

# PLANNING COMMISSION FINAL REPORT

Case No. 0715-01

HTE No. 15-10000037

Planning Commission Hearing Date: July 15, 2015

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Representative:</b> Joe A. Ortiz  <b>Property Owner:</b> Guadalupe Leon and Maria Del Carmen Leon  <b>Legal Description/Location:</b> 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>			
<b>Zoning Request</b>	<p><b>From:</b> "FR" Farm Rural District  <b>To:</b> "RE" Residential Estate District  <b>Area:</b> 1.523 acres  <b>Purpose of Request:</b> To allow an existing residence to connect to the public water and sewer utilities recently installed along this portion of Airline Road.</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 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
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> 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.  <b>Map No.:</b> 042031  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> 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.

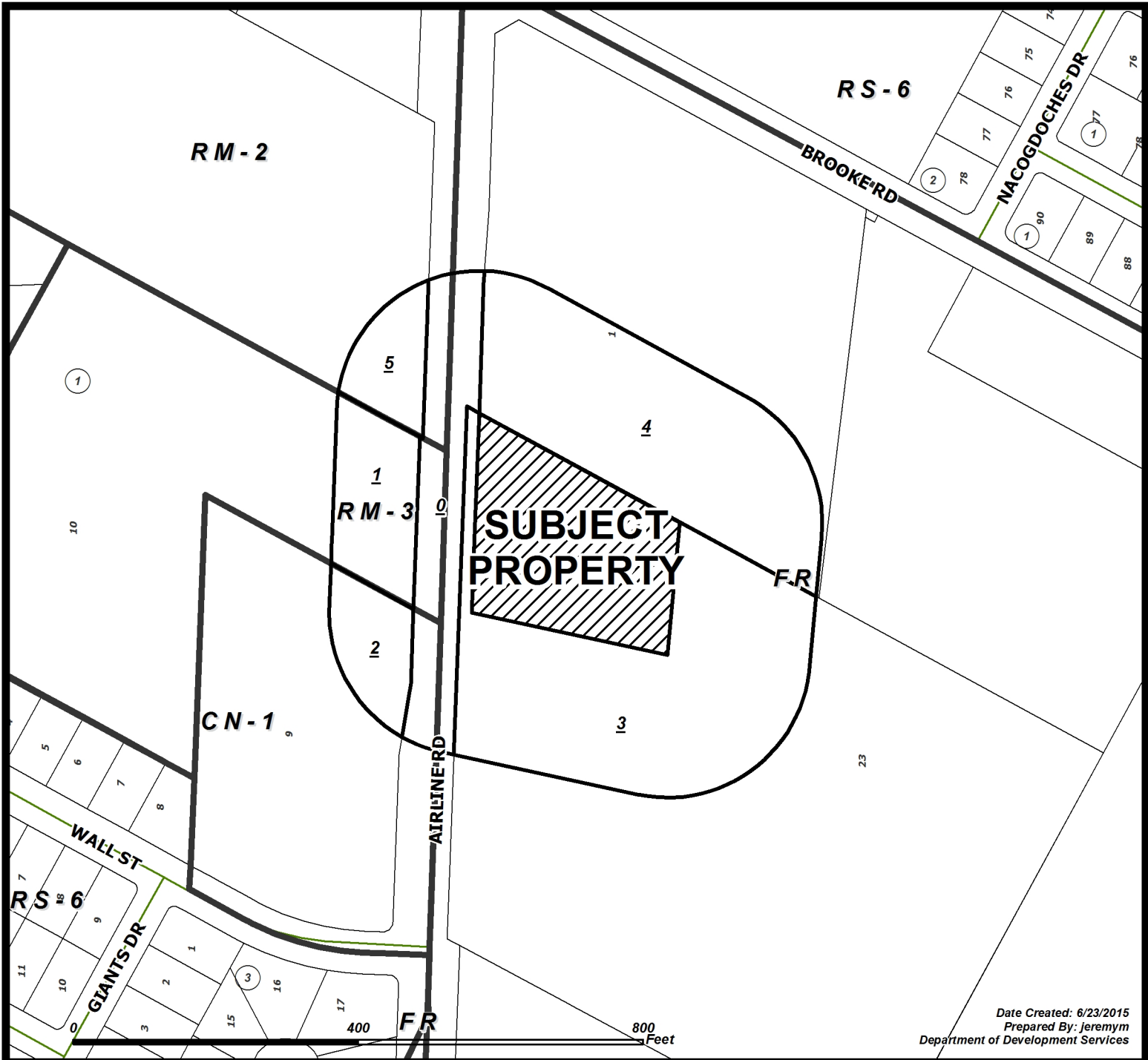
**Planning Commission and Staff Recommendation:**

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

<b>Public Notification</b>	Number of Notices Mailed – 5 within 200-foot notification area 7 outside notification area
	<b><u>As of July 21, 2015:</u></b>
	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

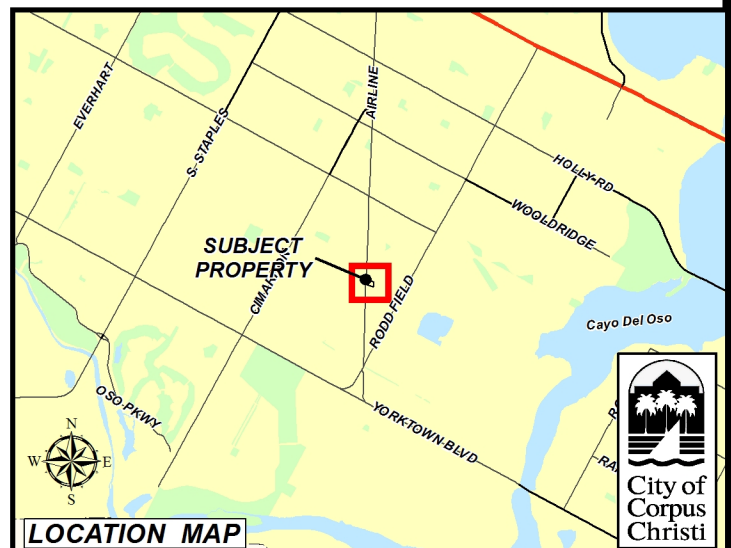


Date Created: 6/23/2015  
 Prepared By: Jeremym  
 Department of Development Services

## 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 within 200' listed on attached ownership table  
 Owners in favor  
 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.: 0715-01 Map No.: 042031

PC Hearing Date: 7-15-15 Proj.Mgr: Jessica

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: Joe A. Ortiz Contact Person: Joe A. Ortiz  
Mailing Address: 3718 Mendenhall  
City: Corpus Christi State: TX ZIP: 78415 Phone: (361) 510-6406  
E-mail: j1aortiz@yahoo.com Cell: (361) 510-6406

2. Property Owner(s): Guadalupe León Contact Person: Joe A. Ortiz  
Mailing Address: 3522 Airline  
City: Corpus Christi State: TX ZIP: 78414 Phone: (361) 563-2277  
E-mail: nleon0981@yahoo.com Cell: (361) 563-2277

3. Subject Property Address: 3522 Airline Rd Area of Request (sq/acs): 1.523 AC  
Current Zoning & Use: FR Proposed Zoning & Use: RE  
12-Digit Nueces County Tax ID: 2476-0020-0210-0235  
Subdivision Name: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_  
Legal Description if not platted: 1.523 AC OUT OF SECT 20, LOTS 22 & 23, FBE FGT

4. Submittal Requirements:  
 Early Assistance Meeting: Date Held 04-17-15; with City Staff Jessica Alfred  
 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 (seated 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.

Guadalupe León  
Owner or Agent's Signature  
Guadalupe León  
Owner or Agent's Printed Name

Joe A. Ortiz  
Applicant's Signature  
Joe A. Ortiz  
Applicant's Printed Name

Office Use Only: Date Received: 5/19/15 Received By: BLP ADP: SS

Rezoning Fee: 1,692.50 + PUD Fee \_\_\_\_\_ + Sign Fee 10.00 = Total Fee \$1702.50

No. Signs Required 1 @ \$10/sign Sign Posting Date: \_\_\_\_\_



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): **See First Page Application**  
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.



