

PLANNING COMMISSION FINAL REPORT

Case No.: 0117-05
 Infor No. 16ZN1008

Planning Commission Hearing Date: January 11, 2017

Applicant & Legal Description	<p>Applicant/Representative: Melden and Hunt, Inc. Owner: George Tintura and Ping Jung Tintura Location: 16013 Northwest Boulevard Legal Description: A 1.776 acre tract of land of a portion of Wade Riverside Subdivision, Section 4, located on the south side of Northwest Boulevard between Carousal Drive and County Road 73.</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "CG-2" General Commercial District Area: 1.776 acres Purpose of Request: To develop a 9,100 square foot Dollar General Store.</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 Single Family Residential
	<i>North</i>	Outside City Limits	Estate Residential	Outside City Limits
	<i>South</i>	"FR" Farm Rural District	Vacant	Medium Density Single Family Residential
	<i>East</i>	"FR" Farm Rural District	Vacant	Medium Density Single Family Residential
	<i>West</i>	"FR" Farm Rural District	Vacant	Medium Density Single Family Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan (ADP) and is planned for Medium Density Single Family Residential. The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Plan CC Future Land Use map. Map No.: 070051 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property has approximately 240 feet of street frontage along Northwest Boulevard, which is an “A3” Primary Arterial Divided street. The maximum average daily trips for an “A3” is 30,000 to 48,000.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Northwest Boulevard	“A3” Primary Arterial Divided Street	130’ ROW 80’ paved	145’ ROW 90’ paved	17,961

Staff Summary:

Requested Zoning:

The applicant is requesting a change of zoning from the “FR” Farm Rural District to “CG-2” General Commercial District to develop a 9,100 square foot Dollar General Store.

Development Plan:

The applicant proposes to rezone the subject lot, to the “CG-2” General Commercial District. The lot is 1.776 acres. The purpose of the rezoning is to develop a 9,100 square foot Dollar General Store. The store will employ approximately eight employees and operate from 8:00 a.m. until 10:00 p.m.

Existing Land Uses & Zoning:

The northern property is outside of city limits with estate residential use. South, east, and west are zoned “FR” Farm Rural District with vacant uses.

AICUZ:

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

Plat Status: The subject property is not platted.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Northwest ADP. The proposed rezoning to the “CG-2” General Commercial District is inconsistent with Plan CC and the Future Land Use Map which identifies the area as Medium Density Single Family Residential. Additionally, the following are pertinent elements of Plan CC and the Northwest ADP that should be considered:

- Corpus Christi is able to attract and retain firms because of its competitive assets and supportive business environment. (Plan CC, Goal 2, page 36)

- Encourage the development of a high-quality workforce across a wide range of occupations and skill levels that meets the current and emerging needs of local businesses and makes a workforce a positive factor for business prospects. (Plan CC, Goal 2, Strategy 3, page 36.)
- 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. (Northwest Area Development Plan, B.1.D., page 13.)

Department Comments:

- Commercial development is existing along Northwest Boulevard.
- Commercial development is preferred at nodal points, however the Northwest ADP recognizes the continuance for commercial uses along Northwest Boulevard, with carefully managed flow/access.
- The development would accommodate the continuous growth and could provide for locational needs.

Planning Commission and Staff Recommendation (January 11, 2017):

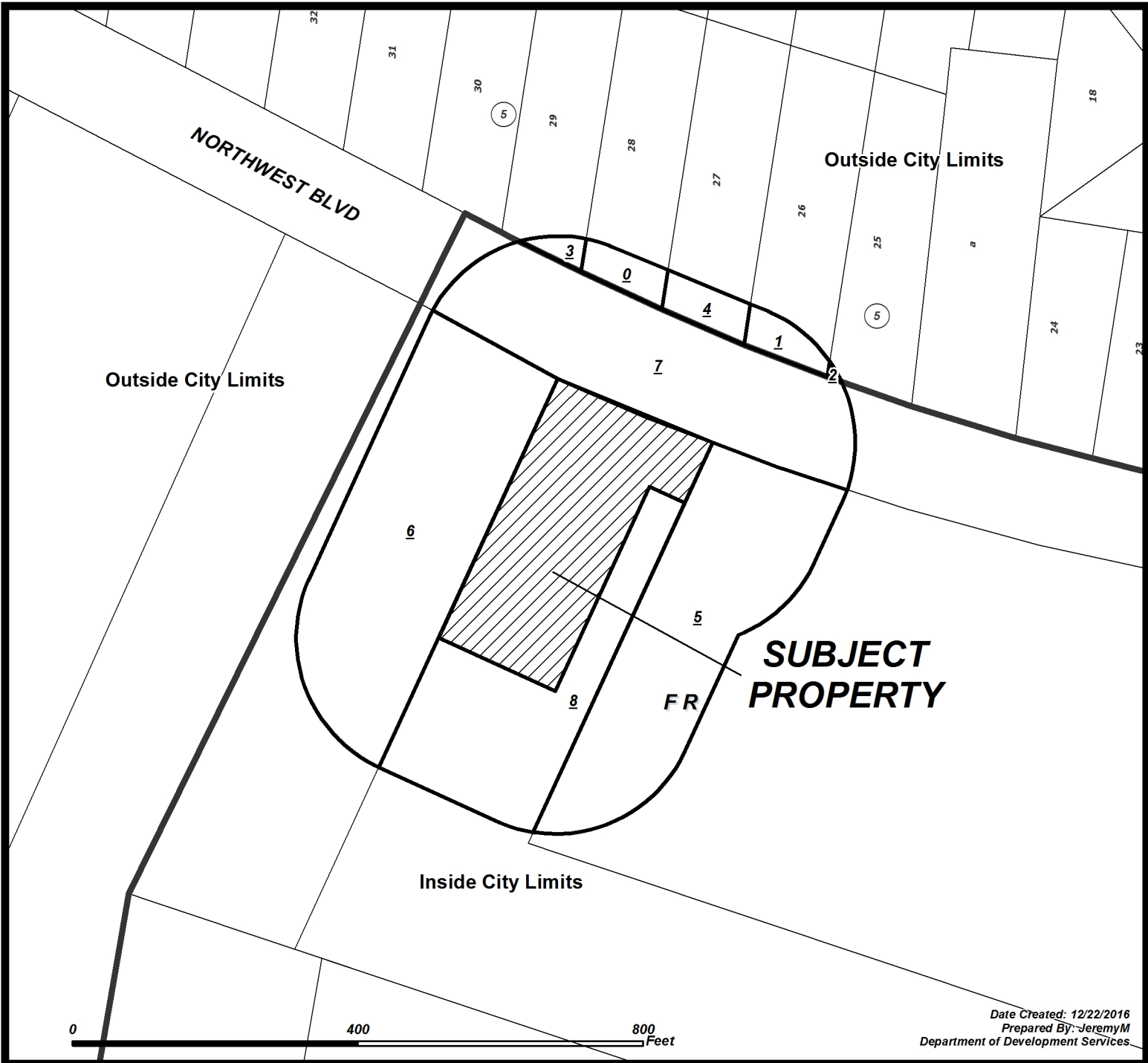
Approval of the change of zoning from the “FR” Farm Rural to “CG-2” General Commercial District.

Vote Results:

For: 9
Opposed: 0
Absent: 0

Public Notification	Number of Notices Mailed – 8 within 200’ notification area; 1 outside notification area
	<u>As of January 4, 2017:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
	For 0.00% in opposition.

- Attachments:
1. Location Map (Existing Zoning & Notice Area)
 2. Application
 3. Returned Opposition/Support (if any)



CASE: 0117-05

ZONING & NOTICE AREA

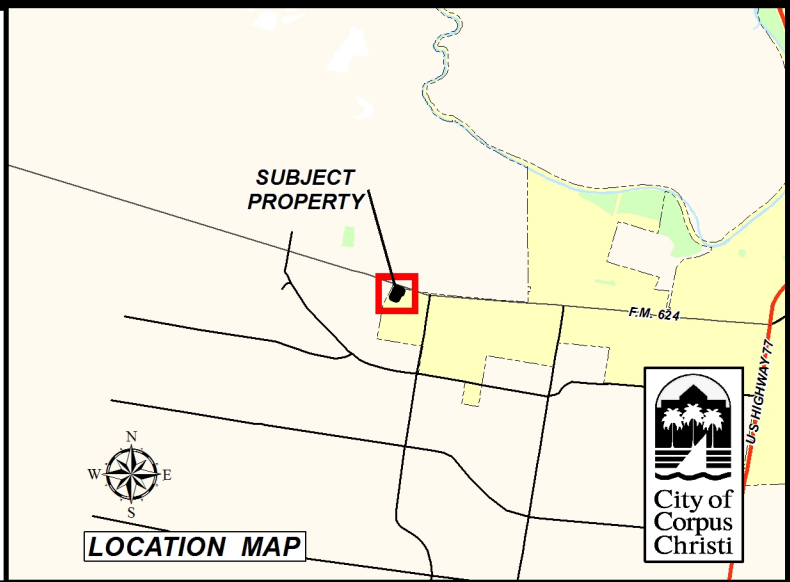
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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

X Owners in opposition





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.: 0117-05 Map No.: _____

PC Hearing Date: January 11, 2017 Proj.Mgr: L. Sheldon

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: MELDEN & HUNT, INC Contact Person: KELLEY HELLER-VELA, P.E.
 Mailing Address: 115 W. MCINTYRE ST.
 City: EDINBURG State: TX ZIP: 78541 Phone: (956) 381-0981
 E-mail: [REDACTED] Cell: (361) 992-9199

2. Property Owner(s): GEORGE TINTERA & WIFE, PING JUNG TINTERA Contact Person: _____
 Mailing Address: 6825 ASWAN
 City: CORPUS CHRISTI State: TX ZIP: 78412 Phone: (361) 992-0587
 E-mail: [REDACTED] Cell: (_____) _____

3. Subject Property Address: FM RD #624 (NW FREEWAY) Area of Request (SF/acres): 1.776 acres
 Current Zoning & Use: AGRICULTURE/OPEN LAND Proposed Zoning & Use: CG-2 GENERAL COMMERCIAL DISTRICT/DG STORE
 12-Digit Nueces County Tax ID: 9 13 6 - 00 04 - 05 1 3
 Subdivision Name: _____ Block: _____ Lot(s): _____
 Legal Description if not platted: 1.776 ACRES OUT OF SECTION 4, WADE RIVERSIDE SUBDIVISION VOLUME 19, PAGE 407, N.C.D.R., CORPUS CHRISTI, NUECES COUNTY, TEXAS

4. Submittal Requirements:
 Early Assistance Meeting: Date Held 11/17/2016 ; with City Staff 11/17/2016
 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.

Kelley A Heller-Vela
 Owner or Agent's Signature
Kelley A. Heller-Vela
 Owner or Agent's Printed Name

Kelley A Heller-Vela
 Applicant's Signature
Kelley A. Heller-Vela
 Applicant's Printed Name

Office Use Only: Date Received: 12/20/16 Received By: _____ ADP: _____
 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.

EXISTING USE IS OPEN LAND. THE SITE IS PROPOSED FOR A SINGLE-LOT COMMERCIAL RETAIL DEVELOPMENT FOR A PROPOSED 9,100 S.F DOLLAR GENERAL STORE. THE PROPOSED BUILDING HEIGHT IS 18'-6". A PROPOSED SITE PLAN IS ATTACHED, SHOWING 36 PARKING SPACES. THE ENTIRE SITE (BUILDING AND PARKING) WILL BE CONSTRUCTED AT THE SAME TIME, NEXT SPRING. TYPICALLY THERE ARE 8 EMPLOYEES (APPROXIMATELY 2-3 IN EACH SHIFT) AND THE STORE HOURS ARE 8:00 A.M. TO 10:00 P.M. THERE WILL BE A LIGHTED PYLON SIGN LOCATED NEAR THE ENTRANCE. THIS SITE WILL HAVE SHARED ACCESS TO HIGHWAY 624/NORTHWEST BOULEVARD WITH THE REMAINDER TRCT.

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

North - RESIDENTIAL (LOW DENSITY)

South - OPEN LAND (AGRICULTURAL)

East - OPEN LAND (AGRICULTURAL)

West - COMMERCIAL



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: MELDEN & HUNT, INC.

STREET: 115 W. MCINTYRE CITY: EDINBURG ZIP: 78541

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>N/A</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>N/A</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>N/A</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>N/A</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: Kelley A Heller-Vela Title: Vice President
(Print Name)

Signature of Certifying Person: Kelley A Heller-Vela Date: 12/15/16



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: GEORGE TINTERA & WIFE PING JUNG TINTERA
STREET: 6825 ASWAN CITY: CORPUS CHRISTI ZIP: 78412
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".

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_____	_____

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Name	Title
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_____	_____

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Name	Consultant
<u>N/A</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: George Tintera / Ping Jung Tintera Title: owners
(Print Name)

Signature of Certifying Person: [Handwritten Signatures] Date: 12-13-16



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): 1.776 ACRES OUT OF SECTION 4, WADE RIVERSIDE SUBDIVISION, _____

Applicant Name: MELDEN & HUNT, INC _____

Address: 115 W. MCINTYRE ST. _____ City/State/Zip: EDINBURG, TX 78541 _____

Telephone: 956-381-0981 _____ Email: kelley@meldenandhunt.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
1.776	ACRES	AGRICULTURE	OPEN					

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
1.776	ACRES	COMMERCIAL	DOLLAR GENERAL	815	5-48	50	5.57	51
Total							Total	

Abutting Streets

Street Name	Access Proposed To Street?	Pavement Width (FT)	ROW Width (FT)
HIGHWAY 624/NORTHWEST BOULEVARD	YES	82.5'	150'

- 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.

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Melden & Hunt Inc. (Kelley A. Heller-Vela, P.E.)

Mailing Address: 115 W Mc Intyre St.

City: Edinburg State: TX Zip: 78541

Home Phone: () Business Phone: 956, 381-0981 Cell: ()

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the entity.

*Signature of Agent: Kelley A. Heller-Vela Title: Vice President, Meldena, Hunt, etc.

Printed/Typed Name of Agent: Kelley A. Heller-Vela Date: 12/13/16

*Signature of Property Owner: [Signature] Title: Owner

Printed/Typed Name of Property Owner: George D Tinera Date: 12-13-16

*Signature of Property Owner: [Signature] Title: owner

Printed/Typed Name of Property Owner: Ping Jung Tinera Date: 12/13/16

*Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

*Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.