



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of November 12, 2013
Second Reading Ordinance for the City Council Meeting of November 19, 2013

DATE: October 25, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
MarkVV@cctexas.com
(361) 826-3189

**Rezoning Near Cabaniss Field from Single-Family Residential
To Compatible Commercial
By the City of Corpus Christi
Property Addresses: 6921 and 7522 Weber Road**

CAPTION:

Case No. 0713-02 City of Corpus Christi: A change of zoning from the "RS-6" Single-Family 6 District to the "CC" Commercial Compatible District. The property is described as being an approximately 82-acre tract of land out of Lots 3 and 4, Section 12, and Lot 1, Section 18, Bohemian Colony Lands, located along the south side of Weber Road, and along the east and west sides of Yorktown Boulevard.

PURPOSE:

The purpose of this item is to rezone the subject properties to a zoning district that is compatible with Navy flight patterns and consistent with the City's Comprehensive Plan.

RECOMMENDATION:

Planning Commission and Staff Recommendation (September 25, 2013):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CC" Commercial Compatible District.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the City of Corpus Christi is proposing the rezoning of private properties from the "RS-6" Single-Family 6 District to the "CC" Commercial Compatible District. The "CC" District was created in December 2012 for use on properties where there is a potential threat to public health and safety and where

residential uses or uses that congregate large groups of people should be avoided. The current "RS-6" District allows residential dwellings with a minimum lot size of 6,000 square feet. Other permitted uses in the "RS-6" District include churches and schools.

This rezoning will create greater compatibility with and protect public health and safety under Navy flight patterns. The properties being rezoned are located under an Accident Potential Zone 1 (APZ-1) as defined in the Navy's 2009 Air Installation Compatible Use Zone Study. The study recommends that residential uses or uses that could congregate large groups of people be prohibited under an APZ-1. Prior to the Navy's 2009 AICUZ Study, the subject properties were not located in an Accident Potential Zone due to different flight patterns used by pilots prior to 2009.

As a follow up to the 2009 Navy AICUZ Study, the City conducted a Joint Land Use Study (JLUS) that was adopted by Council on October 8, 2013. JLUS recommendation LU-3B recommends that the City rezone undeveloped property in the Accident Potential Zones around Cabaniss Field to ensure that new development is compatible with the Navy's operations. Rezoning the subject properties to the "CC" District will help prevent incompatible developments under the Cabaniss Field Runway 31 flight pattern.

Rezoning to the "CC" District will allow a wide variety of commercial uses including: retail uses, leasing or renting consumer home and business goods, social service uses provided there are no residents, commercial parking, office uses, personal service uses, repair-oriented service uses, shopping centers, vehicle sales and service uses, wholesale trade uses, and many other uses. Dwellings, schools, churches, bars, restaurants or uses that congregate large groups of people are not permitted. Rezoning to the "CC" Commercial Compatible District will help to protect public health, safety and welfare by preventing new uses that are not compatible with Navy use guidelines.

Opposition to this rezoning currently stands at 66% of the land area being rezoned.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed rezoning is consistent with the City's adopted Comprehensive Plan and NAS Corpus Christi Joint Land Use Study (JLUS). The JLUS was adopted by Council on October 8, 2013.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

Aerial Overview Map
Zoning Report with Attachments
Ordinance with Exhibits