

STAFF REPORT

Case No. 0615-06
 HTE No. 15-10000034

Planning Commission Hearing Date: June 17, 2015

Applicant & Legal Description	<p>Applicant/Owner: Roman Silguero Legal Description/Location: Being the south one-half (S-1/2) of the east one-half (E-1/2) of Lot 3, Alfred Barthlome's Acre Tracts, located along the north side of Up River Road approximately 350 feet east of Nueces Bay Boulevard between Longview Street and Westgate Drive.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RM-1" Multifamily 1 District Area: 0.21 Purpose of Request: To allow the development of a multifamily building.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Commercial
	<i>North</i>	"C1" Intensive Commercial	Commercial	Commercial
	<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
	<i>East</i>	"RS-6" Single-Family 6	Vacant	Commercial
	<i>West</i>	"RS-6" Single-Family 6	Low Density Residential	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 "RM-1" Multifamily 1 District is not consistent with the adopted Future Land Use Plan but is consistent with the Westside Area Development Plan. Map No.: 048044 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 60 feet of street frontage along Up River Road, which is designated as a "C1" Collector street. The subject property is located along the north side of Up River Road approximately 350 feet east of Nueces Bay Boulevard.</p>			

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow the development of a four-unit multifamily building.

Development Plan: The applicant is proposing a two-story 3,900 square-foot-building to be developed into four residential dwelling units or a four-plex. The site is proposed to have access from Up River Road. If the requested zoning is granted, buffer yards will be required along the west, east and north property boundary lines. A ‘Type A’ Buffer Yard as defined under redevelopment will consist of achieving 5 points as defined under Unified Development Code Table 7.9.7., which consists of a six-foot solid wood screening fence.

Existing Land Uses & Zoning: South and west of the subject property are single-family homes in the “RS-6” Single-Family 6 District. East of the subject property is a vacant lot zoned “RS-6” Single-Family 6 District and north of the subject property is a medium density residential use in the “CI” Intensive Commercial District, also owned by the applicant. .

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 Westside Area Development Plan (ADP). The proposed rezoning to the “RM-1” Multifamily 1 District is not consistent with the adopted Future Land Use Plan’s designation of the property as commercial. However, multifamily uses are allowed in the commercial zoning districts. Therefore, the proposed use is consistent with the Future Land Use Plan. Additionally, the following are pertinent elements of the Westside ADP should be considered:

- Where industrial uses are proposed adjacent to existing or future residential areas, buffering techniques such as greater open space and privacy walls or landscaping should be required. (Westside ADP, Policy State B.4)
- Future Land Use Plan decisions should provide for a compatible configuration of activities with emphasis on protecting residential uses from incompatible industrial and commercial activities. (Westside ADP, Policy Statement C.1)
- High-intensity commercial and industrial areas should be buffered to provide transition from residential areas through the existence of (b) public institutional buildings (d) scale of design. (Westside ADP, Policy Statement C.5).
- Industrial properties should be required to minimize undesirable “spillover effects” into residential and commercial areas (this includes noise, air pollution, negligent visual blight, etc.) by means of property layout and organization of activities by screening and maintaining buffer areas or zones for their activities. (Westside ADP, Policy Statement C.6).

Plat Status: The subject property would need to be platted.

Department Comments:

- The subject property is located across Up River Road from an established single-family subdivision near Miller High School. It also backs up to commercial intensive and light industrial uses with an adjacent residential home to the west of the subject property. It is staff's opinion the properties fronting Up River Road should be redeveloped to provide better compatibility with uses needed to support residential with adequate buffering along the shared property lines with commercial and industrial uses.
- It is staff's opinion that the proposed rezoning would not negatively impact the adjacent residential properties even though the property to be rezoned is not consistent with the Future Land Use Plan's designation of the property as a low density residential use. There is a home to the west of the subject property and an apartment complex two lots to the east. The property use is proposed to be developed for four residential dwelling units, which is well below the maximum density allowed in a "RM-1" Multifamily 1 District.
- An "RM-1" Multifamily District would allow uses that are compatible for the proposed development and provide a land use transition between the intensive commercial and industrial uses to the north and the adjacent single-family use.
- It is staff's opinion is that multi-family residential does increase the desirability of this vacant property.
- Staff recommends multifamily residential be developed on the subject property.

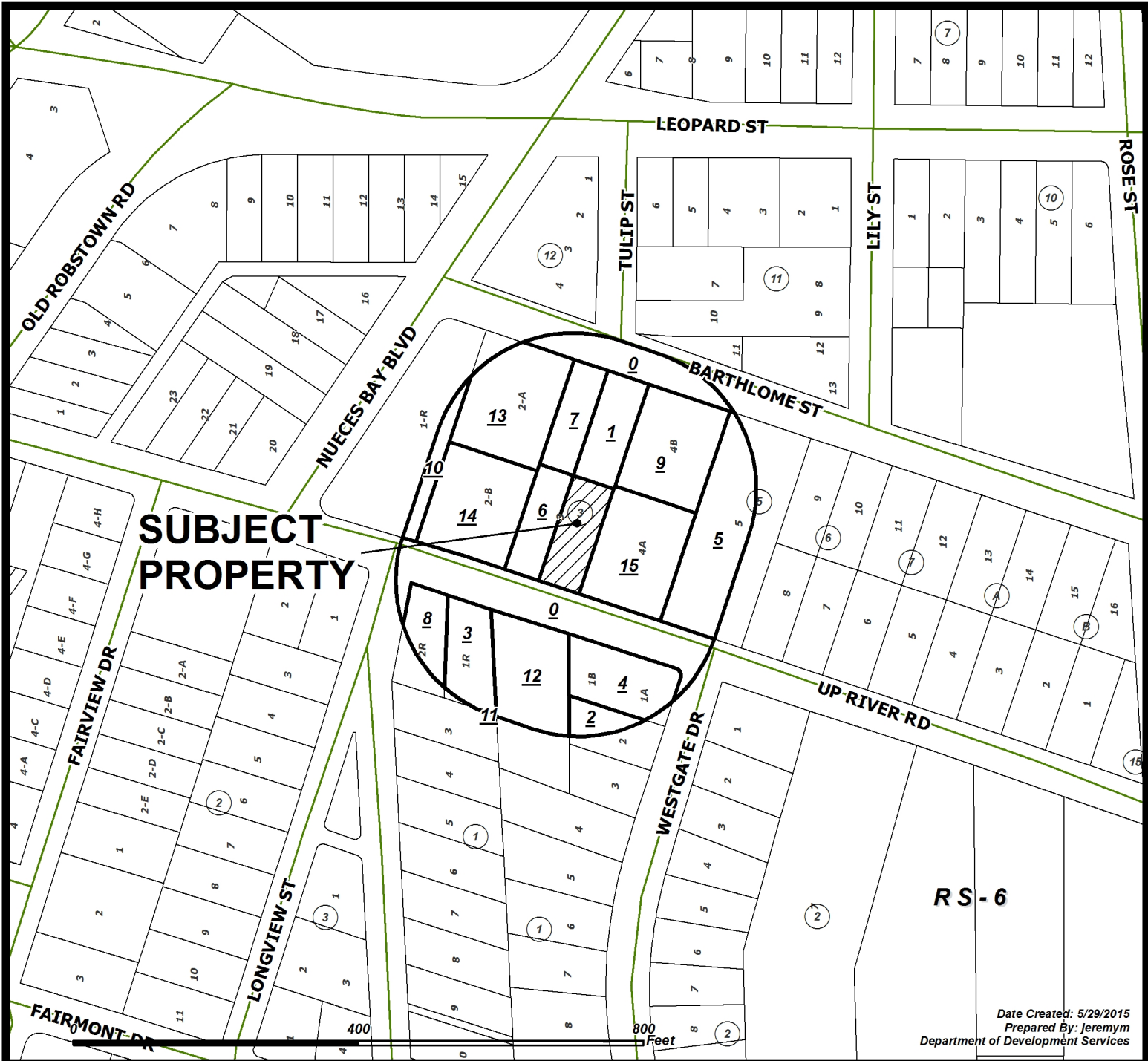
Staff Recommendation:

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Public Notification	Number of Notices Mailed – 15 within 200-foot notification area 6 outside notification area
	<u>As of June 10, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
Totalling 0.00% of the land within the 200-foot notification area in opposition.	

Attachments:

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



SUBJECT PROPERTY

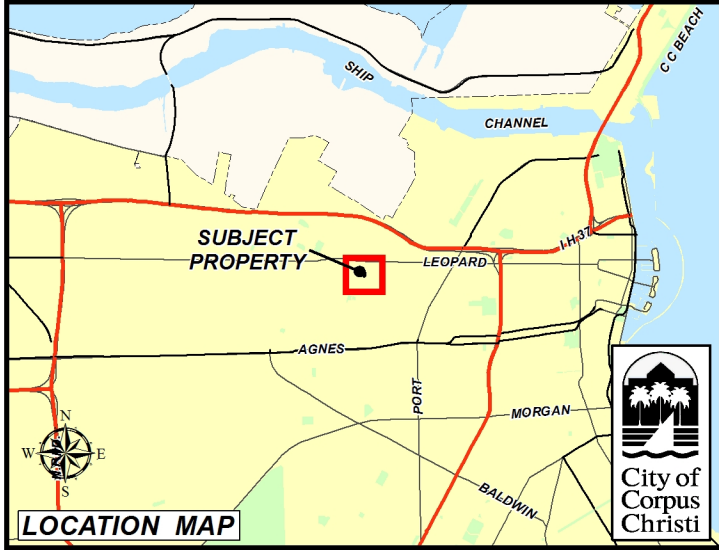
RS-6

Date Created: 5/29/2015
 Prepared By: Jeremym
 Department of Development Services

CASE: 0615-06
Zoning & Notice Area

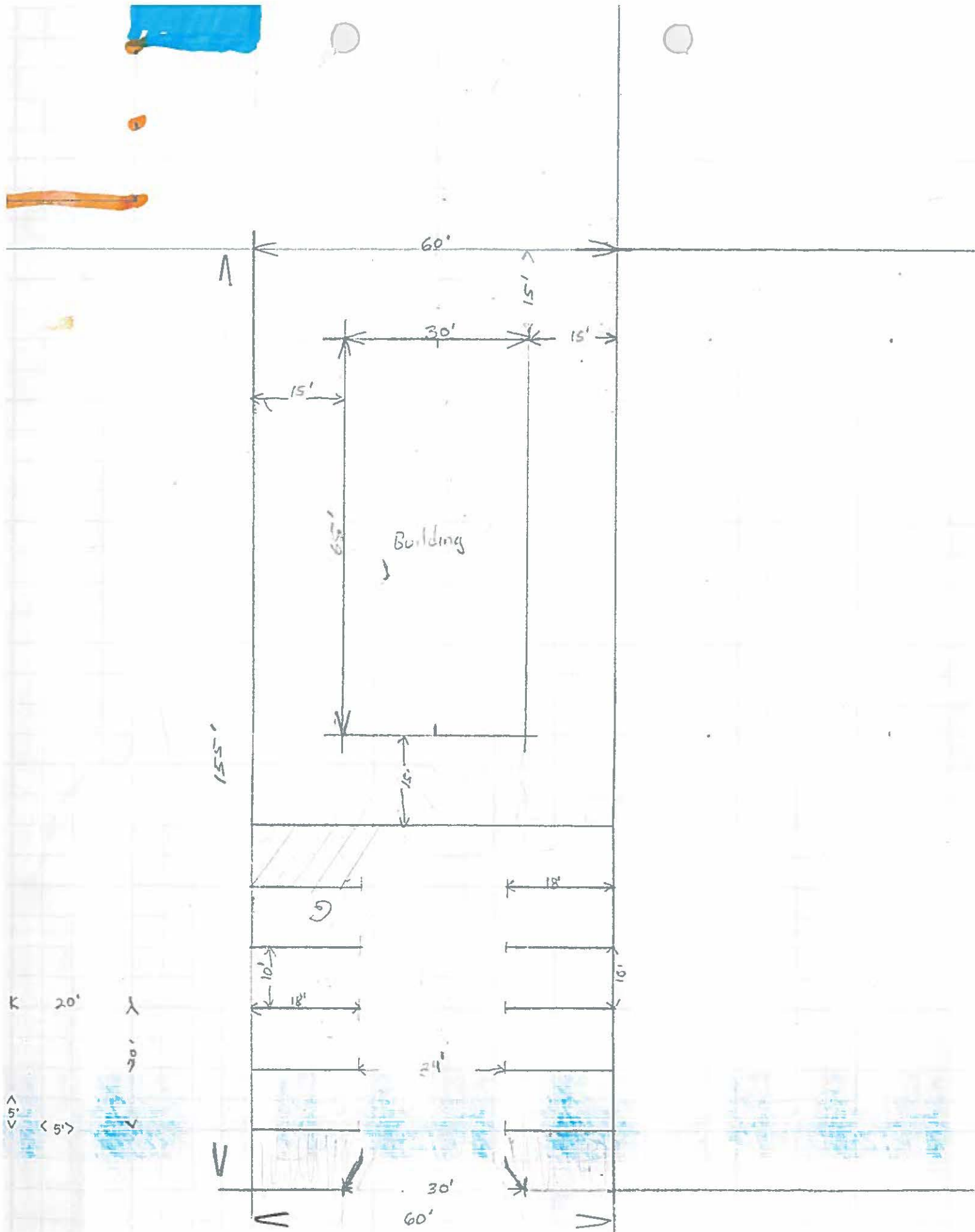
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF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



LOCATION MAP







Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

REZONING APPLICATION

Office Use Only

Case No.: 0615-06 Map No.: 048044

PC Hearing Date: 6/17/15 PM: Jessica Alford

Meeting Location/Time: City Hall, Council Chambers, 1201 Leopard Street, at 5:30 p.m.

A MAXIMUM OF FIVE APPLICATIONS ARE SCHEDULED PER HEARING.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED -- PRE-SUBMISSION MEETINGS ARE RECOMMENDED

1. Applicant: Maria Silguero Contact Person:
Mailing Address: 410 E Longview
City: Corpus Christi State: Tx. ZIP: 78408 Phone: (361) 688-0134
E-mail: mariasilguero@st81@gmail.com Cell: ()

2. Property Owner(s): Roman Silguero Contact Person:
Mailing Address: 410 E Longview
City: Corpus Christi State: Tx. ZIP: 78408 Phone: (361) 742-4194
E-mail: Cell: (1,830) 480-0314
Ownership Type: [X] Sole [] Partnership [] Corporation [] Other:

3. Subject Property Address: 3410 Up River Road Area of Request (sq.ft./acres): 9,300 sq ft
Current Zoning and Use: RS-6 (VACANT) Proposed Zoning and Use: RM-1 (Multi-family)
12-Digit Nueces County Tax ID: 0460-0000-0031
Subdivision Name: Bartholme Acre Tracts Block: Lot(s):
Legal Description if not platted: 1/2 of E/2 of Lot 3

4. DOCUMENTS REQUIRED WITH APPLICATION
REQUIRED: [X] Land Use Statement [X] Disclosure of Interest [X] Copy of Warranty Deed
IF APPLICABLE: [] Executed Appointment of Agent [] Peak Hour Trip Form [] Site Plan for PUD or Special Permit
[X] Metes & Bounds Description with Exhibit if property includes unplatted land [] Lien Holder Authorization

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.

[Signature] (Owner's Signature)

[Signature] (Applicant's Signature)

Roman Silguero (Owner's Printed Name)

Maria Silguero (Applicant's Printed Name)

Table with 2 columns: Fee Description and Amount. Includes Application Fees (as of November 1, 2011), Notice Sign Fee, and Additional PUD Fees.

Office Use Only
Date Received: 5-1-15 Received By: [Signature]
Application Fee: \$ 1107.50
No. Signs Required 1 X \$10 Sign Fee: \$ 1117.50 \$/0.00
Total: \$ 1127.50
Sign Posting Date:
ADP: WS Form Revised 3/2/2015



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.

The purpose of the request is to build a fourplex apartments for a commerce purpose.

The two-story four-plex is 3,900 square ft

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

CI	North	- Commercial	Residential
RS6	South	- Single family	Residential
RS6	East	- Single family	Residential
RAA-1 RS4	West	- Single family	Residential



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: Maria Silguero
 STREET: 410 E. Longview CITY: Corpus Christi ZIP: 78408
 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>None</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>None</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".

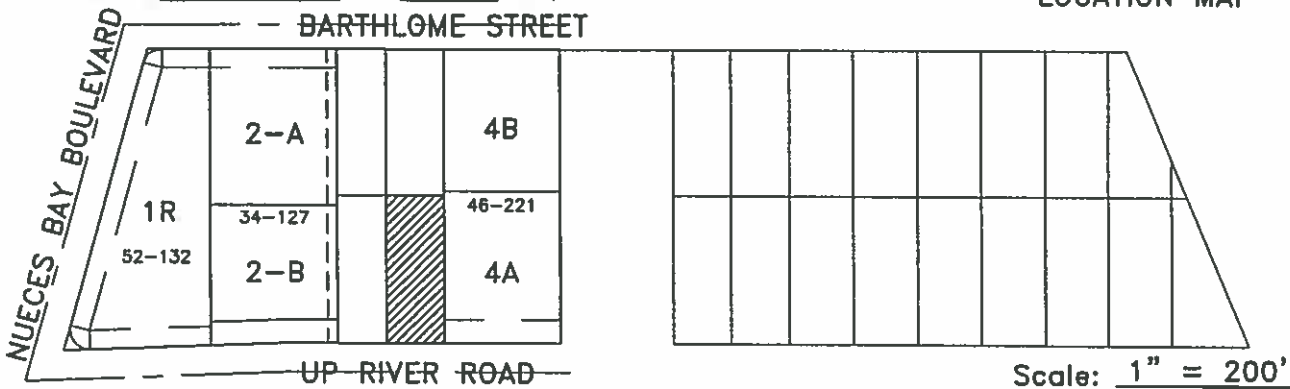
Name	Consultant
<u>None</u>	_____
_____	_____

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: Roman Silguero Title: _____
 (Print)

Signature of Certifying Person: *Roman Silguero* Date: May 1, 2015



LOT 2-A

LOT 2-B

ALFRED BARTHLOME'S
ACRE TRACTS
Volume 34, Page 127,
Map Records,
Nueces County, Texas

Doc. No. 2014008079
Official Public Records,
Nueces County, Texas

Doc. No. 2012044685
Official Public Records,
Nueces County, Texas

LOT 4B

Volume 2153, Page 252,
Deed Records,
Nueces County, Texas

Doc. No. 2015010813
Official Public Records,
Nueces County, Texas

LOT 3

ALFRED BARTHLOME'S
ACRE TRACTS
Volume 5, Page 7,
Map Records,
Nueces County, Texas

LOT 4A

ALFRED BARTHLOME'S
ACRE TRACTS
Volume 46, Page 221,
Map Records,
Nueces County, Texas

3408 Up River Road
Corpus Christi, Texas 78408

25' B.L.

25' B.L.

Found 5/8" I. Rod

Found 1/2" I. Pipe

N 71° 25' 00" W
60.00'

Found 3/4" I. Pipe

30'

UP RIVER ROAD

BY GRAPHIC SCALING ONLY
THIS PROPERTY LIES IN ZONE C (AREA OF MINIMAL FLOODING),
AS PER THE NATIONAL FLOOD INSURANCE PROGRAM MAP OF
COMMUNITY No. 485464, PANEL No. 0166, SUFFIX "C", HAVING
AN EFFECTIVE DATE OF JULY 18, 1985.

REFERENCE: MAP RECORDS
RECORDED:
VOL. 5 PAGE 7
DATE: May 31, 1926

SURVEY OF
THE SOUTH ONE-HALF (S-1/2) OF THE
EAST ONE-HALF (E-1/2) OF LOT THREE (3),
ALFRED BARTHLOME'S ACRE TRACTS
CORPUS CHRISTI, NUECES COUNTY, TEXAS

SCALE: 1" = 30'
DATE: April 28, 2015
DWG FILE: BARTHLOM

This SURVEY performed without the benefit of a Title Commitment.
The undersigned does hereby certify that this survey was this day made, on the ground of the
property legally described hereon, and is correct, and that there are no discrepancies, conflicts,
shortages in area, boundary line conflicts, visible encroachments, overlapping of improvements,
easements or apparent rights-of-way, except as shown hereon, and said property has access to
and from a dedicated roadway, except as shown hereon.
This the 28th day of April, 2015.

TITLE CO.
GF#
For: ROMAN SILGUERO

Horacio Oliveira
HORACIO OLIVEIRA, Registered Professional Land Surveyor
TEXAS LICENSE No. 1415

OLIVEIRA LAND SURVEYING
Registered Professional Land Surveyors
3206 REID DRIVE-Suite 107--CORPUS CHRISTI, TEXAS 78404
Telephone (361) 851-2774 - Fax (361) 851-2936
TBPLS Firm Registration No. 10108100
olsurveying@gmail.com