

PLANNING COMMISSION FINAL REPORT

Case No. 0615-01

HTE No. 15-10000032

Planning Commission Hearing Date: June 3, 2015

Applicant & Legal Description	<p>Applicant: Doug George Owner: N.P. Homes, LLC Legal Description/Location: Lot 8, Block 1, Carroll Place Unit 7, located along the north side of Holly Road and west of Carroll Lane.</p>			
Zoning Request	<p>From: "RM-1" Multifamily 1 District To: "CN-1" Neighborhood Commercial District Area: 0.94 acres Purpose of Request: To allow for the development of a commercial retail use.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RM-1" Multifamily 1 District	Vacant	Medium Density Residential
	<i>North</i>	"RS-TF" Two-Family District	Medium Density Residential	Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6 District	Low Density Residential	Low Density Residential
	<i>East</i>	"CN-1" Neighborhood Commercial District	Commercial and Professional Office	Commercial
	<i>West</i>	"ON" Office District	Public Semi-Public	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is not consistent with the adopted Future Land Use Plan. Map No.: 046036 and 046037 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property is located on the north side of Holly Road approximately 240 feet west of the intersection of Holly Road and Carroll Lane. The subject property has approximately 130 feet of street frontage along Holly Road, which is an "A1" Minor Arterial Undivided street. The Maximum Desirable Average Daily Trips (ADT) for an "A1" Minor Arterial Undivided street is 15,000 to 24,000.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Holly Road	"A1" Minor Arterial Undivided	95' ROW 64' paved	95' ROW 60' paved	17,790

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District for the construction of a 8,320-square-foot Family Dollar store.

Development Plan: The proposed rezoning is to allow use of a retail store. The applicant is proposing a Family Dollar store of approximately 8,320 square feet with parking. The building will be a one-story professionally engineered metal building that is 24 feet in height and includes a fiber cement wall panel on the storefront. The store will employ approximately two to three people with operating hours of 8 a.m. to 10 p.m. daily. At a minimum, the Unified Development Code would require a "Type A" buffer yard of 10 feet with 5 points along the property lines abutting the "RS-TF" Two-Family District. The site is proposed to have access from Holly Road.

Existing Land Uses & Zoning: To the north of the subject property in the "RS-TF" Two-Family District is the Carroll Lane Apartments. To the south of the subject property, across Holly Road, is a single-family subdivision zoned "RS-6" Single-Family 6 District. East of the subject property is a family planning clinic and an automotive repair shop zoned "CN-1" Neighborhood Commercial. West of the subject property are L.U.L.A.C. administrative offices zoned "ON" Office District.

AICUZ: The subject property is not 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 Southside Area Development Plan (ADP). The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the Southside ADP but not the adopted Future Land Use Plan's designation of the property as medium density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- **Corpus Christi Policy Statements:**
 - o New development should occur in a pattern which is cost effective. The City should encourage new development where services can be provided economically and, wherever possible, promote contiguous development.

- Commercial activities which generate large volumes of traffic should have direct access to an arterial road without having to traverse low-density areas.
- Commercial service areas designed to serve local neighborhoods should be conveniently located and in harmony with the surrounding neighborhood.

Plat Status: The subject property is platted.

Department Comments:

- The requested zoning complies with elements of the Comprehensive Plan and Southside Area Development Plan even though it does not match the Future Land Use Map.
- A general commercial use typically is preferred adjacent to arterial roads, which fits the character of the subject property and surrounding area.
- It is staff’s opinion that the proposed rezoning would not negatively impact the surrounding residential properties because it has direct access to Holly Road, an arterial street, and it is compatible with the use and zoning districts due east. The proposed development would require a buffer yard to the north to provide for a better land use transition.
- A “CN-1” District would allow uses that are compatible with the surrounding uses.
- Staff’s opinion is that a retail store increases the desirability of this neighborhood, which is one of the findings required of the Comprehensive Plan when deciding which commercial uses.

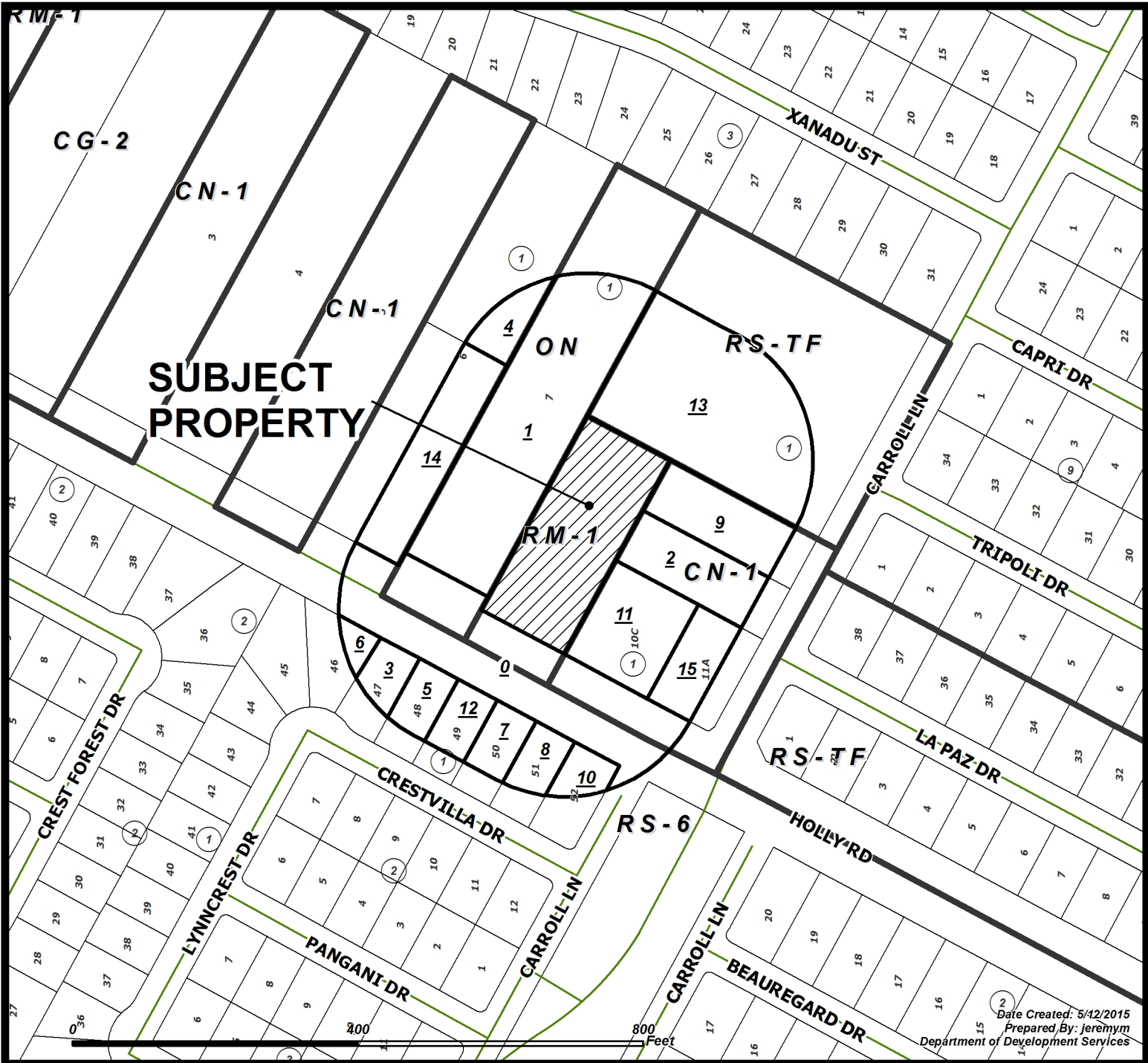
Planning Commission and Staff Recommendation:

Approval of the change of zoning from the “RM-1” Multifamily 1 District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 15 within 200-foot notification area 9 outside notification area
	<u>As of June 23, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
Totaling 0.00% of the land within the 200-foot notification area in opposition.	

Attachments:




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

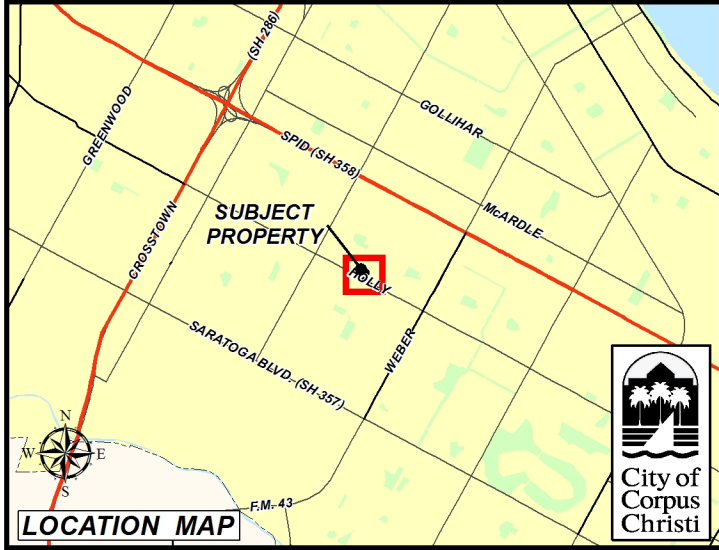


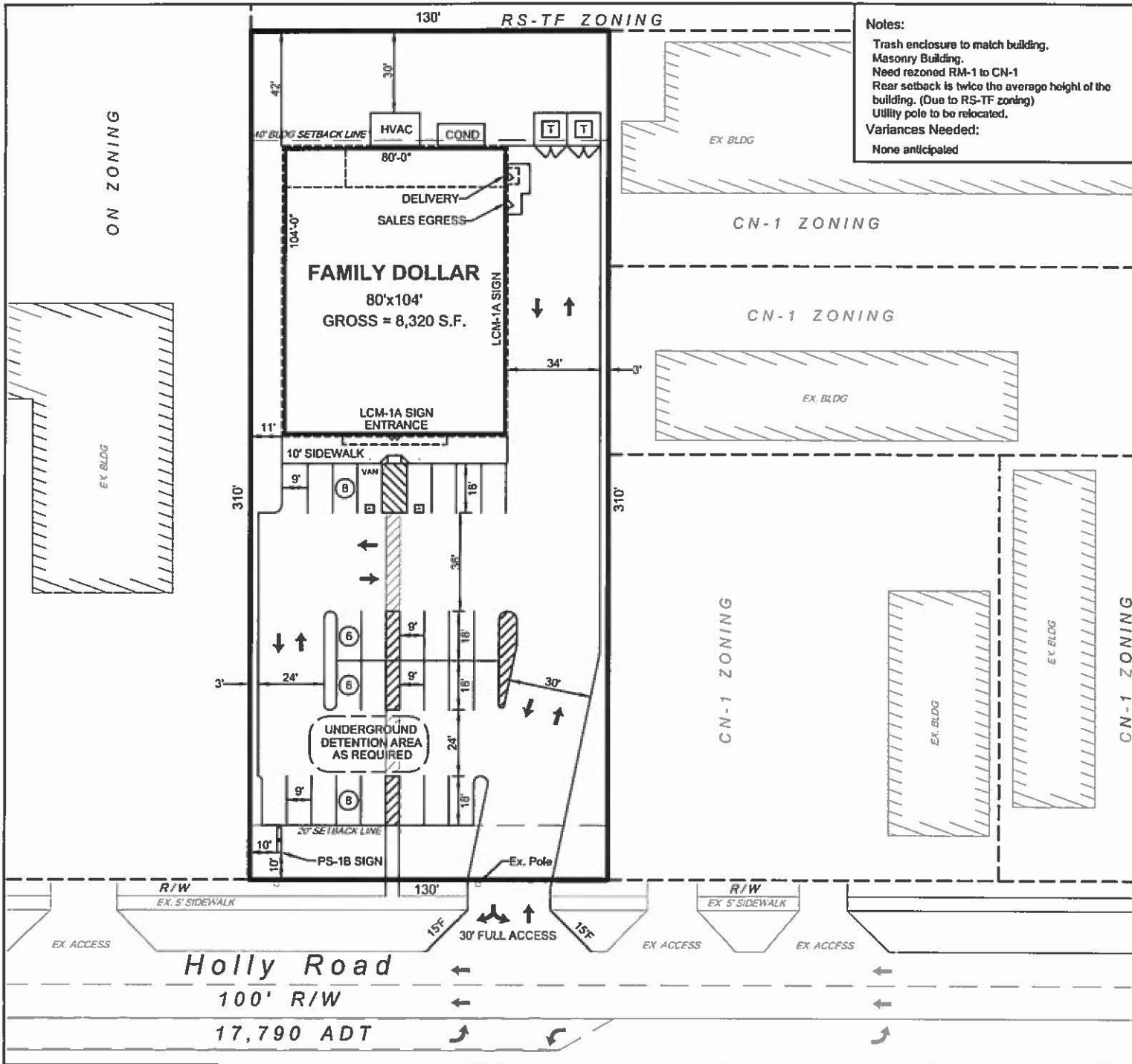
Date Created: 5/12/2015
 Prepared By: Jeremym
 Department of Development Services

CASE: 0615-01 Zoning & Notice Area

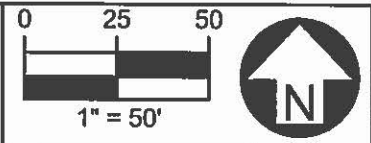
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	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 in opposition
4 Owners within 200' listed on attached ownership table





Notes:
 Trash enclosure to match building.
 Masonry Building.
 Need rezoned RM-1 to CN-1
 Rear setback is twice the average height of the building. (Due to RS-TF zoning)
 Utility pole to be relocated.
 Variances Needed:
 None anticipated



Site Data:
 Lot Size = 40,300 sq.ft.
 = 0.93 acres
 Pavement Area = 23,000 sq.ft.
 Provided Parking: 28 spaces
 Required Parking: 28 spaces
 Zoning: RM-1 - Multifamily Residential 1
 FEMA Info: Zone "C" (FIRM # 4854640283C)

Signage:
 LCM-1A Sign
 Illuminated Building Sign
 34'-8 1/4"W x 5'-6"H
 Overall Area = 144.2 sq.ft.
 PS-1B SIGN
 Illuminated Pylon Sign
 9'-1"W x 5'-6"H
 Overall Area = 50.0 sq.ft.
 Max. Height = 20'

SITE PLAN FOR THIS PROPERTY IS BASED SOLELY ON INFORMATION PROVIDED BY THE SELLER OF SAID PROPERTY AND PUBLIC DATA. PLAN ACCURACY DEPENDS ENTIRELY UPON INFORMATION PROVIDED AND IS MADE WITHOUT BENEFIT OF TOPOGRAPHIC OR BOUNDARY SURVEY. IMPOSED BUILDING SETBACKS, RESTRICTIVE DEVELOPMENT COVENANTS, AVAILABILITY OF PUBLIC UTILITIES, AND LOCATION OF ANY TYPES OF EASEMENT WHICH MAY AFFECT THE UTILIZATION OF THE PROPERTY.

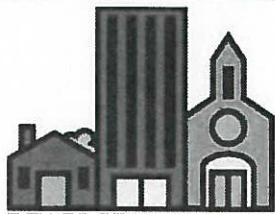
Prepared For:
FAMILY DOLLAR
 3526 Holly Rd
 Corpus Christi, Nueces County, TX

Design By:
BURKHARDT ENGINEERING
 Phone: 937.388.0060
 www.burkhardtinc.com

Development By:
 3D Development, Inc.
 4900 Woodway, Suite 1125
 Houston, TX 77056
 Phone: 713.961.3334

No.	Revision Desc.	Date
1	Original Issue	2014.12.09

Date: 2014.12.09
 Sheet: Preliminary Site Plan
 Sheet No.: 1 of 1



**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.: 0615-01 Map No.: 046036 & 046037

*Planning Commission Hearing Date: 6/3/15

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: Doug George (Prospective Purchaser) Telephone: (713) 961-3334
Address (City, State, Zip): 4900 Woodway Dr., Suite 1125 Houston, TX 77056
E-mail Address: [REDACTED] Cell Phone: (713) 818-1230

2. Property Owner(s): N.P. Homes, LLC (Nader Karimi) Telephone: ()
Address (City, State, Zip): Po Box 8638, Corpus Christi, TX 78468
E-mail Address: [REDACTED] Cell Phone: ()
Ownership Type: Sole Partnership Corporation Other: _____

3. Current Zoning and Use: MF-1 Vacant Lot Proposed Zoning and Use: NC-1 Family Dollar Store
Project Address: 3526 Holly Road, Corpus Christi, TX 78415 Area of Request (sq. ft./acres): 40,920sf
12-Digit Nueces County Tax ID: 1 3 3 7 - 0 0 0 1 - 0 0 8 0
If platted, Subdivision Name: CARROLL PLACE UNIT 7 Block: 1 Lot(s): 8
Legal description: Lot Eight (8), Block One (1), CARROLL PLACE UNIT 7, a subdivision of the City of Corpus Christi, Nueces County, TX

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.

[Signature]
(Owner's Signature)

Doug George
2015.04.15 10:40:32 -05'00'
(Applicant's Signature)

Nader Karimi (Authorized Agent for N.P. Homes LLC)
(Owner's Printed Name)

Doug George
(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: <u>4/29/15</u>	Received By: <u>JA</u>
Application Fee:	<u>1107.50</u>
No. Signs Required _____	X \$10 Sign Fee: <u>10.00</u>
	Total: <u>1117.50</u>
Sign Posting Date: _____	ADP: <u>SS</u>
Form Revised 8/24/12	

APPOINTMENT OF AGENT

DATE: 4-16-15
PROPERTY: 3526 HOLLY RD., CORPUS CHRISTI, TX 78415

GRANTOR:

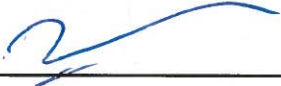
NADER KARIMI NAME
N.P. HOMES, LLC COMPANY
PO Box 8638 ADDRESS
Corpus Christi, TX 78468 CITY/ST/ZIP
TELEPHONE

GRANTEE:

DOUG GEORGE NAME
3D BOOTHANDLE TX, LLC COMPANY
4900 WOODWAY DR., SUITE 1125 ADDRESS
HOUSTON, TX 77056 CITY/ST/ZIP
713-961-3334 TELEPHONE

GRANTOR hereby appoints GRANTEE to act on its behalf as Authorized Agent in all matters concerning the rezoning of the Property. Agent shall have the authority to apply for, sign, represent and perform any and all work necessary for process of rezoning. This appointment shall be revocable at any time by GRANTOR by providing written notice to GRANTEE and to the Development Services Department of the City of Corpus Christi.

GRANTOR:



GRANTEE:

Doug George
2015.04.16 09:21:23 -05'00'



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.

Applicant is requesting to rezone a currently-vacant lot from MF-1 to CN-1 for the purpose of developing a new Family Dollar Store. The property is located on Holly Road (a major arterial road) roughly 240' west of Carroll Lane (a major arterial road).

The new Family Dollar building will be 8,320sf and will provide 28 parking spaces (as required by CN-1 zoning). The building will be a one-story professionally engineered metal building that is 24' in height and includes an EIFS and fiber cement wall panel storefront. There will be storefront signage and one pylon sign. The building, site design and signage will all comply with CN-1 requirements.

Construction is expected to take roughly 180 days after the issuance of a building permit.

Once open, the store will employ 2-3 people at any given time and will operate from 8am - 10pm daily.

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

North - Carroll Lane Apartments (multifamily)
South - Single Family Residential
East - Family Planning of Coastal Bend
West - City on a Hill International, Inc



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: N.P. Homes, LLC (Nader Karimi)

STREET: 3526 Holly Rd **CITY:** Corpus Christi **ZIP:** 78415

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)
_____	_____
_____	_____

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
_____	_____
_____	_____

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
_____	_____
_____	_____

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
_____	_____
_____	_____

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: NADER KARIMI
 (Print)

Title: PRINCIPAL

Signature of Certifying Person: _____

Date: APR 28, 15



City of Corpus Christi, Texas
 Department of Development Services
 P.O. Box 9277
 Corpus Christi, Texas 78469-9277
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NAME: 3D Boothandle TX, LLC / Doug George

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_____	_____

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Name	Consultant
_____	_____
_____	_____

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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: 3D Boothandle TX, LLC / Doug George **Title:** Member/Manager
 (Print)

Signature of Certifying Person:  **Date:** 5/5/15



PEAK HOUR TRAFFIC (PHT) FORM

A Traffic Impact Analysis (TIA) determination must be made prior to the submittal of any rezoning application, site plan or street closure request. The Peak Hour Traffic Generation (PHT) Form is required to be completed for developments that are projected to contain 500 or fewer weekday peak hour (A.M. or P.M.) trips (UDC Section 3.29.4).

Property Address: _____

Legal Description (Subdivision, Lot, Block): _____

Applicant Name: _____

Address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

Application Status (Select One): Rezoning Site Plan Street Closure

Existing Land Use

Tract Acres	Unit of Measure	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips

Proposed Land Use

Tract Acres	Unit of Measure	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
Total							Total	

Abutting Streets

Street Name	Access Proposed To Street?	Pavement Width (FT)	ROW Width (FT)

For City Use Only

_____ A Traffic Impact Analysis **IS** required. The consultant preparing the TIA must meet with the City to discuss the scope and requirements of the analysis prior to beginning the TIA.

_____ A Traffic Impact Analysis is **NOT** required. The proposed traffic generated does not exceed the established threshold.

_____ The Traffic Impact Analysis has been waived for the following reason(s):

Reviewed By: _____ Date: _____

Note: This completed and reviewed form must accompany any subsequent application for the IDENTICAL project. CHANGES to the proposed project will require a new TIA determination to be made.

