469) 279-6309

2. Property Owner(s): Jesus Mora Telephone: (469) 279-6309
Address (City, State, Zip): 3313 Bartholome Corpus Christi Texas 78404
E-mail Address: _____ Cell Phone: () _____
Ownership Type: Sole Partnership Corporation Other: _____

3. Current Zoning and Use: C1 Proposed Zoning and Use: S.I.S.B. "12"
Project Address: 3313 Bartholome Area of Request (sq. ft./acres): 0.4140
12-Digit Nueces County Tax ID: 453-61-5237 0460-0000-0045
If platted, Subdivision Name: _____ Block: _____ Lot(s): _____
Legal description: Bartholome Acres TRACT 4B

4. DOCUMENTS ATTACHED
REQUIRED: Land Use Statement Disclosure of Interest Copy of Warranty Deed
IF APPLICABLE: Executed Appointment of Agent
 Metes and bounds if request is for a portion of a platted lot or an unplatted lot

I certify that the information provided is accurate, correct and signed by all owners.

(Owner's Signature)

(Applicant's Signature)

Jesus Mora
(Owner's Printed Name)

Jesus Mora
(Applicant's Printed Name)

All signatures on this application shall be original signatures. No copied prints or faxed copies.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Application Fees (as of November 1, 2011)	
0.00 - 0.99 acre	\$ 1,107.50
1.00 - 9.99 acres	\$ 1,692.50
10.00 - 24.99 acres	\$ 1,976.75
25 + acres	\$ 1,976.75 plus \$50.00 per acre over 25 acres
Notice Sign Fee	\$10.00 per sign

Office Use Only
 Date Received: 3-31-15 Received By: BKP
 Application Fee: 1107.50
 No. Signs Required 1 X \$10 Sign Fee: 10
 Total: 1117.50
 Sign Posting Date: _____ ADP: _____
 Form Revised 8/24/12



P.O. Box 9277
Corpus Christi, TX 78469-9277
(361) 826-3240
Located at: 2406 Leopard St.

LAND USE STATEMENT

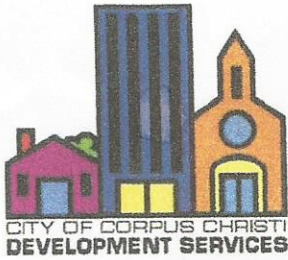
Complete land use statement form containing the following information:

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.

3 employees
Warehouse and freight movement used uses

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

North - Empty lot
South - House
East - Apt.
West - House



P.O. Box 9277
Corpus Christi, TX 78469-9277
(361) 826-3240
Located at: 2406 Leopard St.

LAND USE STATEMENT

Complete land use statement form containing the following information:

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.

3 employee

Warehouse and freight movement used uses
The usage of property will store cables for tv, phones

ETC.

Parking CO. TRUCKS + TRAILERS, Equipments FOR any
of the projects working on hand.

Building is use FOR storage FOR TRUCKS + TOOLS AS
shovels, ladders, pumps and Hand TOOLS FOR the jobs,

Land IS 120' x 150.30 AS recorded on the Nueces
County TEXAS.

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

North - Emyt lot
South - House
East - Apt.
West - House



City of Corpus Christi, Texas
 Department of Development Services
 P O Box 9277
 Corpus Christi, Texas 78469-9277
 (361) 826-3240
 Located at: 2406 Leopard Street
 (Corner of Leopard St. and Port Ave.)

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: Se Medvia Jesus Mora
 STREET: Bartholomew CITY: Corpus Christi ZIP: TEXAS
 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>	_____
_____	_____

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>	_____
_____	_____

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>NA</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>	_____
_____	_____

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.

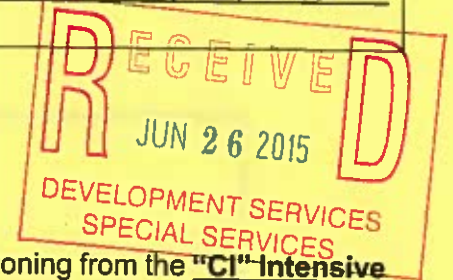
Certifying Person: Jesus Mora Title: Owner
 (Print)

Signature of Certifying Person: _____ Date: 3-31-15

with disabilities planning to attend this meeting, who may require special services, are requested to contact Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, a 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. 0615-04**



Jesus Mora has petitioned the City of Corpus Christi to consider a change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from Commercial to Light Industrial. The property to be rezoned is described as:

Lot 4-B, Bartholome Acre Tracts, located along the south side of Bartholome Street between Nueces Bay Boulevard and Lily Street.

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, June 17, 2015, 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: MANUEL & ESTHER TORRES

Address: 3238 Up River Rd. City/State: CC TX 78408

() IN FAVOR (X) IN OPPOSITION Phone: 361-884-6743

REASON: Cite on Bartholome is okay for rezoning. But River River side we do not agree that it is conducive to rezoned because its a neighborhood.

Manuel Torres Esther Torres
Signature

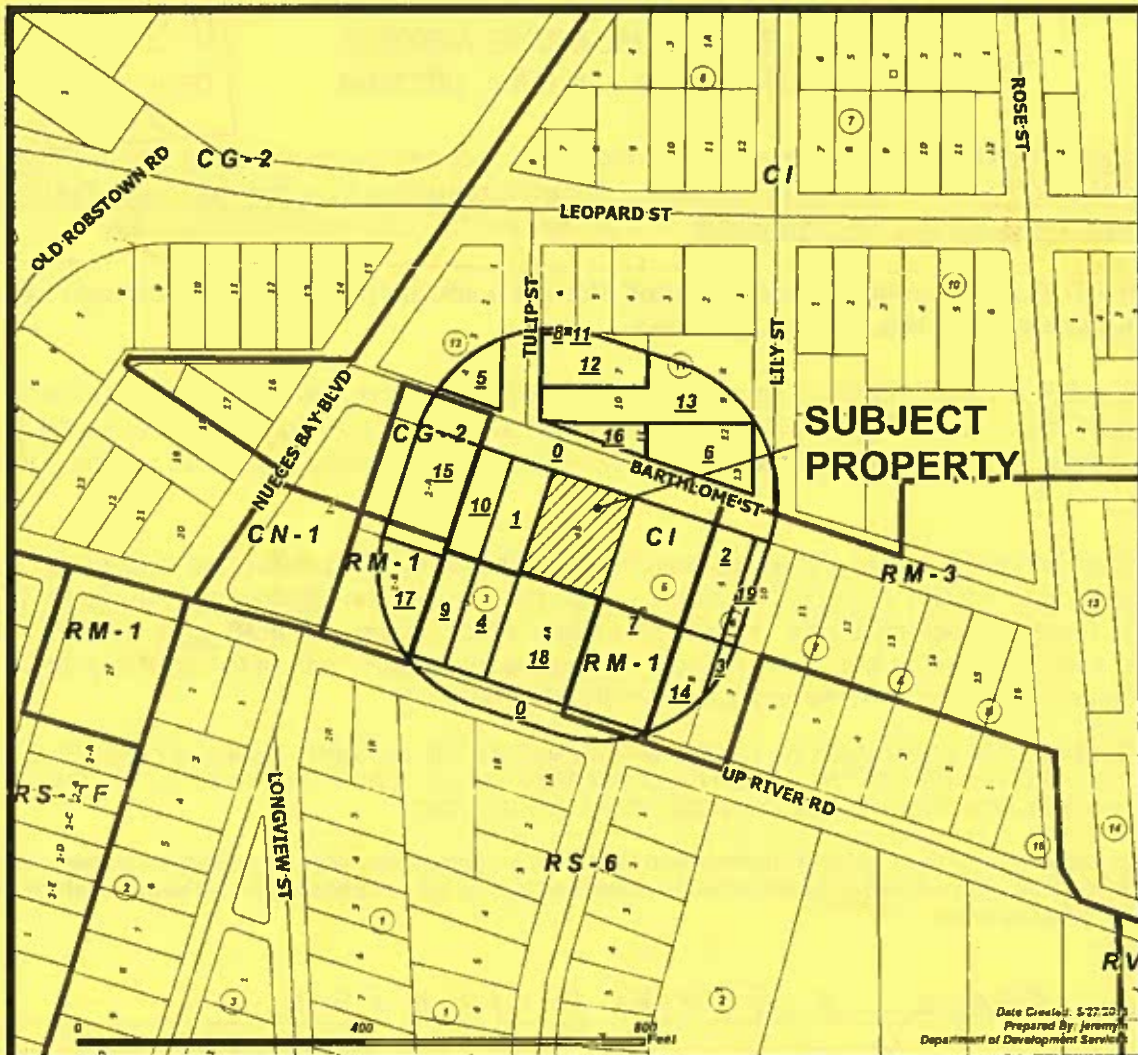
SEE MAP ON REVERSE SIDE
Property Owner ID: 3
HTE# 15-1000022 ✓ WDX

Case No. 0615-04
Project Manager: Dolores Wood

DW

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

3 04600000060
TORRES MANUEL AND WF
ESTHER H TORRES
 3238 Up River Rd
 CORPUS CHRISTI, TX 78408

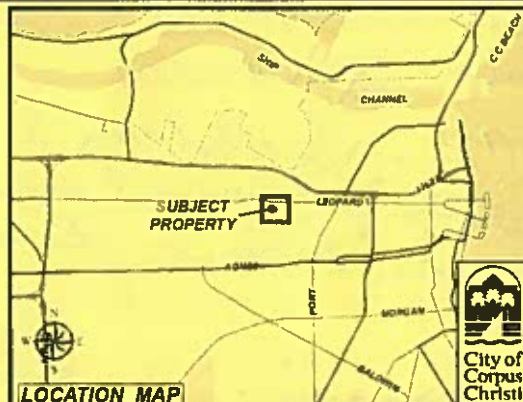


Date Created: 5/27/2015
 Prepared By: Jeremy
 Department of Development Services

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RM-2	Multifamily 2	HI	Heavy Industrial
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CR-1	Resort Commercial	RS-TF	Two-Family
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H	Historic Overlay		
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 Owners in opposition



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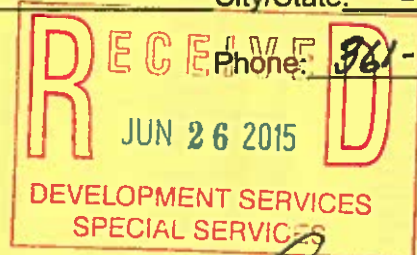
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Printed Name: William Michael Sheets

Address: P.O. Box 9272 City/State: Corpus Christi

() IN FAVOR IN OPPOSITION Phone: 361-947-5515

REASON: _____



WMS
Signature

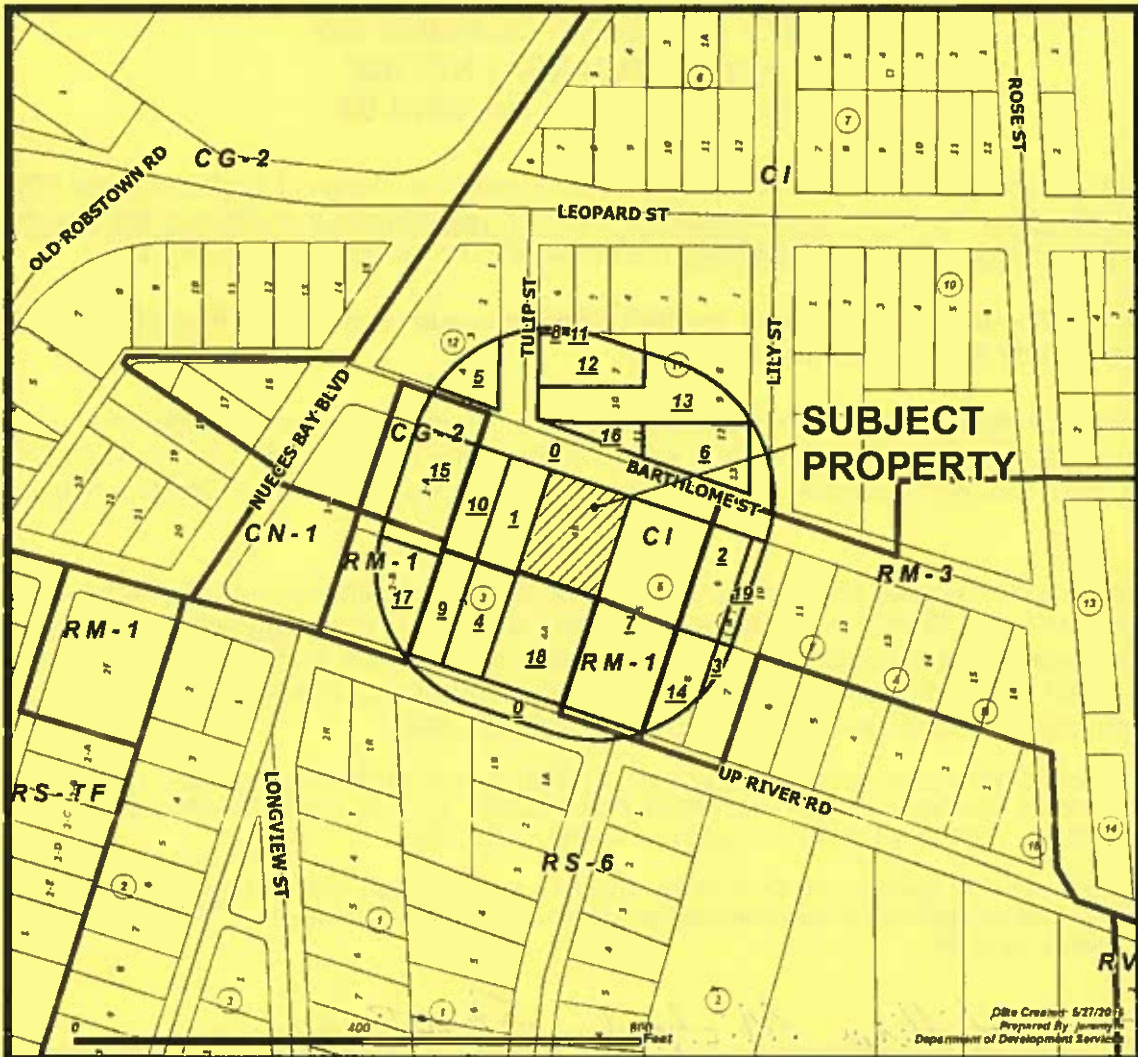
SEE MAP ON REVERSE SIDE
Property Owner ID: 12
HTE# 15-1000022

Case No. 0615-04
Project Manager: Dolores Wood

DN

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

12 045500110020
 SHEETS WILLIAM MICHAEL
 PO BOX 9272
 CORPUS CHRISTI, TX 78469



File Created: 5/27/2015
 Prepared By: Jeremy
 Department of Development Services

CASE: 0615-04
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H Historic Overlay	
SP Business Park	

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