

STAFF REPORT

Case No. 0416-01
 HTE No. 16-10000007

Planning Commission Hearing Date: April 20, 2016

Applicant & Legal Description	<p>Applicant/Owner: Mandel Holdings, LLC Representative: Ronald A. Voss/Voss Engineering, Inc. Legal Description/Location: Being 2.414 acres (Tract 1) and 4.097 acres (Tract 2) out of Lots 17 and 18, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Cimarron Boulevard between Brockhampton Street and Megan Circle.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "CN-1" Neighborhood Commercial District (Tract 1) and "RS-TH" Townhouse District (Tract 2) Area: 6.5 acres Purpose of Request: To allow construction of a commercial use on Tract 1 and 36 townhouse units on Tract 2.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>South</i>	"FR" Farm Rural	Public/Semi-Public (new high school)	Low Density Residential
	<i>East</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>West</i>	"RS-6" Single-Family 6 and "RM-1" Multifamily 1	Public/Semi-Public	Public/Semi-Public
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 low density residential uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District and "RS-TH" Townhouse District is not consistent with the adopted Future Land Use Map or the Southside Area Development Plan. Map No.: 043032 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 580 feet of street frontage along Cimarron Boulevard, which is an "A1" Minor Arterial Undivided street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2012)
	Cimarron Boulevard	"A1" Minor Arterial Undivided	95' ROW 64' paved	90' ROW 60' paved	9,098 ADT

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District (Tract 1) and "RS-TH" Townhouse District (Tract 2), to allow the construction of a commercial use on Tract 1 and 36 townhouse units on Tract 2.

Development Plan: The applicant is proposing to build a neighborhood retail strip center (Tract 1) along Cimarron Boulevard with a 36 unit townhouse development (Tract 2) located behind the strip center.

Existing Land Uses & Zoning: The subject property and the properties to the north and east are zoned "RS-6" Single-Family 6 District and are vacant land. The property to the south is zoned "FR" Farm Rural and consists of Veterans Memorial High School. To the west is zoned "RS-6" Single-Family 6 and "RM-1" Multifamily 1 and the use is a place of worship (St. Philips Catholic Church).

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 and "RS-TH" Townhouse District is not consistent with the Southside ADP or the adopted Future Land Use Plan's designation of the property as Low Density Residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Commercial uses adjacent to existing or proposed residential areas should be buffered or use sensitive in design. (Corpus Christi Policy Statements, Land Use, Residential Policy Statement c.)
- Incompatible industrial and commercial land uses should not abut residential areas... When these uses must abut residential areas, steps shall be taken to minimize conflicts, i.e., provision of open space, landscaping, screening fences, etc. (Corpus Christi Policy Statements, Land Use, Residential Policy Statement i.)
 - o The proposed rezoning concept is following the guidance in the Comprehensive Plan by proposing a buffer use (medium density

- townhouses) between uses of higher intensity/density like the proposed commercial strip and future low density residential uses to the west.
- Compact high density development for business uses can be an effective solution to many of the problems caused by commercial strips. These developments should be located at the intersection of major streets to take advantage of exposure to potential customers and reduce left turning movements at mid-block locations. (Corpus Christi Policy Statements, Land Use, Commercial, Figure 4. Caption)
 - o The location for the strip center for Tract 1 is not the ideal location for commercial uses per the Comprehensive Plan. Commercial locations at these non-corner locations create left turning movements and reduce the effectiveness of the City's arterial streets. The location is not an appropriate location for signalization to control left turning movements.
 - o In addition, locations for commercial uses that are not located at a major intersection, generally will underperform, in terms of their function as a commercial center compared with locations at major intersections.

Plat Status: The subject property is not platted.

Department Comments:

- The proposed rezoning deviates from the Comprehensive Plan Future Land Use map:
 - o The Future Land Use Map recommends Low Density Residential uses.
 - o Development at this location, while not part of an older area of the City, still could be considered an "in-fill" development site since water, wastewater and stormwater utilities are available to serve the property.
 - o The proposed commercial uses on the Future Land Use Plan at the corner of Lipes and Cimarron Boulevard have not developed with commercial uses, which has reduced the amount of commercial land available to serve the area. Therefore, the proposed neighborhood commercial uses in Tract 1 will help to off-set this reduction in commercial land available to serve the neighborhood.
 - o The proposed rezoning of Tract 1 to the Neighborhood Commercial District will help to service the convenience shopping needs of the developing neighborhood while protecting the neighborhood from the some of the heavier more intense uses permitted in the "CG 1" and "CG-2" General Commercial Districts. (See attached Site Plan)
 - o The Zoning Map amendment while not consistent with the Future Land Use map, the amendment is consistent policies in the Comprehensive Plan concerning efficient in-fill development, commercial uses to serve neighborhood needs, etc.
 - o The amendment is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
 - o The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.
 - o The Zoning Map amendment does not have a negative impact upon the surrounding neighborhood.

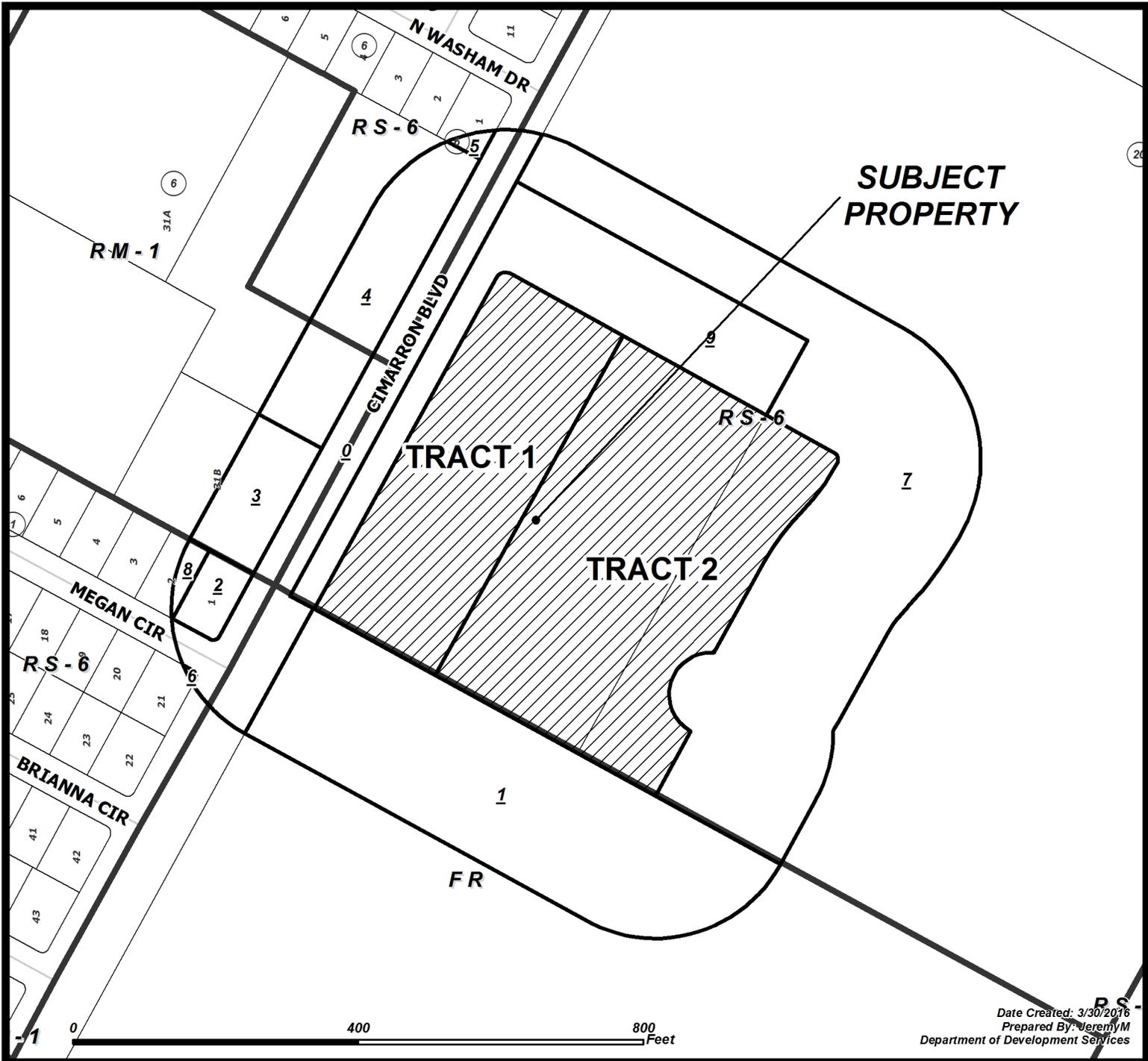
Staff Recommendation:

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District (Tract 1) and “RS-TH” Townhouse District (Tract 2).

Public Notification	Number of Notices Mailed – 9 within 200-foot notification area 11 outside notification area
	<u>As of April 13, 2016:</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.

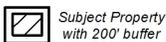
Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Site Plan
3. Application
4. Public Comments Received (if any)



CASE: 0416-01 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		

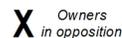


Subject Property with 200' buffer

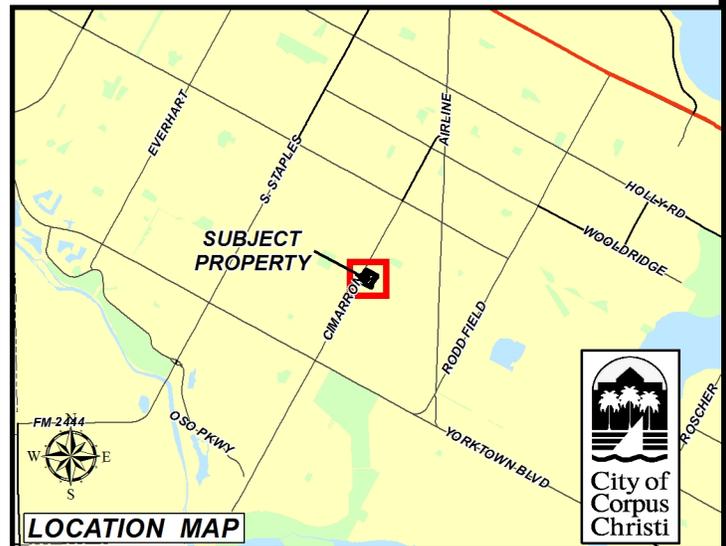


Owners in favor

4 Owners within 200' listed on attached ownership table



Owners in opposition



PUD Statement of Purpose of Development Granted:

Planned Unit Development will provide a design mix for the approved Phase I residential zoning adding Townhomes, Commercial, Office and Retail unified zoning creating a neighborhood where a variety of community amenities are within a walking distance.

XREF NO. 1:	
XREF NO. 2:	
XREF NO. 2:	

NO.	DESCRIPTION	DATE

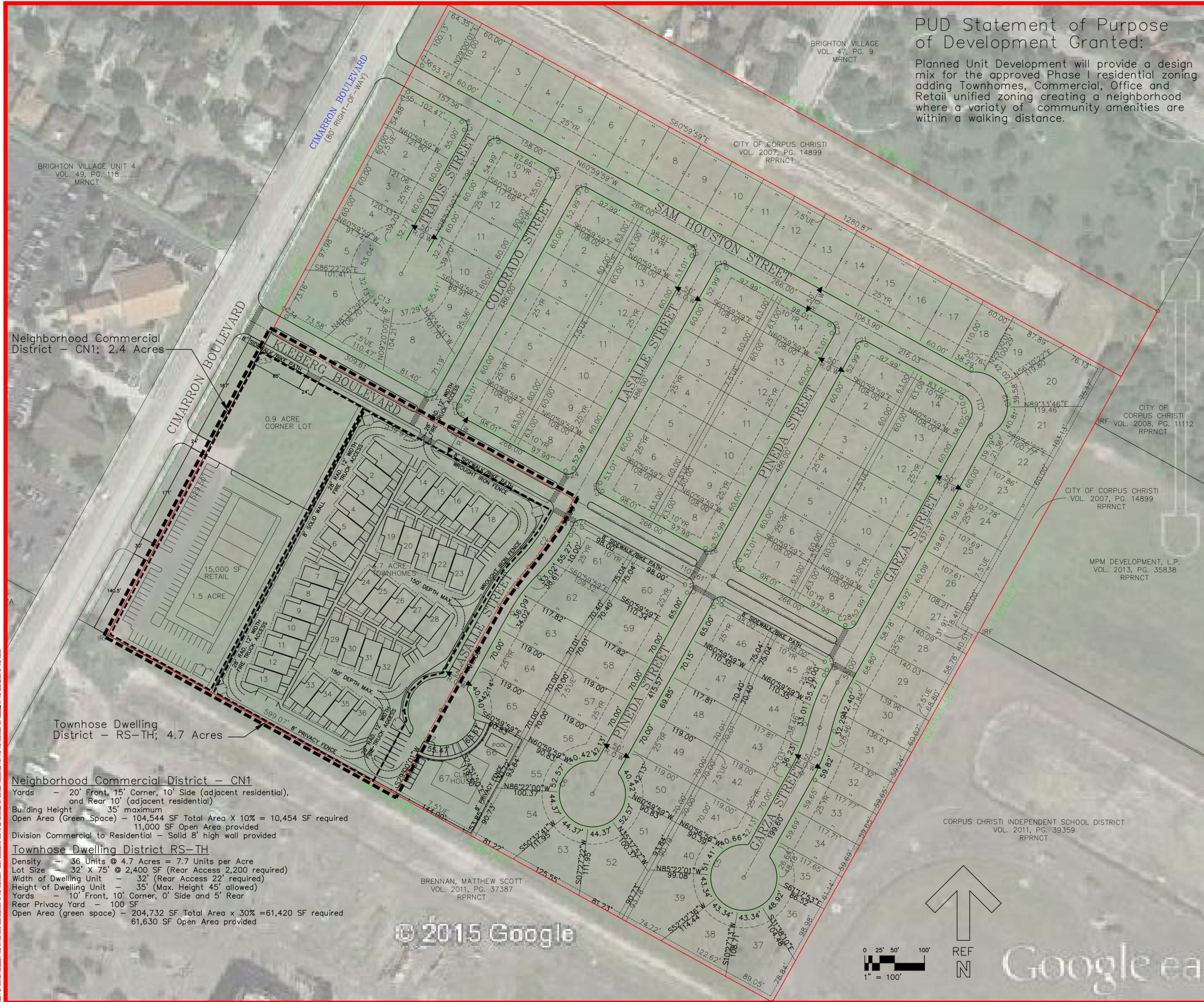
NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

Project Title:
HERITAGES CROSSING PHASE II
CIMARRON BOULEVARD
 CORPUS CHRISTI, TEXAS
 Sheet Title:
SITE PLAN

Drawn by: T.K.O.
 Approved by: AS NOTED
 Scale: AS NOTED
 Date: 2/28/15
 CAD File:
 Project No.: 2014-008

Sheet Number:
C-11
 # of #

ArchitectTKO
 300 E. Beasley Avenue
 Atascosa Pkwy, Texas 78337
 Voice: (512) 790-0000
 Mobile: (512) 790-0000
 Text: (512) 790-0000



BRIGHTON VILLAGE UNIT 4
 VOL. 49, PG. 118
 MRNCT

BRIGHTON VILLAGE
 VOL. 47, PG. 9
 MRNCT

CITY OF CORPUS CHRISTI
 VOL. 2007, PG. 14899
 RPRNCT

CITY OF CORPUS CHRISTI
 VOL. 2008, PG. 11112
 RPRNCT

CITY OF CORPUS CHRISTI
 VOL. 2007, PG. 14899
 RPRNCT

MPM DEVELOPMENT, L.P.
 VOL. 2013, PG. 35838
 RPRNCT

CORPUS CHRISTI INDEPENDENT SCHOOL DISTRICT
 VOL. 2011, PG. 39359
 RPRNCT

BRENNAN, MATTHEW SCOTT
 VOL. 2011, PG. 37387
 RPRNCT

Neighborhood Commercial District – CN1; 2.4 Acres

0.9 ACRE CORNER LOT

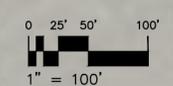
15,000 SF RETAIL
 1.5 ACRE

Townhome Dwelling District – RS-TH; 4.7 Acres

Neighborhood Commercial District – CN1
 Yards – 20' Front, 15' Corner, 10' Side (adjacent residential), and Rear 10' (adjacent residential)
 Building Height – 35' maximum
 Open Area (Green Space) – 104,544 SF Total Area X 10% = 10,454 SF required
 11,000 SF Open Area provided
 Division Commercial to Residential – Solid 8' high wall provided

Townhome Dwelling District RS-TH
 Density – 36 Units @ 4.7 Acres = 7.7 Units per Acre
 Lot Size – 32' X 75' @ 2,400 SF (Rear Access 2,200 required)
 Width of Dwelling Unit – 32' (Rear Access 22' required)
 Height of Dwelling Unit – 35' (Max. Height 45' allowed)
 Yards – 10' Front, 10' Corner, 0' Side and 5' Rear
 Rear Privacy Yard – 100 SF
 Open Area (green space) – 204,732 SF Total Area x 30% = 61,420 SF required
 61,630 SF Open Area provided

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Google ea

THE TEXAS STATE BOARD OF EXAMINERS HAS JURISDICTION OVER COMPLAINTS REGARDING PROFESSIONAL PRACTICES OF ARCHITECTS IN TEXAS. ANY COMPLAINTS SHOULD BE FILED ON ANY FORMS RELAYED OR EXTENDED TO THIS PROJECT. CONTACT BY EMAIL: ARCHITECTURE@TASBEA.COM OR BY PHONE: (512) 790-0000.

16-10000007



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.: 0416-01 Map No.: 043032

PC Hearing Date: 4/20/16 Proj. Mgr: _____

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

* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.
* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: MANDELL HOLDINGS, LLC Contact Person: SCOTT MANDELL
Mailing Address: 5502 BURNHAM DRIVE
City: CORPUS CHRISTI State: TX ZIP: 78413 Phone: (361) 779-8042
E-mail: _____

2. Property Owner(s): SCOTT & THERMA MANDELL Contact Person: SCOTT MANDELL
Mailing Address: 5502 BURNHAM DRIVE
City: CORPUS CHRISTI State: TX ZIP: 78413 Phone: (361) 779-8042
E-mail: _____ Cell: ()

3. Subject Property Address: SEE DESCRIPTION Area of Request (SF/aces): 2.414 Ac. #4.09Ac
Current Zoning & Use: _____ Proposed Zoning & Use: (N-1(2.414Ac), RS-.TH
12-Digit Nueces County Tax ID: 2476-0020-0170 #2476-0020-0180 (4.09Ac.)
Subdivision Name: _____ Block: _____ Lot(s): _____
Legal Description if not platted: SEE DESCRIPTION 29.231Ac. out of LOTS 17418
7Ac. " " " " "

4. Submittal Requirements:
 Early Assistance Meeting: Date Held _____; with City Staff YES
 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.

[Signature]
Owner or Agent's Signature
RONALD D. VOSS
Owner or Agent's Printed Name

[Signature]
Applicant's Signature
SCOTT MANDELL & THERMA MANDELL
Applicant's Printed Name

Office Use Only: Date Received: 4/18/16 Received By: [Signature] ADP: SS
Rezoning Fee: 1692.50 PUD Fee: 0 Sign Fee: 10.00 Total Fee: 1702.50
No. Signs Required: 1 @ \$10/sign Sign Posting Date: _____

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.

SEE MASTER SITE PLAN.

THE FRONT 2.414 AC. WILL INCLUDE RETAIL
i.e. RESTAURANT, SHOPS, OFFICE, 15000 S.F. TOTAL

THE BACK WILL CONTAIN 36 TOWNHOME SITES
FOR ~ 1700 S.F. TOWNHOMES ON 4.097 ACRES

HOURS OF OPERATION, # OF EMPLOYEES, SIGNAGE
IS NOT KNOWN AT THIS TIME.

2. Identify the existing land uses adjoining the area of request: 2.414 AC

North - PROPOSED SINGLE FAMILY SUBD.

South - VETERANS MEMORIAL HIGH SCHOOL

East - PROPOSED TOWNHOMES & ZONING RS-TH

West - CIMARRON BOULEVARD



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: SEE DESCRIPTIONS FOR 2.414 AC & 4.09 AC

Legal Description (Subdivision, Lot, Block): FOUR BLUFF # ENCINAL FARM # GARDEN TR

Applicant Name: MANDER HOLDINGS, LLC

Address: 5302 BURNHAM DR. City/State/Zip: CORPUS CHRISTI, TX 78413

Telephone: 361-779-8042 Email: SCOTT.MANDER@ASSET-SECURITY-PRO.COM

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
36			VACANT					

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
2.414	20,000 sq ft	CN-1	RETAIL	826	6.84	136	5.02	100
4.09	36	RS-TH	TOWNHOMES	230	0.44	16	0.52	19
Total						152	Total	119

Abutting Streets

Street Name	Access Proposed To Street?	Pavement Width (FT)	ROW Width (FT)
CIMARRON BLVD.	YES	60	120

- 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: RAYMOND DOUGLAS CAONK Date: APRIL 4 2016

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.



Post Office Drawer 749
Corpus Christi, Texas 78403-0749

March 9, 2016

City of Corpus Christi

Re: 4300 Cimarron Blvd
Scott and Thelma Mandel
Mandel Homes

To Whom It May Concern:

Please let this letter confirm that Frost Bank has no liens on the above subject property.

If you should need any additional information, please feel free to contact me at 361-844-1251.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Vasquez".

Cindy Vasquez
Asst Vice President



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: SCOTT & THELMA MANDEL & MANDEL HOLDINGS, LLC
STREET: 5502 BURNHAM DRIVE CITY: CORPUS CHRISTI ZIP: 78413
FIRM is: [] Corporation [] Partnership [X] Sole Owner [] Association [X] Other LLC

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)
NONE

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
NONE

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
NONE

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
NONE

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: THELMA MANDEL Title: OWNER
(Print Name)

Signature of Certifying Person: Thelma Mandel Date: 3/12/16



DISCLOSURE OF INTERESTS

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NAME: SCOTT & THELMA MANDEL & MANDEL HOLDINGS, LLC
STREET: 5502 BURNHAM DRIVE CITY: CORPUS CHRISTI ZIP: 78413
FIRM is: Corporation Partnership Sole Owner Association Other LLC

DISCLOSURE QUESTIONS

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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>NONE</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".

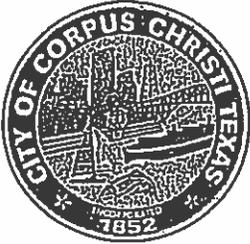
Name	Consultant
<u>NONE</u>	
_____	_____
_____	_____

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: SCOTT MANDEL Title: OWNER / PRES.
(Print Name)

Signature of Certifying Person: Scott Mandel Date: 7/15/2016



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: RONALD VOSS, VOSS ENGINEERING, INC.
STREET: 6838 GREENWOOD DR CITY: CORPUS CHRISTI ZIP: 78415
FIRM is: Corporation Partnership Sole Owner Association Other

DISCLOSURE QUESTIONS

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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>NONE</u>	

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Name	Title
<u>NONE</u>	

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Name	Board, Commission, or Committee
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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: RONALD VOSS Title: PRES/OOWNER
(Print Name)

Signature of Certifying Person: [Signature] Date: 2/12/16