

STAFF REPORT

Case No. 0715-01
 HTE No. 15-10000037

Planning Commission Hearing Date: July 15, 2015

Applicant & Legal Description	<p>Applicant/Representative: Joe A. Ortiz Property Owner: Guadalupe Leon and Maria Del Carmen Leon Legal Description/Location: Being a 1.523 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Airline Road between Brooke Road and Wall Street.</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "RE" Residential Estate District Area: 1.523 acres Purpose of Request: To allow an existing residence to connect to the public water and sewer utilities recently installed along this portion of Airline Road.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"FR" Farm Rural District	Estate Residential	Medium Density Residential
<i>North</i>		"FR" Farm Rural District	Public/Semi-Public	Public/Semi-Public
<i>South</i>		"FR" Farm Rural District	Estate Residential	Medium Density Residential
<i>East</i>		"FR" Farm Rural District	Estate Residential	Medium Density Residential
<i>West</i>		"CN-1" Neighborhood Commercial, "RM-3" Multifamily 3 and "RM-2" Multifamily 2	Vacant, Medium Density and Drainage Corridor	Commercial, High Density Residential and Drainage Corridor
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 medium density residential uses. The proposed rezoning to the "RE" Residential Estate District is not consistent with the adopted Future Land Use Plan but is consistent with the Southside Area Development Plan. Map No.: 042031 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 750 feet of street frontage along Airline Road, which is an "A1" Minor Arterial Undivided street. The maximum average daily trips for an "A1" is 15,000 to 24,000.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Airline Rd.	"A1" Minor Arterial Undivided	95' ROW 64' paved	95' ROW 67' paved	3,301 ADT

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "FR" Farm Rural District to the "RE" Residential Estate District to allow platting and connection to public infrastructure for existing residence.

Existing Land Uses & Zoning: North of the subject property is zoned "FR" Farm Rural with the public/semi-public use of Brighton Park Baptist Church. South and east of the subject property is zoned "FR" Farm Rural and consists of a portion of the property being used as a residential estate. West across Airline Road from the subject property is zoned "CN-1" Neighborhood Commercial District which is vacant, "RM-3" Multifamily 3 District with a 60-unit apartment complex under construction and "RM-2" Multifamily 2 District which is vacant.

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

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "RE" Residential Estate District is consistent with elements of the Comprehensive Plan, but not the adopted Future Land Use Plan's designation of the property as medium density residential. However, the following are pertinent elements of the Comprehensive Plan and should be considered:

Residential Policy (a) and (l)

- Each neighborhood of the city shall be protected and/or improved so as to be a desirable and attractive residential environment.
- Public facilities should be maintained and improved in existing residential areas.

Plat Status: The subject property needs to be platted.

Department Comments:

- It is staff's opinion that the proposed rezoning would not negatively impact the surrounding properties, even though the property to be rezoned is not consistent with the Future Land Use Plan's designation of the property as a medium density residential use.
- The Residential Estate rezoning request is an increase in density from the Farm Rural existing zoning. If the property is ever redeveloped, more density could be supported (according to today's Future Land Use Map.)
- An "RE" District allows compatibility and conformity with the surrounding existing "FR" zoning and existing church to the north.

- Staff’s opinion the Residential Estate zoning is suitable for the use permitted by the zoning district.

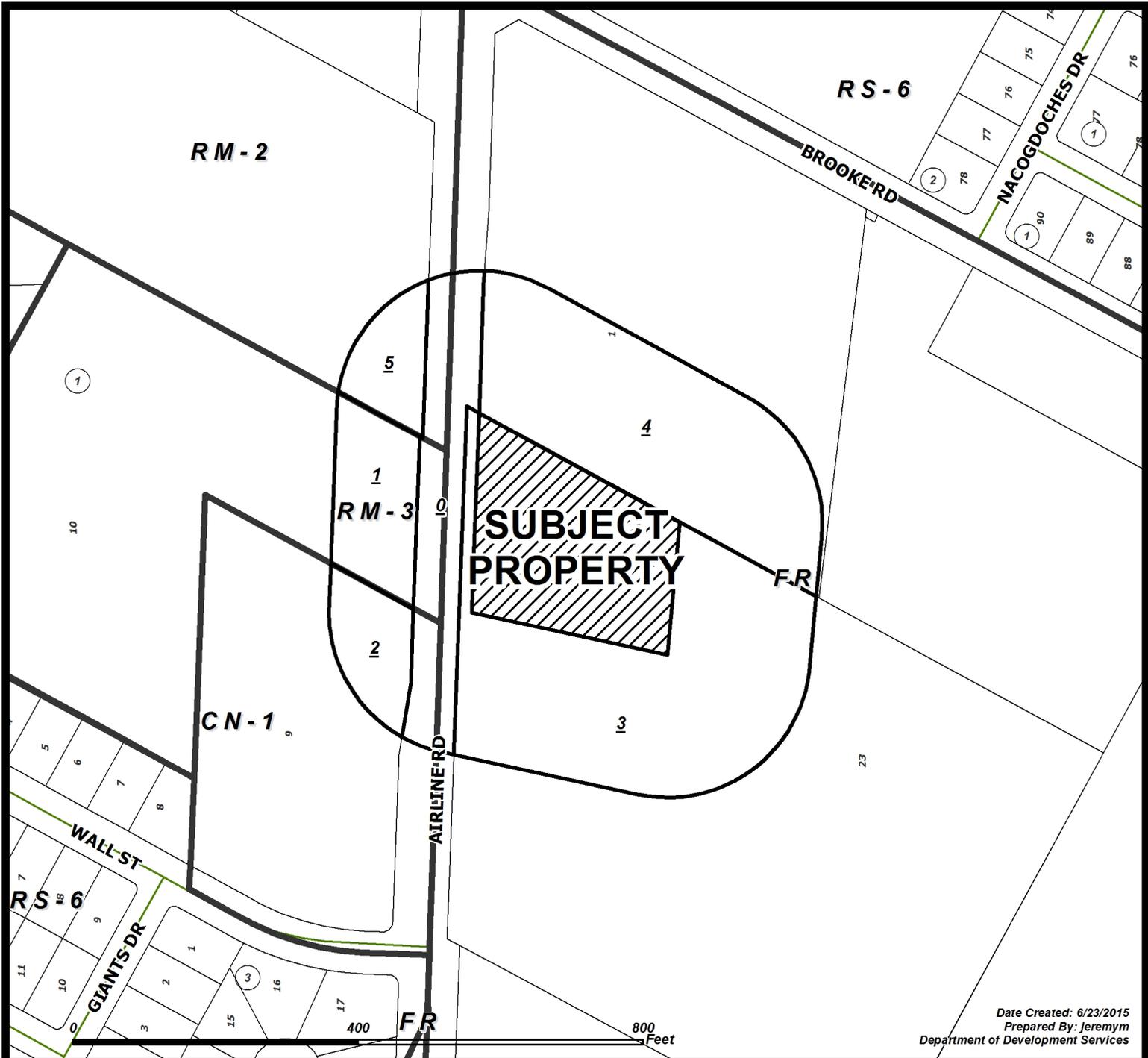
Staff Recommendation:

Approval of the change of zoning from the “FR” Farm Rural District to the “RE” Residential Estate District.

Public Notification	Number of Notices Mailed – 5 within 200-foot notification area 7 outside notification area
	<u>As of July 8, 2015:</u>
	In Favor – 0 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:

1. Location Map (Existing Zoning & Notice Area)
2. Application



Date Created: 6/23/2015
 Prepared By: Jeremym
 Department of Development Services

CASE: 0715-01 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
4 Owners within 200' listed on attached ownership table
 Owners in opposition





CITY OF CORPUS CHRISTI
DEVELOPMENT SERVICES

P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street
(Corner of Leopard Street and Port Avenue)

Office Use Only

APPLICATION FOR A CHANGE OF ZONING

Case No.: _____ Map No.: _____

*Planning Commission Hearing Date: _____

Location: **City Hall Council Chambers, 1201 Leopard Street at 5:30 p.m.**
**A maximum of five applications are scheduled per hearing. Applications received after the five maximum will be scheduled to the next available meeting.*

1. Applicant/Representative: _____ Telephone: (____) _____
Address (City, State, Zip): _____
E-mail Address: _____ Cell Phone: (____) _____

2. Property Owner(s): _____ Telephone: (____) _____
Address (City, State, Zip): _____
E-mail Address: _____ Cell Phone: (____) _____
Ownership Type: Sole Partnership Corporation Other: _____

3. Current Zoning and Use: _____ Proposed Zoning and Use: _____
Project Address: _____ Area of Request (sq. ft./acres): _____
12-Digit Nueces County Tax ID: _____
If platted, Subdivision Name: _____ Block: _____ Lot(s): _____
Legal description: _____

4. DOCUMENTS ATTACHED

REQUIRED: Land Use Statement Disclosure of Interest Copy of Warranty Deed

IF APPLICABLE: Executed Appointment of Agent

Metes and bounds if request is for a portion of a platted lot or an unplatted lot

I certify that the information provided is accurate, correct and signed by all owners.

Maria del Carmen Leon
(Owner's Signature)

(Applicant's Signature)

Maria del Carmen Leon
(Owner's Printed Name)

(Applicant's Printed Name)

All signatures on this application shall be original signatures. No copied prints or faxed copies.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Application Fees (as of November 1, 2011):

0.00 - 0.99 acre \$ 1,107.50
1.00 - 9.99 acres \$ 1,692.50
10.00 - 24.99 acres \$ 1,976.75
25 + acres \$ 1,976.75 plus \$50.00 per acre
 over 25 acres

Notice Sign Fee \$10.00 per sign

Office Use Only

Date Received: _____ Received By: _____

Application Fee: _____

No. Signs Required _____ X \$10 Sign Fee: _____

Total: _____

Sign Posting Date: _____ ADP: _____

Form Revised 8/24/12



P.O. Box 9277
Corpus Christi, TX 78469-9277
(361) 826-3240
Located at: 2406 Leopard St.

LAND USE STATEMENT

Complete land use statement form containing the following information:

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.

This will be for Residential use.

There is an existing structure.

Owner is trying to replat
a 1.5 Acre tract around Existing
Single Family Home.

Current zoning will not let
less than 5.0 Acre Lot.

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

North - Commercial Land (Church)
South - Farm - Vacant
East - Farm - Vacant
West - Commercial - Vacant



CITY OF CORPUS CHRISTI
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".

FIRM NAME Guadalupe Leon
STREET: 3522 DIVINE RD CITY: CORPUS CHRISTI ZIP: 78414
FIRM is: 1. Corporation _____ 2. Partnership _____ 3. Sole Owner / 4. Association _____
5. 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) _____
N/A _____

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 _____
N/A _____

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 _____
N/A _____

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 _____
N/A _____

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: Guadalupe Leon Title: owner
(Type or Print)

Signature of Certifying Person: Guadalupe Leon Date: 10-3-2014



**CITY OF CORPUS CHRISTI
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".

FIRM NAME Maria Del Carmen Leon
 STREET: _____ CITY: _____ ZIP: _____
 FIRM is: 1. Corporation _____ 2. Partnership _____ 3. Sole Owner _____ 4. Association _____
 5. 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>NA</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>NA</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>NA</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>NA</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: Maria del Carmen Leon Title: _____
 (Type or Print)

Signature of Certifying Person: Maria del Carmen Leon Date: 3-6-15

**STATE OF TEXAS
COUNTY OF NUECES**

Field Notes of a 1.523 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, as shown on a map recorded in Volume "A", Pages 41 – 43, Map Records Nueces County, Texas. Said 1.523 acres also being out of a 2.49 acre tract of land described in a Special Warranty Deed recorded in Document No. 749048, Deed Records Nueces County, Texas. Said 1.523 acres being more particularly described as follows:

COMMENCING at the intersection of Airline Road and Brooke Road, **THENCE** with the center of Airline Road, South $02^{\circ}07'30''$ West, a distance of 597.37 feet to a point in the center of Airline Road, **THENCE** South $61^{\circ}20'49''$ East, a distance of 52.96 feet to a $5/8''$ iron rod found in the northeast right of way of Airline Road, for the southwest corner of Lot 1, Brighton Park Baptist Church, as shown on a map recorded in Volume 65, Page 15, Map Records Nueces County, Texas, for the northwest corner of this survey, and for the **POINT OF BEGINNING**.

THENCE with the south line of Lot 1, Brighton Park Baptist Church, as shown on a map recorded in Volume 65, Page 15, Map Records Nueces County, Texas, South $61^{\circ}20'49''$ East, a distance of 320.81 feet to a $5/8''$ iron rod set in the south line of said Lot 1, for the northeast corner of this survey.

THENCE South $05^{\circ}14'35''$ West, a distance of 186.79 feet to a $5/8''$ iron rod set for the southeast corner of this survey.

THENCE North $77^{\circ}47'20''$ West, a distance of 281.22 feet to $5/8''$ iron rod found in the northeast right of way of Airline Road for the southwest corner of this survey.

THENCE with the northeast right of way of Airline Road, North $02^{\circ}07'30''$ East, a distance of 280.55 feet to the **POINT of BEGINNING** of this survey, and containing 1.523 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day January 8, 2015 and is correct to the best of my knowledge and belief.

Ronald E. Brister

Ronald E. Brister, RPLS No. 5407
Date: January 8, 2015.



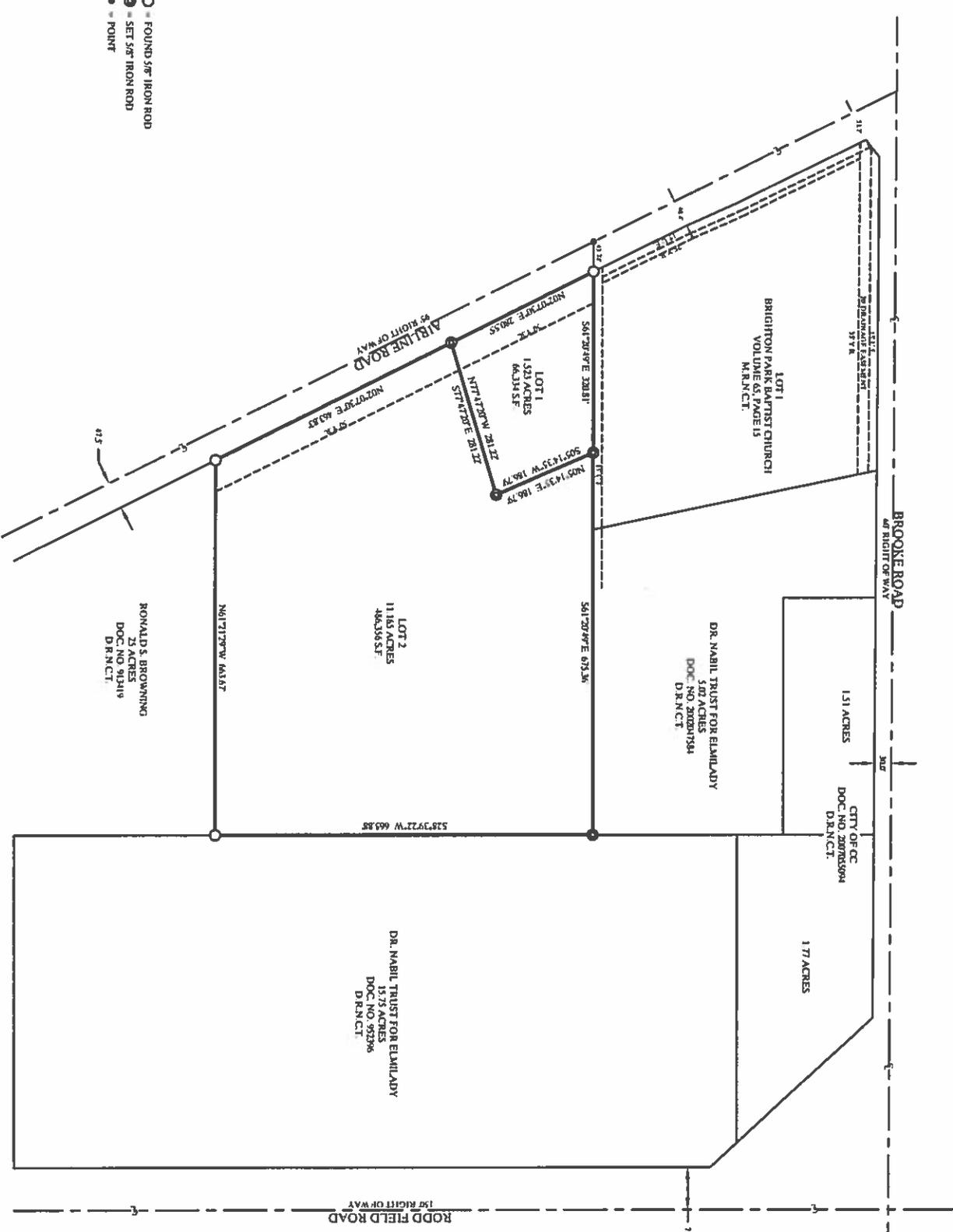


BEING A REPEAT OF 12.64 ACRES OF LAND OUT OF LOTS 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 21AA, 21AB, 21AC, 21AD, 21AE, 21AF, 21AG, 21AH, 21AI, 21AJ, 21AK, 21AL, 21AM, 21AN, 21AO, 21AP, 21AQ, 21AR, 21AS, 21AT, 21AU, 21AV, 21AW, 21AX, 21AY, 21AZ, 21BA, 21BB, 21BC, 21BD, 21BE, 21BF, 21BG, 21BH, 21BI, 21BJ, 21BK, 21BL, 21BM, 21BN, 21BO, 21BP, 21BQ, 21BR, 21BS, 21BT, 21BU, 21BV, 21BW, 21BX, 21BY, 21BZ, 21CA, 21CB, 21CC, 21CD, 21CE, 21CF, 21CG, 21CH, 21CI, 21CJ, 21CK, 21CL, 21CM, 21CN, 21CO, 21CP, 21CQ, 21CR, 21CS, 21CT, 21CU, 21CV, 21CW, 21CX, 21CY, 21CZ, 21DA, 21DB, 21DC, 21DD, 21DE, 21DF, 21DG, 21DH, 21DI, 21DJ, 21DK, 21DL, 21DM, 21DN, 21DO, 21DP, 21DQ, 21DR, 21DS, 21DT, 21DU, 21DV, 21DW, 21DX, 21DY, 21DZ, 21EA, 21EB, 21EC, 21ED, 21EE, 21EF, 21EG, 21EH, 21EI, 21EJ, 21EK, 21EL, 21EM, 21EN, 21EO, 21EP, 21EQ, 21ER, 21ES, 21ET, 21EU, 21EV, 21EW, 21EX, 21EY, 21EZ, 21FA, 21FB, 21FC, 21FD, 21FE, 21FF, 21FG, 21FH, 21FI, 21FJ, 21FK, 21FL, 21FM, 21FN, 21FO, 21FP, 21FQ, 21FR, 21FS, 21FT, 21FU, 21FV, 21FW, 21FX, 21FY, 21FZ, 21GA, 21GB, 21GC, 21GD, 21GE, 21GF, 21GG, 21GH, 21GI, 21GJ, 21GK, 21GL, 21GM, 21GN, 21GO, 21GP, 21GQ, 21GR, 21GS, 21GT, 21GU, 21GV, 21GW, 21GX, 21GY, 21GZ, 21HA, 21HB, 21HC, 21HD, 21HE, 21HF, 21HG, 21HH, 21HI, 21HJ, 21HK, 21HL, 21HM, 21HN, 21HO, 21HP, 21HQ, 21HR, 21HS, 21HT, 21HU, 21HV, 21HW, 21HX, 21HY, 21HZ, 21IA, 21IB, 21IC, 21ID, 21IE, 21IF, 21IG, 21IH, 21II, 21IJ, 21IK, 21IL, 21IM, 21IN, 21IO, 21IP, 21IQ, 21IR, 21IS, 21IT, 21IU, 21IV, 21IW, 21IX, 21IY, 21IZ, 21JA, 21JB, 21JC, 21JD, 21JE, 21JF, 21JG, 21JH, 21JI, 21JJ, 21JK, 21JL, 21JM, 21JN, 21JO, 21JP, 21JQ, 21JR, 21JS, 21JT, 21JU, 21JV, 21JW, 21JX, 21JY, 21JZ, 21KA, 21KB, 21KC, 21KD, 21KE, 21KF, 21KG, 21KH, 21KI, 21KJ, 21KK, 21KL, 21KM, 21KN, 21KO, 21KP, 21KQ, 21KR, 21KS, 21KT, 21KU, 21KV, 21KW, 21KX, 21KY, 21KZ, 21LA, 21LB, 21LC, 21LD, 21LE, 21LF, 21LG, 21LH, 21LI, 21LJ, 21LK, 21LL, 21LM, 21LN, 21LO, 21LP, 21LQ, 21LR, 21LS, 21LT, 21LU, 21LV, 21LW, 21LX, 21LY, 21LZ, 21MA, 21MB, 21MC, 21MD, 21ME, 21MF, 21MG, 21MH, 21MI, 21MJ, 21MK, 21ML, 21MN, 21MO, 21MP, 21MQ, 21MR, 21MS, 21MT, 21MU, 21MV, 21MW, 21MX, 21MY, 21MZ, 21NA, 21NB, 21NC, 21ND, 21NE, 21NF, 21NG, 21NH, 21NI, 21NJ, 21NK, 21NL, 21NM, 21NO, 21NP, 21NQ, 21NR, 21NS, 21NT, 21NU, 21NV, 21NW, 21NX, 21NY, 21NZ, 21OA, 21OB, 21OC, 21OD, 21OE, 21OF, 21OG, 21OH, 21OI, 21OJ, 21OK, 21OL, 21OM, 21ON, 21OO, 21OP, 21OQ, 21OR, 21OS, 21OT, 21OU, 21OV, 21OW, 21OX, 21OY, 21OZ, 21PA, 21PB, 21PC, 21PD, 21PE, 21PF, 21PG, 21PH, 21PI, 21PJ, 21PK, 21PL, 21PM, 21PN, 21PO, 21PP, 21PQ, 21PR, 21PS, 21PT, 21PU, 21PV, 21PW, 21PX, 21PY, 21PZ, 21QA, 21QB, 21QC, 21QD, 21QE, 21QF, 21QG, 21QH, 21QI, 21QJ, 21QK, 21QL, 21QM, 21QN, 21QO, 21QP, 21QQ, 21QR, 21QS, 21QT, 21QU, 21QV, 21QW, 21QX, 21QY, 21QZ, 21RA, 21RB, 21RC, 21RD, 21RE, 21RF, 21RG, 21RH, 21RI, 21RJ, 21RK, 21RL, 21RM, 21RN, 21RO, 21RP, 21RQ, 21RR, 21RS, 21RT, 21RU, 21RV, 21RW, 21RX, 21RY, 21RZ, 21SA, 21SB, 21SC, 21SD, 21SE, 21SF, 21SG, 21SH, 21SI, 21SJ, 21SK, 21SL, 21SM, 21SN, 21SO, 21SP, 21SQ, 21SR, 21SS, 21ST, 21SU, 21SV, 21SW, 21SX, 21SY, 21SZ, 21TA, 21TB, 21TC, 21TD, 21TE, 21TF, 21TG, 21TH, 21TI, 21TJ, 21TK, 21TL, 21TM, 21TN, 21TO, 21TP, 21TQ, 21TR, 21TS, 21TT, 21TU, 21TV, 21TW, 21TX, 21TY, 21TZ, 21UA, 21UB, 21UC, 21UD, 21UE, 21UF, 21UG, 21UH, 21UI, 21UJ, 21UK, 21UL, 21UM, 21UN, 21UO, 21UP, 21UQ, 21UR, 21US, 21UT, 21UU, 21UV, 21UW, 21UX, 21UY, 21UZ, 21VA, 21VB, 21VC, 21VD, 21VE, 21VF, 21VG, 21VH, 21VI, 21VJ, 21VK, 21VL, 21VM, 21VN, 21VO, 21VP, 21VQ, 21VR, 21VS, 21VT, 21VU, 21VV, 21VW, 21VX, 21VY, 21VZ, 21WA, 21WB, 21WC, 21WD, 21WE, 21WF, 21WG, 21WH, 21WI, 21WJ, 21WK, 21WL, 21WM, 21WN, 21WO, 21WP, 21WQ, 21WR, 21WS, 21WT, 21WU, 21WV, 21WW, 21WX, 21WY, 21WZ, 21XA, 21XB, 21XC, 21XD, 21XE, 21XF, 21XG, 21XH, 21XI, 21XJ, 21XK, 21XL, 21XM, 21XN, 21XO, 21XP, 21XQ, 21XR, 21XS, 21XT, 21XU, 21XV, 21XW, 21XX, 21XY, 21XZ, 21YA, 21YB, 21YC, 21YD, 21YE, 21YF, 21YG, 21YH, 21YI, 21YJ, 21YK, 21YL, 21YM, 21YN, 21YO, 21YP, 21YQ, 21YR, 21YS, 21YT, 21YU, 21YV, 21YW, 21YX, 21YY, 21YZ, 21ZA, 21ZB, 21ZC, 21ZD, 21ZE, 21ZF, 21ZG, 21ZH, 21ZI, 21ZJ, 21ZK, 21ZL, 21ZM, 21ZN, 21ZO, 21ZP, 21ZQ, 21ZR, 21ZS, 21ZT, 21ZU, 21ZV, 21ZW, 21ZX, 21ZY, 21ZZ

**PLAT OF
LOTS 1 & 2
AIRLINE ACRES**



Brisler Surveying
4401 Eastman Road, Suite 100
Coppell, Texas, 75011
Office: 972.208.1800
Fax: 972.208.1801
www.brislersurveying.com
Professional Surveyors License No. 1877250



- = FOUND 5/8" IRON ROD
- = SET 5/8" IRON ROD
- = POINT