

# PLANNING COMMISSION FINAL REPORT

Case No. 0319-01

INFOR No. 19ZN1003

**Planning Commission Hearing Date:** March 6, 2019

<b>Applicant &amp; Legal Description</b>	<p><b>Owner:</b> Greer Evans and Halaj Trust  <b>Applicant:</b> Greer Evans  <b>Location Address:</b> 5813 and 6001 Old Brownsville Road  <b>Legal Description:</b> Being 51.77 acre tract situated in Corpus Christi, Nueces County, Texas, generally described as portions of Lots 4, 5, 10 and 11, of the W.O. Womack Farm Lots as shown by map or plat thereof recorded in Volume A, Page 50, of the Map Records of Nueces County, Texas and being a portion of that 140.38 acre tract described in the general Warranty Deed to Charles L. Kosarek, Jr., Joshua Kosarek, and Karen K. Kosarek Clark, and being a 201.17 acre tract situated in Corpus Christi, Nueces County, Texas, a portion of Lots 4 thru 10 and portions of 12, 13, and 14, of the W.O. Womack Farm Lots as shown by map or plat thereof recorded in Volume A, Page 50, of the Map Records of Nueces County, Texas, located on the east side of Old Brownsville Road, north of Saratoga Boulevard (State Highway 357), and south of South Padre Island Drive (State Highway 358).</p>			
<b>Zoning Request</b>	<p><b>From:</b> "FR" Farm Rural District and "RS-6" Single-Family 6 District  <b>To:</b> "IL" Light Industrial District  <b>Area:</b> 252.94 acres  <b>Purpose of Request:</b> To allow for the construction of a light industrial park.</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>	"FR" Farm Rural and "RS-6" Single-Family 6	Vacant	Medium Density Residential
	<i>North</i>	"IL" Light Industrial and "IH" Heavy Industrial	Heavy Industrial	Heavy Industrial
	<i>South</i>	"FR" Farm Rural	Vacant	Medium Density Residential
	<i>East</i>	"IL" Light Industrial and "RS-6" Single-Family 6	Vacant	Medium Density Residential
	<i>West</i>	"FR" Farm Rural and "IL" Light Industrial	Vacant	Medium Density Residential
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Westside Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "IL" Light Industrial District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.  <b>Map No.:</b> 052039  <b>Zoning Violations:</b> None</p>			

<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 200 feet of street frontage along Old Brownsville Road which is designated as an “A3” Primary Arterial Street. According to the Urban Transportation Plan, A3” Primary Arterial Streets can convey a capacity between 30,000 to 48,000 Average Daily Trips (ADT).				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume</b>
	<b>Old Brownsville Road</b>	“A3” Primary Arterial	130’ ROW 79’ paved	130’ ROW 53’ paved	6,737 ADT (2014)

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “FR” Farm Rural District and the “RS-6” Single-Family District Light Industrial District to the “IL” Light Industrial District to allow for the construction of a light industrial park.

**Development Plan:** The subject property is 252.94 acres in size. The owner is proposing a light industrial park and that the land will ultimately be subdivided into lots for light industrial uses such as, service companies and small construction companies. The property will be platted and include City utilities. The dedicated but unimproved road easements that traverse the property will be closed and/or be included into the new subdivision.

**Existing Land Uses & Zoning:** The subject property is currently zoned “FR” Farm Rural District and “RS-6” Single-Family 6 District, consists of vacant land, and has remained relatively undeveloped since annexation in 1962. To the north are properties zoned “IL” Light Industrial District and “IH” Heavy Industrial District and consists of moving company and granite facility. To the south are a vacant properties zoned “FR” Farm Rural District. Separating the subject property from the southern properties is the Kelly Drainage Channel. The Kelly Drainage Channel has a drainage right-of-way width of approximately 310 feet and a depth of 11.25 feet. To the east are a vacant properties in which a majority are zoned “IL” Light Industrial District and a few are zoned “RS-6” Single-Family 6 District. To the west are a vacant properties zoned “FR” Farm Rural District.

**AICUZ:** The subject property **is** located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Plat Status:** The property is **not** platted.

**Utilities:**

**Water:** 8-inch ACP line located along Old Brownsville Road.

**Wastewater:** No wastewater access is located along the subject property. However, a lift station is located 2,700 feet to the northeast along Old Brownsville Road.

**Gas:** 16-inch Service Line located along Old Brownsville Road.

**Storm Water:** Kelly Drainage Channel along the southern property line has a drainage right-of-way width of approximately 310 feet and a depth of 11.25 feet.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Westside Area Development Plan and is planned for Medium Density Residential uses. The proposed rezoning to the “IL” Light Industrial 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:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- 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).
- Adopt appropriate regulations consistent with the recommendations of the Joint Land Use Study. (Future Land Use, Zoning, and Urban Design Policy Statement 4).
- Continue to consider the compatibility of proposed uses with military airfield operations when making decisions on rezoning requests. (Future Land Use, Zoning, and Urban Design Policy Statement 4).
- Avoid development that is incompatible with the operation of military airfields and the airport. (Future Land Use, Zoning, and Urban Design Policy Statement 4).

**Department Comments:**

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood. However, considerations should be taken in regards to the proximity to the Corpus Christi International Airport (CCIA).
- The subject property is approximately 9,300 feet away from the end of runway 13.
- Roughly, the southern half of the subject property is located within Accident Potential Zone 2 (APZ-2) of the Air Installation Compatibility Use Zone (AICUZ) map. Staff is recommending the use of the “IC” Industrial Compatible District which will limit the uses related to the congregating of people and also limit the size of buildings to a specific Floor Area Ratio (FAR).
- The compatible districts were created to prohibit uses that congregate large groups of people, unscreened outdoor storage, or uses that create nuisance factors of dust, odor and noise associated with certain business and manufacturing uses.
- The “IC” District prohibits assembly, overnight accommodations, and fuel storage. The “IC” District also limits size of retail, office, and restaurants.

- The applicant will be required to request a determination of hazards from the Federal Aviation Administration (FAA) if applicable in regards to height for each structure constructed on the subject property.

**Planning Commission and Staff Recommendation (March 6, 2019):**

Tract 1: Denial of the change of zoning from the “FR” Farm Rural District and the “RS-6” Single-Family District to the “IL” Light Industrial District, in lieu thereof, approval of the “IC” Industrial Compatible District.

Tract 2: Approval of the change of zoning from the “RS-6” Single-Family District to the “IL” Light Industrial District.

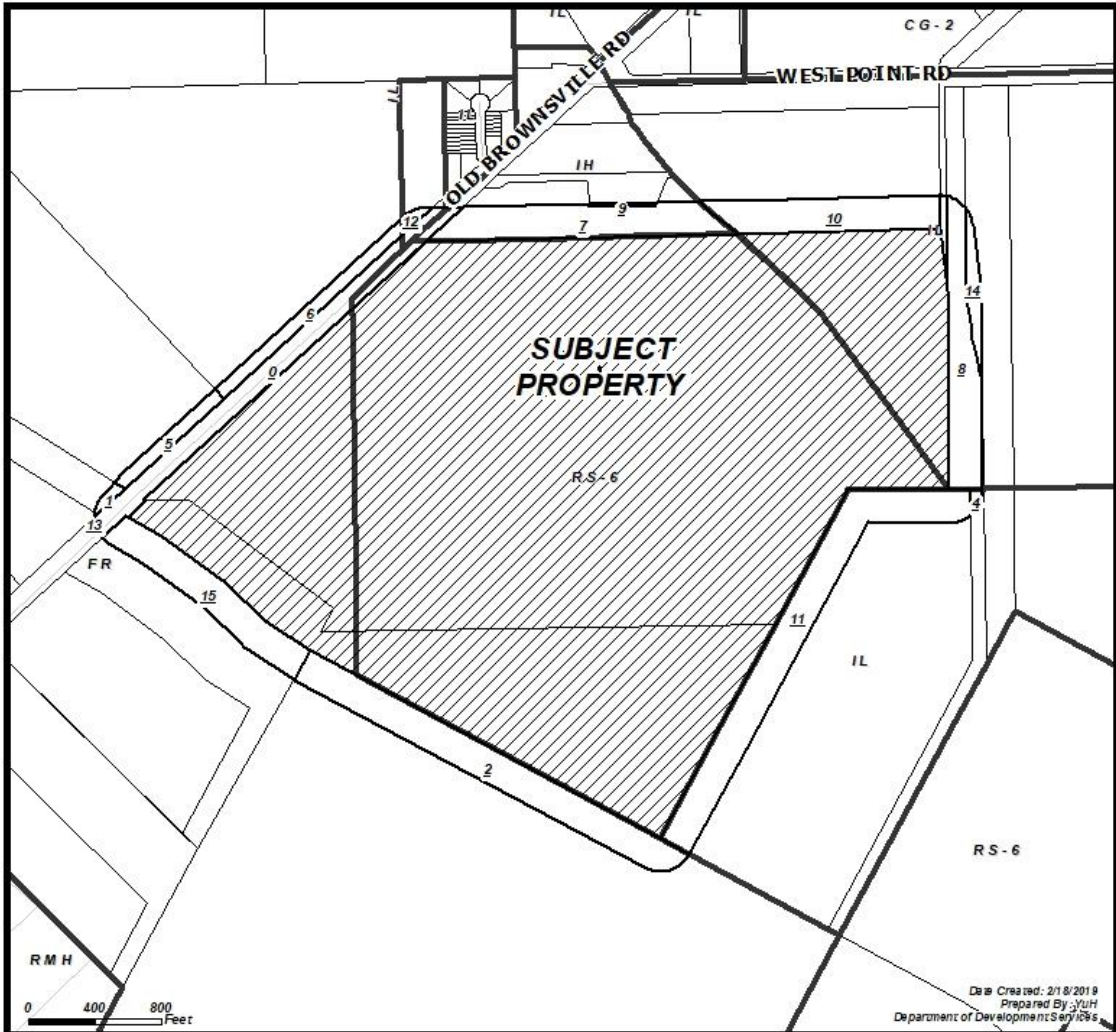
**Vote Results:**

For: 8  
Opposed: 0  
Absent: 1  
Abstained: 0

<b>Public Notification</b>	Number of Notices Mailed – 15 within 200-foot notification area 5 outside notification area
	<b><u>As of March 1, 2019:</u></b>
	In Favor – 1 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:**

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

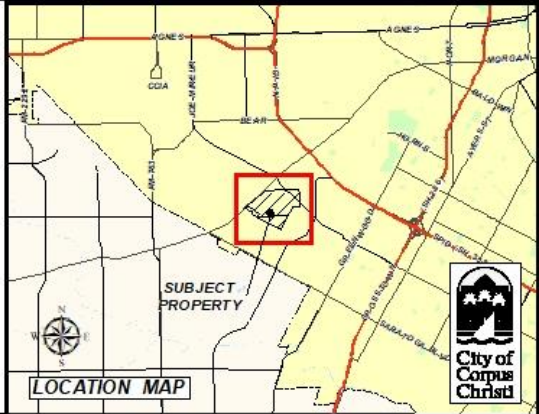


Date Created: 2/18/2019  
Prepared By: YUH  
Department of Development Services

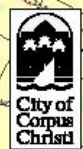
**CASE: 0319-01  
ZONING & NOTICE AREA**

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-8 Single-Family 8
CM-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CM-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
CSD 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 with 200' listed on attached ownership table
- X** Owners in opposition



LOCATION MAP



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. 0319-01**

**Greer Evans and Halaj Trust** has petitioned the City of Corpus Christi to consider a change of zoning from the "**FR**" Farm Rural District and the "**RS-6**" Single-Family 6 District to the "**IL**" Light Industrial District, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

5813 and 6001 Old Brownsville Road and Being a 51.77 acre tract situated in Corpus Christi, Nueces County, Texas, generally described as portions of Lots 4, 5, 10 and 11, of the W.O. Womack Farm Lots as shown by map or plat thereof recorded in Volume A, Page 50, of the Map Records of Nueces County, Texas and being a portion of that 140.38 acre tract described in the general Warranty Deed to Charles L. Kosarek, Jr., Joshua Kosarek, and Karen K. Kosarek Clark, and being a 201.17 acre tract situated in Corpus Christi, Nueces County, Texas, a portion of Lots 4 thru 10 and portions of 12, 13, and 14, of the W.O. Womack Farm Lots as shown by map or plat thereof recorded in Volume A, Page 50, of the Map Records of Nueces County, Texas, located on the east side of Old Brownsville Road, north of Saratoga Boulevard (State Highway 357), and south of South Padre Island Drive (State Highway 368).

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, March 6, 2019**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

**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: Serge Henocque - Manager Blue Cactus Properties, LLC

Address: 5111 N 10<sup>th</sup> Street #188 City/State: McAllen, TX 78504

IN FAVOR      ( ) IN OPPOSITION      Phone: (956) 624-8171

REASON:

Serge Henocque  
Signature      Serge Henocque  
Manager  
Blue Cactus Properties, LLC

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 19ZN1003  
Property Owner ID: 6

Case No. 0319-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com