

# ZONING REPORT

Case No.: 0412-03

HTE No. 12-1000013

Planning Commission Hearing Date: April 25, 2012

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> CBH Equity, LLC  <b>Representative:</b> Chris Hamilton  <b>Legal Description/Location:</b> Being approximately 10 acres out of a 13.987-acre tract of land described in a survey of 254.069 acres of land, more or less, out of the west 5/8 of Section or Survey 402, Certificate No. 1739, Patent No. 359, Volume 37, Abstract No. 988 in Nueces County, Texas, located on the northwest corner of South Clarkwood Road and State Highway 44.</p>				
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single Family 6 District  <b>To:</b> "IL" Light Industrial District  <b>Area:</b> Approximately 10 acres, located inside city limits, out of a 13.987-acre tract  <b>Purpose of Request:</b> To allow for construction of a 20,000 sq. ft. pre-engineered metal building for an oilfield service company and for other future light industrial uses.</p>				
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	
	Site	"RS-6" Single-Family 6	Agricultural	Light Industrial	
	North	"RS-6" Single-Family 6	Vacant, Public/Semi-Public, & Low Density Residential	Light Industrial	
	South	"IL" Light Industrial & "RS-6" Single-Family 6	Agricultural & Commercial	Commercial	
	East	"RS-6" Single-Family 6	Vacant & Low Density Residential	Light Industrial	
	West	Outside City Limits	Agricultural	Light Industrial	
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located in the Port/Airport/Violet Area Development Plan (ADP) and is planned for light industrial uses. The proposed change in zoning to the "IL" Light Industrial District is consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 058043  <b>Zoning Violations:</b> None</p>				
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 1,500 feet of frontage along the access road of State Highway 44 (SH 44), which is an existing F1 Freeway as indicated in the Urban Transportation Plan, and 250 feet of frontage on South Clarkwood Road, which is a proposed A3 Primary Arterial.</p>				
<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>
	SH 44	F1 Freeway	400' ROW, varied paved width	360' ROW, 310' paved width at intersection	Year 2005 - 20,838 ADT (Between Rand Morgan & Clarkwood)
	South Clarkwood Road	A3 Primary Arterial	130' ROW, 79' paved width	100' ROW, 65' paved width	Year 2011 - 1,239 ADT (Between Leopard & SH 44)

**Staff Summary:**

- **Requested Zoning:** The applicant has requested a change of zoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District on 13.987 acres of land, located at the northwest corner of SH 44 and S. Clarkwood Rd. This zoning change has been initiated because an oilfield service company is looking to establish its business on approximately 2.5 of the 13.987 acres. The landowner, however, has requested the rezoning of his entire property (13.987 acres) because the entire acreage is anticipated for light industrial uses. The property’s current zoning district, “RS-6” Single-Family 6, does not allow for oilfield service businesses, which are classified as “light industrial services.”

Additionally, only 10 acres of the 13.987-acre site are within the City Limits. Because the City does not have the authority to assign a zoning designation to land outside the city limits even if the site is within the 5-mile Extraterritorial Jurisdiction (ETJ), only the 10-acre portion of the landowner’s property that falls within the City Limits can be rezoned. If the remaining acreage is ever annexed, the property could be rezoned to the appropriate designation at that time.

- **Applicant’s Development Plan:** The applicant proposes to use approximately 2.5 acres of the 13.987-acre tract to build a 20,000 sq. ft. pre-engineered metal building to house offices and a warehouse for a national oilfield service company. The company sells valves and refinishes drill bits for the oilfield industry. The majority of the warehouse would be used for retail storage of the valves and about 7,500 square feet would serve as an area for refinishing the drill bits. A limited amount of outside storage is expected, which is allowed in the “IL” District. The company would have less than 20 employees and would operate during normal business hours.

There is no development plan for the remaining acreage at this time, but it is anticipated for light industrial uses in the future.

- **Existing Land Uses:** The subject property (13.987 acres) is currently used for agricultural purposes. To the north of the subject property is an abandoned elementary school. Located to the east across S. Clarkwood Rd. are low density residential uses and vacant lots. Located to the south across SH 44 is a recently developed convenience store and truck stop. Also to the south and under construction is a Border Patrol facility and Baker Hughes, which is another oilfield service company. Located to the west is vacant land outside the city limits.
- **Buffer Yard:** A minimum 20-foot buffer yard would be required between the subject property and the property to the north where there is the “RS-6” Single-Family 6 District. A solid screening fence would also be required between the “IL” and “RS-6” Districts.
- **Comprehensive Plan & Area Development Plan (ADP) Consistency:**  
The Comprehensive Plan and the Port/Airport/Violet Area Development Plan (ADP) slate the subject property and the areas immediately adjacent to it for light industrial uses. The proposed change of zoning to the “IL” Light Industrial on the 10 acres located within the city limits would be consistent with the adopted Future Land Use Map.

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

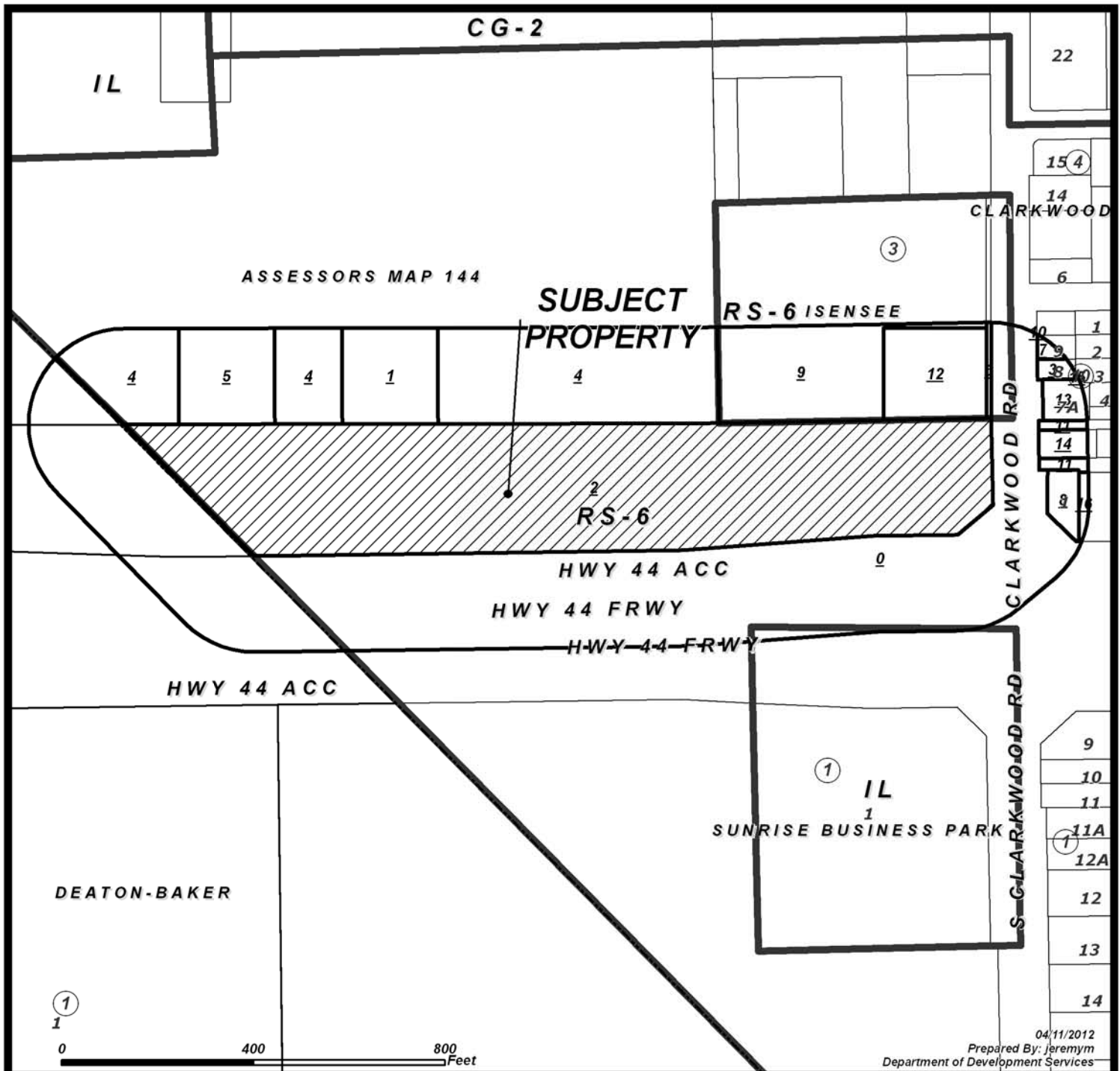
**Department Comments:**

- The Comprehensive Plan and Future Land Use Map call for the subject property and all adjacent parcels on the northwest corner of S. Clarkwood Rd. and SH 44 to be used for light industrial purposes.
- The change of zoning to “IL” on 10 acres would be consistent with the Comprehensive Plan.
- The proposed oilfield service company is an appropriate use of land but would have to provide the appropriate buffer where adjacent to the single-family zoning district.

**Planning Commission & Staff Recommendation (April 25, 2012):** Approval of the change of zoning to the “IL” Light Industrial District.

<b>Public Notification</b>	Number of Notices Mailed – 16 within 200’ notification area; 0 outside notification area  <u>As of May 14, 2012:</u> In Favor – 1 (inside notification area); 0 (outside notification area) In Opposition – 0 (inside notification area); 0 (outside notification area)  For 0.0% in opposition.
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- Attachments:
1. Site Map – Existing Zoning, Notice Area, & Ownership Map
  2. Site Survey
  3. Site Plan for the Oilfield Service Company



04/11/2012  
Prepared By: Jeremym  
Department of Development Services

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### 2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

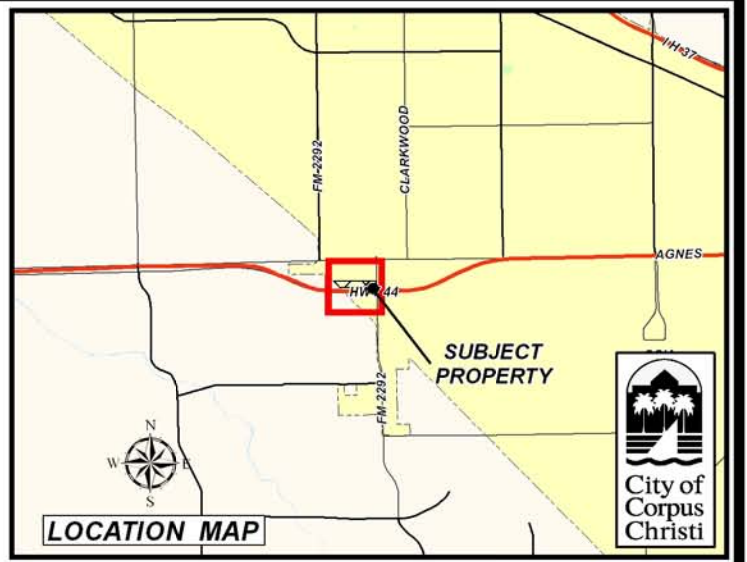
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF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

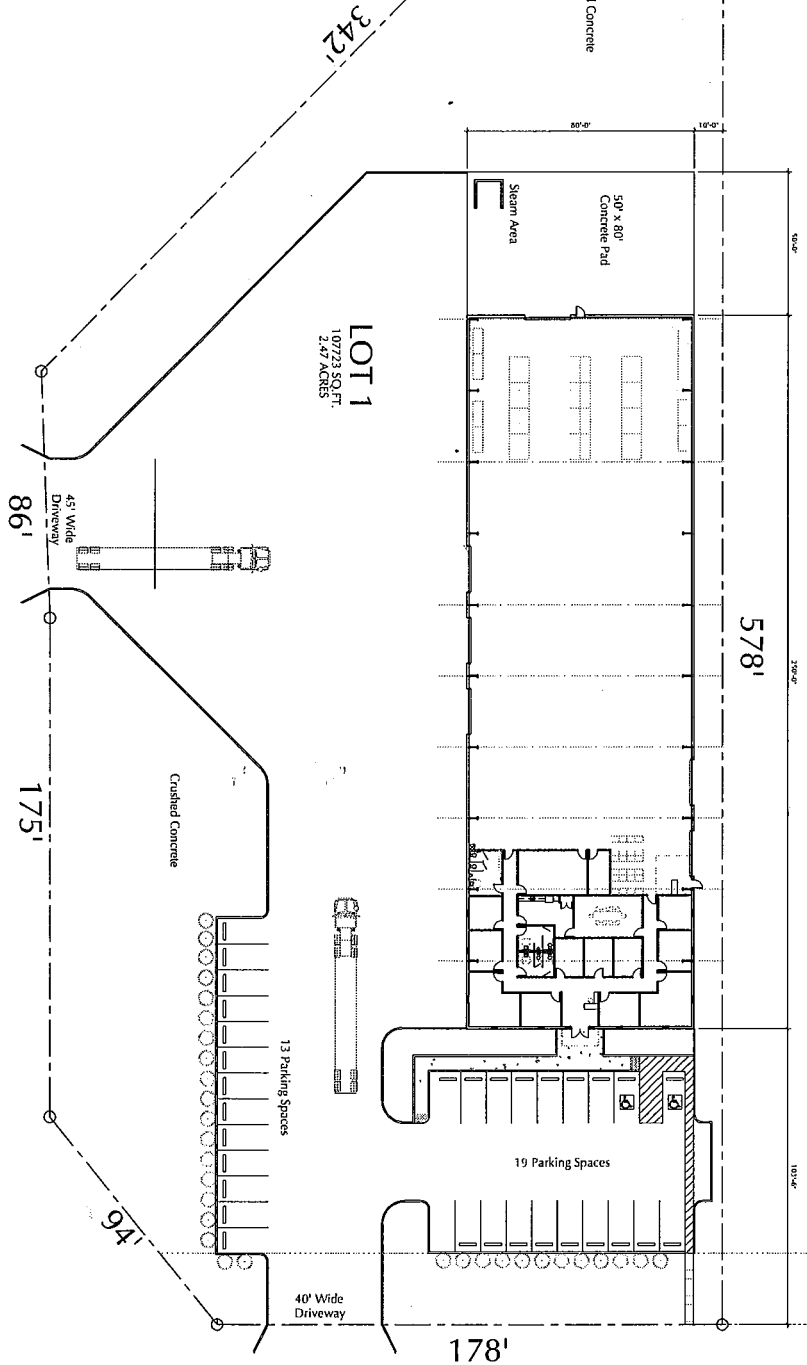






**A** SITE PLAN - OPTION A  
SCALE: 1" = 30'

STATE HIGHWAY 44



CLARKWOOD

Sheet  
of  
**A-1**

Scale: 1" = 20'-0"  
Date: 10-17-11  
Project No: XXXX

Build to Suit

SCHEMATIC SITE PLAN

NO.	REVISION	ISSUE / BY	DATE

**LUDDEKE** | ARCHITECTURAL DESIGN GROUP  
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Not For Construction  
Building Permit or  
Regulatory Approval