

PLANNING COMMISSION FINAL REPORT

Case No. 0921-01

INFOR No. 21ZN1032

Planning Commission Hearing Date: September 15, 2021

Applicant & Legal Description	<p>Owner: Richard Jurach, Jerry Jurach, Patricia Hunt and Paula Carter Applicant: Richard Jurach, Jerry Jurach, Patricia Hunt and Paula Carter Location Address: 3942 Cimarron Boulevard Legal Description: 10 acres out of Lots 1 & 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a subdivision of Nueces County, Texas, as recorded in the County Map Records in Volume A, Page 43, located along the east side of Cimarron Boulevard, south of Lipes Boulevard, and north of Yorktown Boulevard</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "RM-2" Multifamily District Area: 10 acres Purpose of Request: To allow for the construction of an apartment complex.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"FR" Farm Rural District	Vacant	Medium Density Residential
	<i>North</i>	"RM-2" Multifamily District	High Density Residential	High Density Residential
	<i>South</i>	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
	<i>East</i>	"RM-1" Multifamily District	Vacant	Medium Density Residential
	<i>West</i>	"RS-6" Single-Family 6 District	Low Density Residential	High Density Residential
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 a medium density residential use. The proposed rezoning to the "RM-2" Multifamily District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. City Council District: 5 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 330 feet of street frontage along Cimarron Boulevard which is designated as an "A1" Minor Arterial Street. According to the Urban Transportation Plan, "A1" Minor Arterial Streets can convey a capacity between 15,000 to 24,000 Average Daily Trips (ADT). The site is serviced by Route 26 of the Corpus Christi Regional Transit Authority. The closes bus stop is 1,300 feet to the north in front of Veterans Memorial High School.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Cimarron Boulevard	"A1" Minor Arterial Street	95' ROW 64' paved	105' ROW 64' paved	12,535 ADT (2016)

Staff Summary:

Development Plan: The subject property is 10 acres in size. The applicant is proposing the construction of a 240-unit apartment complex. The units are projected to include 12 efficiency apartments, 116 one-bedroom apartments, 103 two-bedroom apartments, and 9 three-bedroom apartments. The development also will feature 20 direct-attached garages and 42 breezeway attached garages in addition to surface parking for tenants and guests. Additionally, the development will include an amenity center, pool, grille center and dog park.

Existing Land Uses & Zoning: The subject property is currently zoned "FR" Farm Rural District and consists of vacant land. The subject property was zoned "FR" Farm Rural in 1995 at the time of annexation. To the north is an apartment complex zoned in 2018 to the "RM-2" Multifamily District. Additionally, to the north are vacant tracts rezoned in 2015 to the "CN-1" Neighborhood Commercial District and to the "RM-2" Multifamily District. Located farther to the north across Lipes Boulevard is Veterans Memorial High School. To the south is the Cimarron Lake Estates Subdivision with a Home Owners Association (HOA). The subdivision was rezoned in 2004 to the "RS-6" Single-Family 6 District. To the east is Master Channel 31 which is a drainage right-of-way width of approximately 140 feet and a depth of 7.21 feet. Across the channel are vacant tracts zoned in 2018 to the "RM-1" Multifamily 1 District for potential apartment complexes. To the west is Cimarron Boulevard. Across Cimarron Boulevard are single-family residences (Yorktown Crossing Unit 2 Subdivision) zoned "RS-6" Single-Family 6 District.

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

Plat Status: The property is not platted.

Utilities:

Water: 8-inch PVC line located along Cimarron Boulevard.

Wastewater: 24-inch PVC line located along Cimarron Boulevard.

Gas: 2-inch Service Line located along Cimarron Boulevard.

Storm Water: 36-inch line located along Cimarron Boulevard.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium density residential use. The proposed rezoning to the "RM-2" Multifamily District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. The following policies should be considered:

- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and

characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1)

- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage direct arterial access for high-density apartments or interior access from a street designed specifically to collect the apartment traffic and distribute it directly to an arterial without passing through a lower density residential area. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage convenient access from medium-density residential development to arterial roads. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

Department Comments:

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon adjacent properties. The proposed rezoning warrants an amendment to the Future Land Use Map.
- The property is currently vacant and is a remaining unplatted “FR” Farm Rural tract. The property has not been developed since annexation in 1995.
- Recent rezonings have occurred to the north in 2015 to the “CN-1” Neighborhood Commercial District and to the “RM-2” Multifamily 2 District in 2018. Most recently to the east rezonings occurred in 2018 to the “RM-1” Multifamily 1 District.
- Based on recent zoning changes and existing commercial zoning along Cimarron Boulevard (A1 Arterial Street) a trend towards commercial development is occurring. Such a trend is consistent with the goals and policies of the Comprehensive Plan. Infill of remaining adjacent “FR” Farm Rural Tracts will be addressed by future rezonings and may generate further amendment of the Future Land Use Map.
- The “RM-2” Multifamily 2 District allows 30 dwelling units per acre by right. The proposed 240 apartment is compatible with the density requirements of the “RM-2” District. The maximum density allowed by right based on the acreage is 300 dwelling units.
- Due to the adjacency of a master channel, no buffer yard would be required to the east.
- Based on the submitted site plan, 446 parking spaces are required based on the number of apartment units. 469 parking spaces will be provided.

Planning Commission and Staff Recommendation (September 15, 2021):

Denial of the change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily District, in lieu thereof approval of the “RS-6/SP” Single-Family 6 District with a Special Permit and subject to the following conditions:

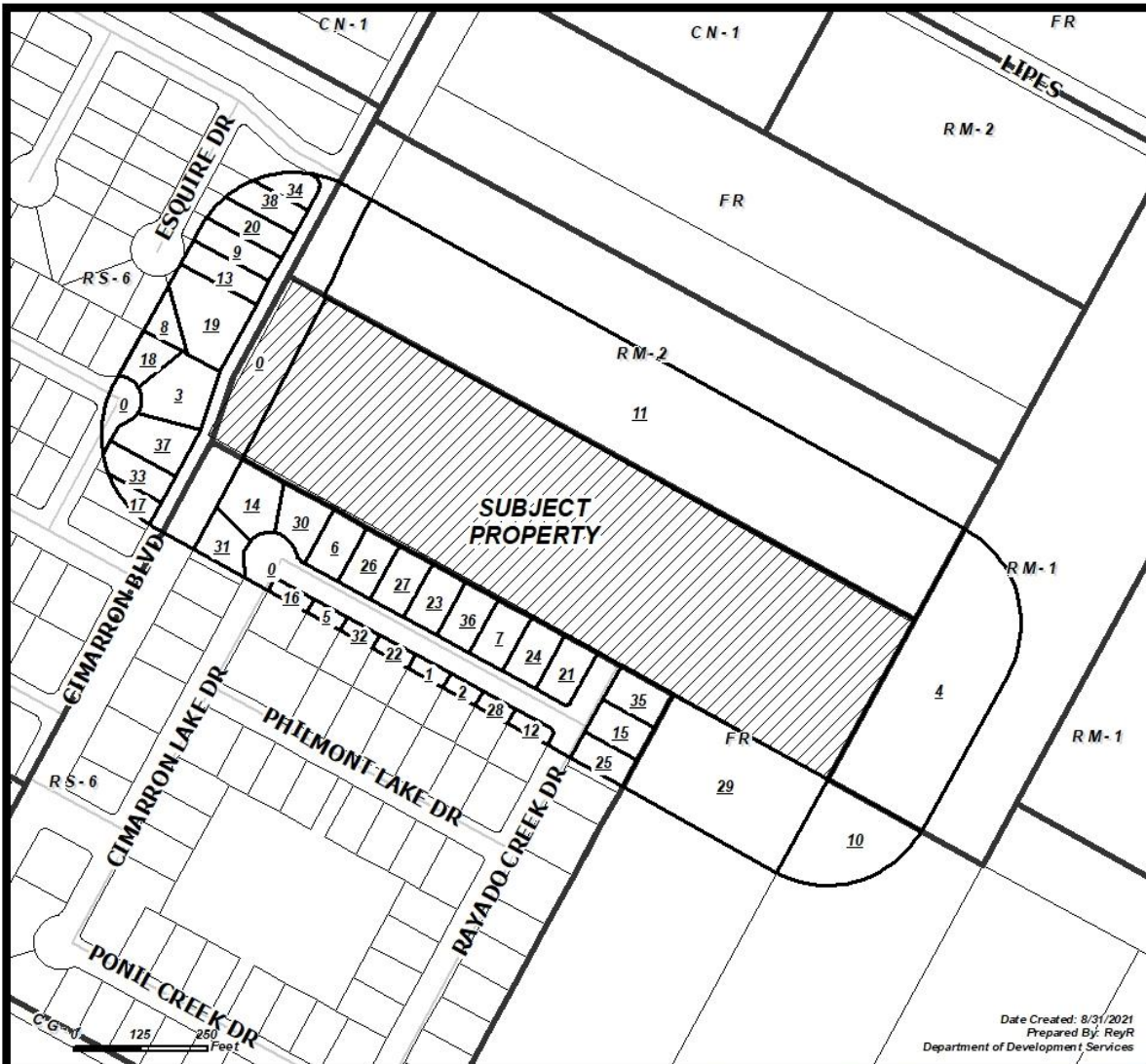
1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a multifamily apartment complex with a density not to exceed 30 dwelling units per acre and consistent with the attached site plan.

2. **Setbacks:** No structure shall be greater than two stories in elevation within 80-feet of the southern property line. Any two-story buildings must have a pitched roof with the ridge extending at least 6 feet above the eave of the roof.”
3. **Buffer Yard:** When adjacent to the “RS-6” Single-Family 6 District, the buffer yard requirement shall be 10-feet, with the required points and screening fence satisfied by including a row of canopy trees with a minimum caliper size of 2.5 inches every 30 linear feet and a 7-foot-tall screening fence or a 6-foot-tall masonry wall.
4. **Lighting:** All lighting must adhere to the standards set in the Unified Development Code (UDC).
5. **Dumpster:** No dumpster shall be placed within 80-feet of the southern property line.
6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Public Notification	Number of Notices Mailed – 38 within 200-foot notification area. 4 outside notification area
	<u>As of September 10, 2021:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 6 inside notification area – 0 outside notification area
	Totaling 6.45% of the land within the 200-foot notification area in opposition. *Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner’s land in square feet / Total square footage of all property in the notification area = Percentage of public opposition

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Proposed Site Plan
- C. Public Comments Received (if any)

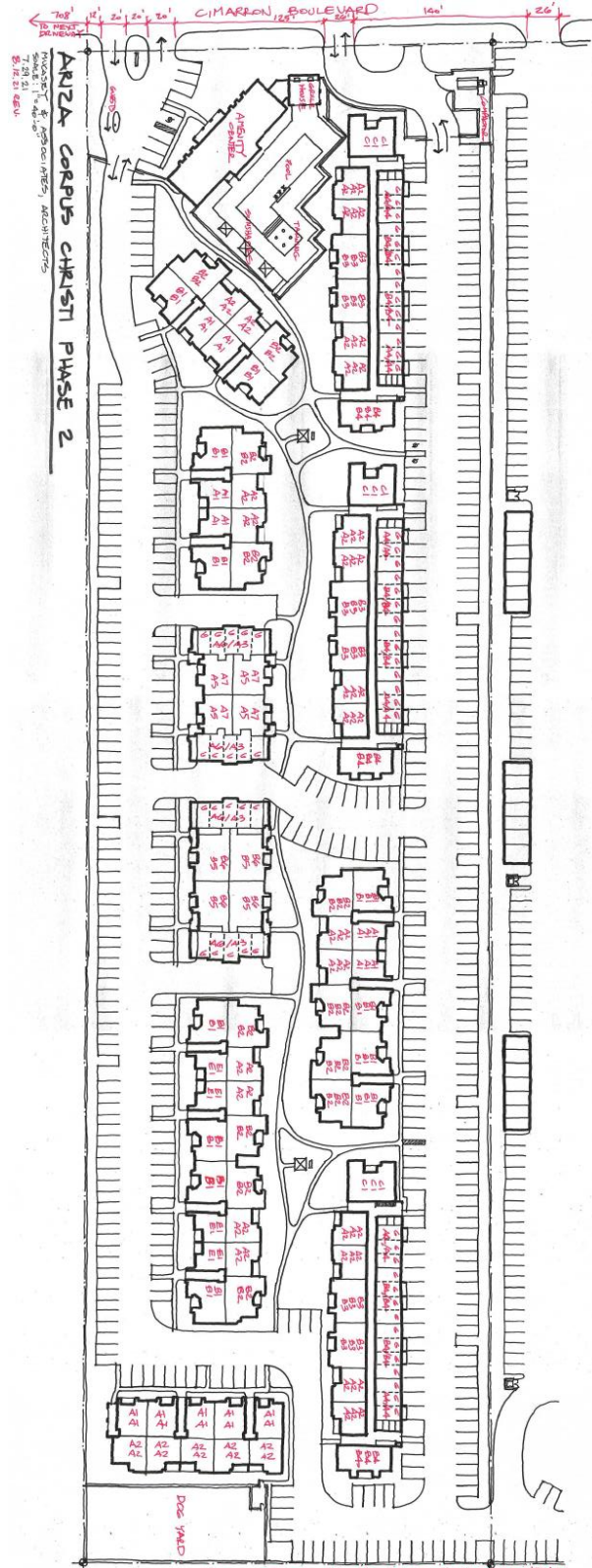


Case # 0921-01
ZONING & NOTICE AREA

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





ARZA CORPUS CHRISTI PHASE 2
 PROJECT BY: [unreadable] ARCHITECTS
 7.21.21
 8.12.21 REV. 1

PROJECT SUMMARY:
 1. 100' x 100' lot
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Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, si tienen la 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.

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**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0921-01**

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Located at or near 3942 Cimarron Boulevard and described as being 10 acres out of Lots 1 & 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a subdivision of Nueces County, Texas, as recorded in the County Map Records in Volume A, Page 43, located along the east side of Cimarron Boulevard, south of Lipas Boulevard, and north of Yorktown Boulevard

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Printed Name: Gilbert Flores
Address: 6502 Miranda Drive City/State: Corpus Christi, TX 78414
() IN FAVOR IN OPPOSITION Phone: 361-821-8958
REASON:

[Signature]
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 21ZN1032
Property Owner ID: 2114

Case No. 0921-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: Joaquin Granados
Address: 4006 Rayado Creek Dr City/State: C.C., TX 78414
() IN FAVOR IN OPPOSITION Phone: 361-249-6529

REASON:

Line of site ; privacy
Property value decline
Joaquin Granados
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 21ZN1032
Property Owner ID: 15

Case No. 0921-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: James Aleman Heather Aleman
Address: 6538 Miranda Drive City/State: Corpus Christi, TX 78414
() IN FAVOR IN OPPOSITION Phone: 361-793-1567

REASON: Invasion of my privacy
My property value will decline

James Aleman
Signature Heather Aleman

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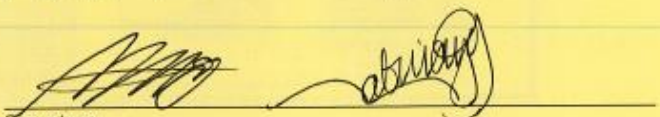
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Printed Name: Fernando Martinez / Sabina Maza Gomez

Address: 6534 Miranda Dr. City/State: Corpus Christi / TX

() IN FAVOR IN OPPOSITION Phone: 361-876-2926

REASON:
Decrease in value to my property due to lack of privacy with proposed multi-Family apartment complex. Noise concern.


Signature

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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: Richard Elizondo
Address: 6506 Miranda Dr. City/State: CC, TX
() IN FAVOR IN OPPOSITION Phone: 361-9442911

REASON:

Privacy, Property Value

[Signature]
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 21ZN1032
Property Owner ID: 30

Case No. 0921-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la 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. 0921-01**

Richard Jurach, Jerry Jurach, Patricia Hunt and Paula Carter have petitioned the City of Corpus Christi to consider a change of zoning from the **"FR" Farm Rural District** to the **"RM-2" Multifamily District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

Located at or near 3942 Cimarron Boulevard and described as being 10 acres out of Lots 1 & 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a subdivision of Nueces County, Texas, as recorded in the County Map Records in Volume A, Page 43, located along the east side of Cimarron Boulevard, south of Lipes Boulevard, and north of Yorktown Boulevard

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Printed Name: Kip HARBISON

Address: 4001 CIMARRON LAKE City/State: Corpus Christi, Tx

() IN FAVOR IN OPPOSITION Phone: 361-929-5247

REASON: PRIVACY AND PROPERTY VALUES

Kip Harbison
Signature