

# ZONING REPORT

Case No.: 0113-01

HTE No. 12-10000042

Planning Commission Hearing Date: January 16, 2013

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Brooke Tract, L.P.  <b>Legal Description/Location:</b> 39.99 acres out of Lots 16, 17, 18, 19, 28, 29, and 30, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Rodd Field Road and Brooke Road.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single-Family 6 District  <b>To:</b> "RM-1" Multifamily 1 District  <b>Area:</b> 39.99 acres  <b>Purpose of Request:</b> To allow construction of an apartment complex.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RS-6" Single-Family 6	Drainage Corridor	Drainage Corridor
	<i>South</i>	"RS-6" Single-Family 6 & "RS-4.5" Single-Family 4.5	Vacant & Public Semi-Public	Low Density Residential
	<i>East</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>West</i>	"FR" Farm Rural & "RS-6" Single-Family 6	Vacant	Low Density Residential
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located in the Southside Area Development Plan (ADP) and is planned for low density residential uses. The proposed change of zoning to the "RM-1" Multifamily 1 District is not consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 041031 and 042031  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 790 feet of frontage along Rodd Field Road, which is an "A3" Primary-Arterial Divided street. The property potentially has access to County Road 7B (future Fred's Folly Drive), which is a proposed "C1" Minor Residential Collector street. The property also has potential indirect access to Brooke Road, which is a "C1" Minor Residential Collector street, via a drainage crossing on County Road 7B (future Fred's Folly Drive).</p>			

	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
<b>Street R.O.W.</b>	Rodd Field Rd.	“A3” Primary-Arterial Divided	130’ ROW 79’ paved	130’ ROW 24’ paved	9,901 (2010)
	Brooke Rd.	“C1” Minor Residential Collector	60’ ROW 40’ paved	50’ ROW 32’ paved	Not Available
	Fred’s Folly Dr. (CR 7B)	“C1” Minor Residential Collector	60’ ROW 40’ paved	30’ ROW 12’ paved	Not Available

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow construction of an apartment complex with a maximum potential density of 22 dwelling units per acre.

**Applicant’s Development Plan:** The proposed apartment complex will be constructed in two phases. The apartment complex will consist of 14 buildings in Phase 1 and 10 buildings in Phase 2. Phase 1 will consist of 280 dwelling units, while Phase 2 will consist of 220 dwelling units. The developer currently proposes a density of approximately 12.5 dwelling units per acre, which will classify the use as medium density residential (8-22 dwelling units per acre). The apartment buildings will wrap around an existing 33-acre private lake. The apartments will have access to Rodd Field Road. A 125-foot drainage ditch located north of the subject property will buffer the subject property from the single-family neighborhood on the north side of Brooke Road. There will also be a portion of land zoned “RS-6” Single-Family 6 District between the subject property and the single-family neighborhood on the east side of County Road 7B (future Fred’s Folly Drive).

**Existing Land Uses & Zoning:** South of the subject property is vacant land zoned “RS-4.5” Single-Family 4.5 District. North of the subject property is a drainage corridor, a single-family neighborhood, and a church zoned “RS-6” Single-Family 6 District. East of the subject property is vacant land zoned “RS-6” Single-Family 6 District. West of the subject property across Rodd Field Road is vacant land zoned “FR” Farm Rural District. Southwest of the subject property is the future site of Bay Area Fellowship church, which is 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).

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The proposed change of zoning is in the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for a low density residential use. The rezoning, however, would be appropriate for this location and it is consistent with elements of the Comprehensive Plan, such as:

- 1.) Medium-density residential development should be located in areas with convenient arterial access (*Comprehensive Plan*, Residential Policy Statement F).
- 2.) Traffic hazards should be lessened by discouraging through traffic within residential areas (*Comprehensive Plan*, Residential Policy Statement J).

**Department Comments:**

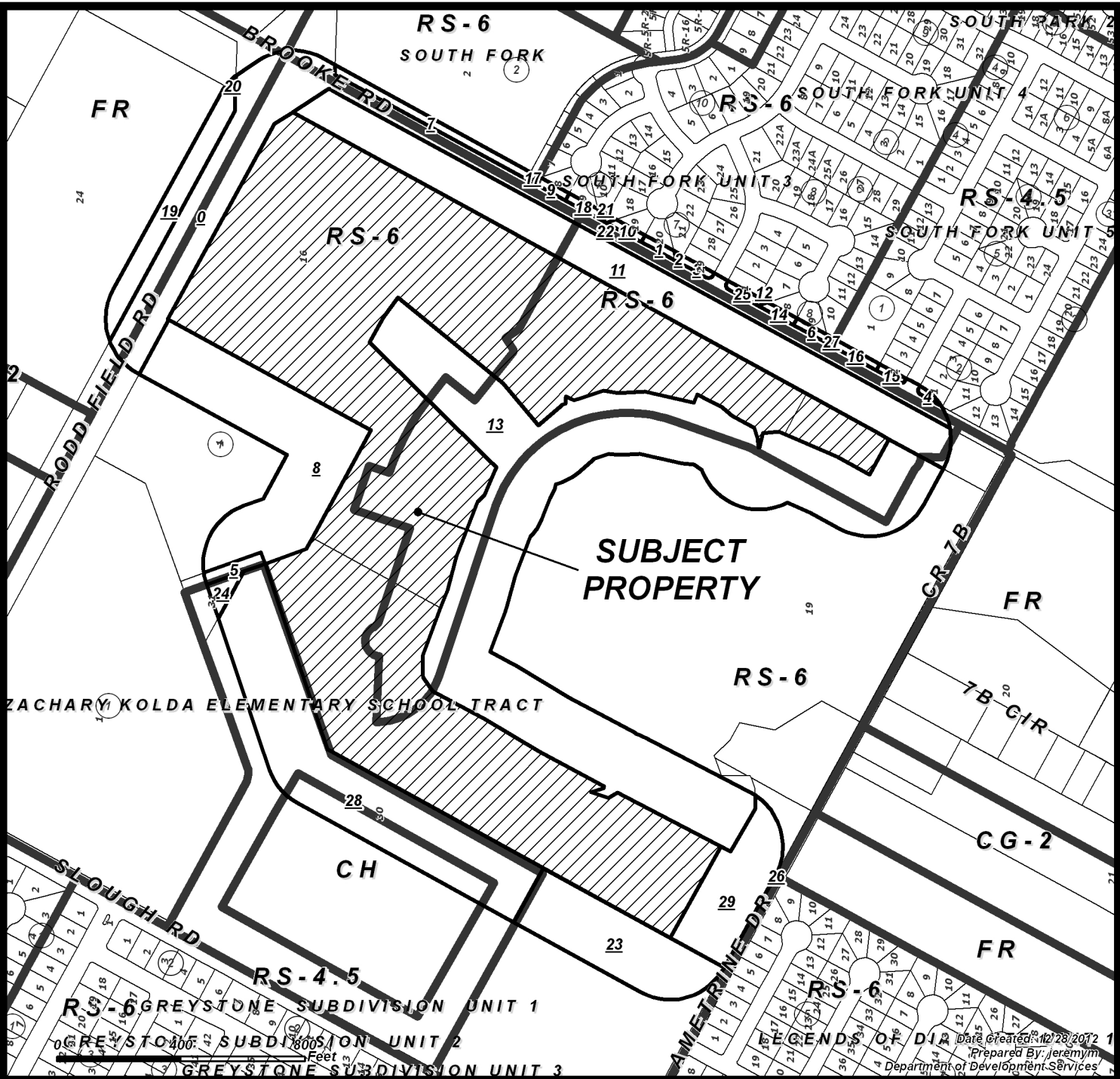
- The subject property is suitable for medium-density residential uses.
- There have been several attempts to develop this tract of land with single-family uses and all have failed for various reasons. Although inconsistent with the adopted Future Land Use Plan, developing apartments will maintain the residential nature of the property in this area.
- The proposed apartment complex will have direct access to Rodd Field Road. With direct access to an arterial-type road, traffic will be discouraged through the surrounding residential areas.
- This rezoning is compatible with the present zoning and conforming uses of nearby properties, and does not have a negative impact on the surrounding neighborhood.

**Planning Commission and Staff Recommendation (January 16, 2013):**

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

<b>Public Notification</b>	Number of Notices Mailed – 26 within 200’ notification area; 4 outside notification area
	<u>As of January 17, 2013:</u>
	In Favor – 2 (inside notification area); 0 (outside notification area)
	In Opposition – 5 (inside notification area); 0 (outside notification area)
	For 0.45% in opposition.





- Attachments:
1. Location Map (Existing Zoning & Notice Area)
  2. Preliminary Development Plan
  3. Public Comments (Letter and Petition)

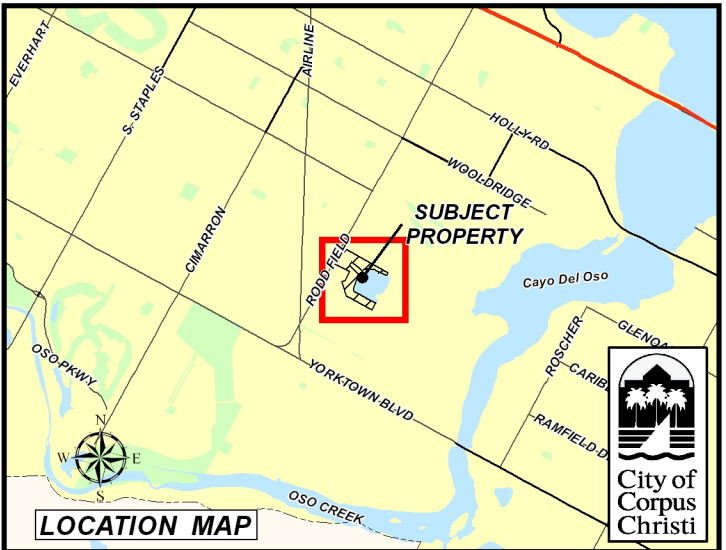


## CASE: 0113-01

### 2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

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		

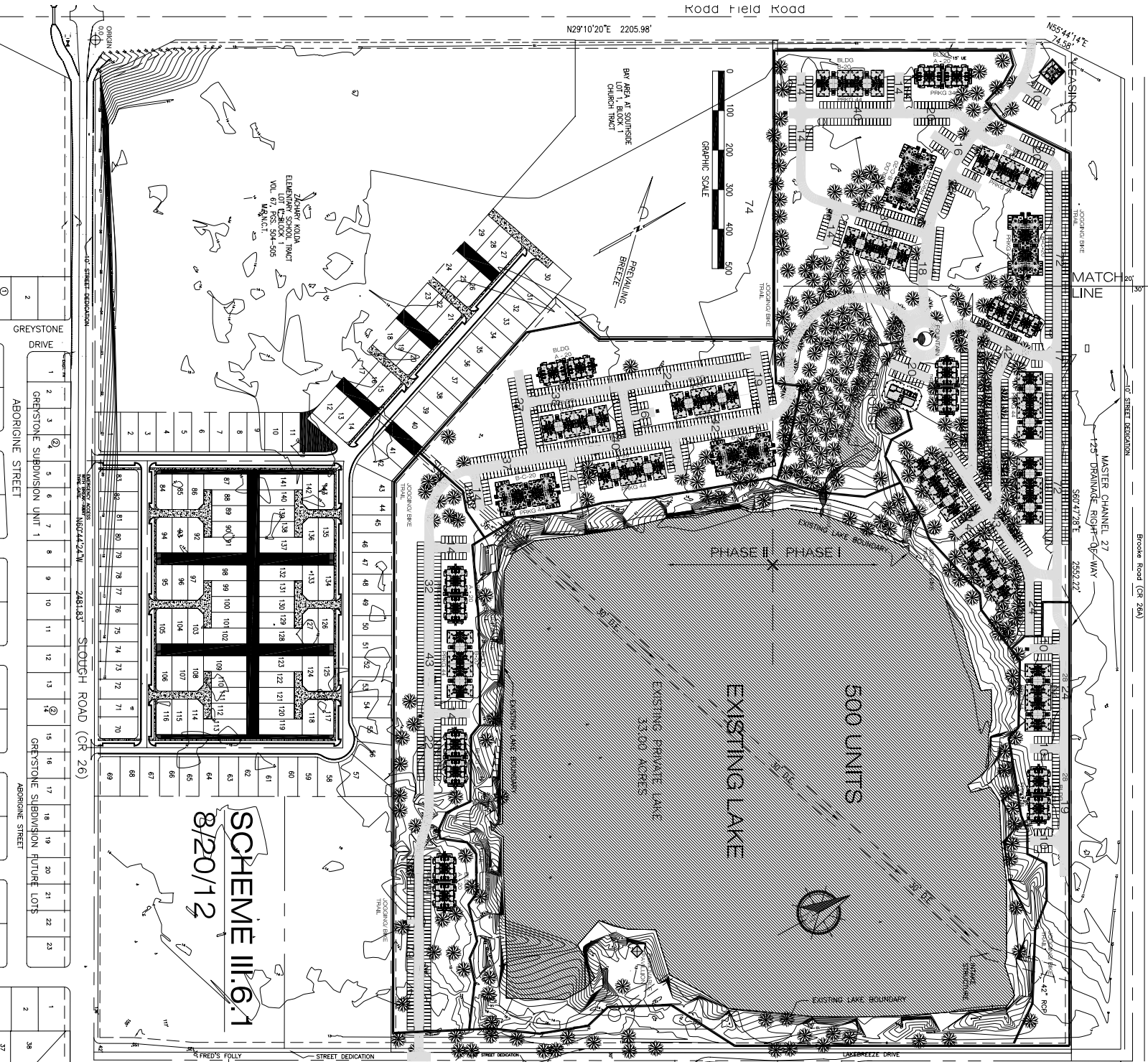
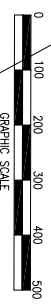
-  Subject Property with 200' buffer
-  Owners in favor
-  Owners within 200' listed on attached ownership table
-  Owners in opposition



Road Field Road

N29°10'20"E 2205.98'

N55°44'14"E 71.56'



GREYSTONE DRIVE

ABORIGINE STREET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
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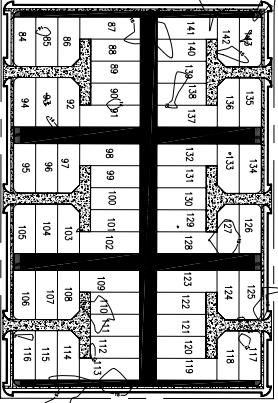
ABORIGINE STREET

RAZCHOLUS BENS RANCH

US 89

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
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WILSON'S KONA ESTATE LOT 12-2000 VOL. 87, PAGES 504-505



**SCHEME III.6.1**  
**8/20/12**

3.0 acres  
Lots 27, 56  
(Owner: Doy)

12.893 acres out of  
Lots 26-27, Section 26

16.64 acrt  
Lots 20-2  
(Owner: Hwa Demn)

6.52 acrt

1.48 acres  
(Owner: Lewis  
Ermon Stoops)

1.28 acres  
(Owner: Charles A. Uih)

11.212 acres out of  
Lots 20-21, Section 26  
(Owner: Gloria D. Meerdink)

EXISTING LAKE  
EXISTING PRIVATE LAKE  
33.00 ACRES  
500 UNITS



3/1 Wide Right-of-Way  
Vol. 1546, Pg. 98, Deed  
Records, Nueces County, Texas

To Whom It May Concern:

My name is Leslie Fiscus and I live at 3221 Turkey Hollow Court in Corpus Christi. I am writing this letter in strong opposition to the proposed zoning change on the Brooke Road tract of land.

I have been a resident in the South Fork II Subdivision since October of 2010. My family and I relocated to this specific subdivision for the proposed new schools, proximity to the south side and specifically, the lack of large multi-family housing.

There have been several new subdivisions that have been and are being built in our area and it is becoming a great place for families. It is my opinion, that these zoning changes will quickly and dramatically affect these families.

#### Effects on South Fork II Subdivision

1. Privacy – for residents whose property backs up to Brooke Road, there will be virtually no privacy from the second and third floors of an apartment complex. With most of South Fork II residents being families with young children, I am uneasy about the potential safety risks of this lack of privacy.
2. Traffic – Brooke Road is currently a narrow 2-lane road, with no shoulder or sidewalks, and the certain traffic increase will create a motor vehicle and pedestrian risk for the residents of South Fork II and the tenants of the proposed apartments. Additionally, Rodd Field Road remains 2-lanes from Mansions to Yorktown and the additional traffic might present traffic concerns for parents and school officials at the new Kolda Elementary.

In closing, I would simply ask yourselves the question, “Would you want an apartment complex built in your backyard?” I appreciate your time and this opportunity to voice some of our concerns regarding this issue.

Sincerely,

Leslie Fiscus

# Petition AGAINST proposed rezoning

(Case #0113-01)

We oppose the measure to allow rezoning from single family residential to multi-family residential apartments and urge our representatives to not permit rezoning.

	NAME	ADDRESS	SIGNATURE
1.	Vanessa C. Lopez	7421 Brush Creek	Vanessa Lopez
2.	DOUG PELLILLO	7429 BRUSH CREEK	Doug Pellillo
3.	Gabriel Schmitt	7521 Brush Creek	Gabriel Schmitt
4.	LISSE FLORES	7555 BRUSH CREEK	Lisse Flores
5.	Susan Giesing	7533 Brush Creek	Susan Giesing
6.	VICTOR GONZALEZ	3106 QUAIL CREEK DR.	Victor Gonzalez
7.	Rachel Benson	3102 Quail Creek	R Benson
8.	CHRIS RAUEN	7518 BRUSH CREEK	Chris Rauhen
9.	Adam Gonzalez	7514 BRUSH CREEK	Adam Gonzalez
10.	CHRISTINA BERNARDI	7510 BRUSH CREEK	Christina Bernardi
11.	TERESA HEIN	7422 BRUSH CREEK	Teresa Hein
12.	Jan Cap	7434 BRUSH CREEK	Jan Cap
13.	Teri Shannon	7418 Brush Creek	Teri Shannon
14.	Melissa Rodriguez	7414 Brush Creek	Melissa Rodriguez
15.	Joy Gutierrez	7430 Brush Creek	Joy Gutierrez
16.	Lydia Martinez	7524 Brush Creek	Lydia Martinez
17.	Martha Holloway	7538 Brush Creek	Martha Holloway
18.	Roland Marcha	7526 Brush Creek	Roland Marcha
19.	Brianne Blankinbush	7502 Brush Creek	B. Blankinbush
20.	Amber Covington	7426 Brush Creek	Amber Covington
21.	Lisa Robinson	7406 Brush Creek	Lisa Robinson
22.	Kristin Gramme	3145 Bear Thicket	Kristin Gramme
23.	Marlene Spencer	3122 Quail Creek	Marlene A. Spencer
24.	Jess Avery	3130 Bear Thicket	Jess Avery

property value decrease  
traffic issues

250 feet will  
receive notice  
otherwise you  
will not receive

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(Case #0113-01)

Jan. 16 @ Planning  
Zoning

We oppose the measure to allow rezoning from single family residential to multi-family residential apartments and urge our representatives to not permit rezoning.

NAME	ADDRESS	SIGNATURE
Gabriel Guajardo	7409 Trailcreek	Gabriel Guajardo
Clarisa Guajardo	7409 Trailcreek	Clarisa Guajardo
Gabriel Salas	7405 Trailcreek	Gabriel Salas
Veronica L Salas	7405 Trailcreek	Veronica Salas
Clara Dominguez	3206 Laurel Run	Clara Dominguez
Edmundo Dominguez	3206 Laurel Run	Edmundo Dominguez
Charles M Hillis	7406 Cedar Hollow	Charles M Hillis
Mildred M Hillis	7406 Cedar Hollow	Mildred Hillis
Shanna S	7410 Cedar Hollow	Shanna S
Elaine Quinz	7410 Cedar Hollow	Elaine Quinz
Diane King	7414 Cedar Hollow	Diane King
Darry King	7414 Cedar Hollow	Darry King
Billy Jack Noles	7422 Cedar Hollow	Billy Jack Noles
Connie S. Noles	7422 Cedar Hollow	Connie Noles
Carlos Mendosa	3202 Cedar Hollow	Carlos Mendosa
Johnny Castillo	3210 Cedar Hollow	Johnny Castillo
Jaqueline Gonzales	3222 Cedar Hollow	Jaqueline Gonzales
Jene Gonzales	3222 Cedar Hollow	Jene Gonzales
Daniel Han	3213 Cedar Hollow	Daniel Han
Ta But	3221 Quail Run	Ta But
ian Nguyen	3221 Quail Run	ian Nguyen
Kan Nguyen	3218	Kan Nguyen
Leroy Lewis	3214 Quail Run	Leroy Lewis
MELISSA ALANIZ	3219 Quail Run	MELISSA ALANIZ



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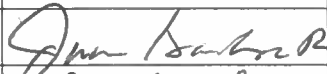








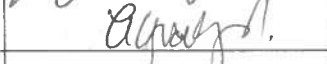
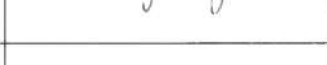
We oppose the measure to allow rezoning from single family residential to multi-family residential apartments and urge our representatives to not permit rezoning.

NAME	ADDRESS	SIGNATURE
Barbara Griffin	7406 Trail Creek Dr	Barbara Griffin
Jon Finley	3137 Turkey Springs	Jon Finley
Bobby McBride	3133 Turkey Springs	Bobby McBride
Jesse Villanarac	7401 Oak Hollow	Jesse Villanarac
Harold Lee	7409 Oak Hollow Ct.	Harold Lee
Esequiel (Zuke) Rivas	7405 Oak Hollow Ct	Esequiel Rivas
Edward Alcock	7417 Oak Hollow	Edward Alcock
Amanda Molina	7421 Oak Hollow	Amanda Molina
Jessica Overen	7430 Oak Hollow	Jessica Overen
Elizabeths Weeks	7426 Oak Hollow Ct	Elizabeths Weeks
Matthew Bunde	7422 Oak Hollow Ct	Matthew Bunde
Lori Stearns	7418 Oak Hollow	Lori Stearns
Julie Padgett	7414 Oak Hollow	Julie Padgett
Liza Garza	7410 Oak Hollow	Liza Garza
Roberto Garza	7410 Oak Hollow	Roberto Garza
Jeriana Hix	7420 Oak Hollow	Jeriana Hix
KEVIN BARTS	3525 Turkey Springs	Kevin Barts
Stepher Anne Garcia	3129 Turkey Springs Dr.	Stepher Anne Garcia
Greg Story	3121 Turkey Springs	Greg Story
Pamella Story	3121 Turkey Springs	Pamella Story
Joyce Flores	3113 Turkey Springs	Joyce Flores
Craig Landy	3101 Turkey Springs	Craig Landy
Bryan Niemann	7402 Brush Creek Dr	Bryan Niemann
Rouisa Montes	7401 Brush Creek Dr	Rouisa Montes

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	NAME	ADDRESS	SIGNATURE
1.	JUAN GAMBRA	3205 TURKEY HOLLOW CT CORPUS CHRISTI, TX	
2.	Lory Schmitz	3205 TURKEY HOLLOW CT CORPUS CHRISTI, TX	
3.	Robin Martin	3217 Turkey Hollow Court CC, TX 78414	
4.	Bryan Fiscus	3221 Turkey Hollow CC TX 78414	
5.	Steven Olinick	3225 Turkey Hollow W	
6.	Brian Robillard	3218 Turkey Hollow Ct C.C. TX. 78414	
7.	Ramiro Vargas	3214 Turkey Hollow CC TX. 78414	
8.	NANCY BURNELL	3210 TURKEY HOLLOW CT CC TX. 78414	
9.	Jennifer Patterson	3209 Turkey Hollow 78414	
10.	Jerry D. Poguc	3213 Turkey Hollow Court	
11.	Melissa Greig	3202 "	
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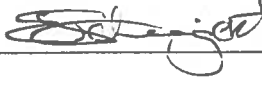




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(Case #0113-01)

We oppose the measure to allow rezoning from single family residential to multi-family residential apartments and urge our representatives to not permit rezoning.

	NAME	ADDRESS	SIGNATURE
1.	Edith Schweigert	3617 Tanzanite DR. CCTY 78418	
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