

## ZONING REPORT CASE ZN8359

<b>Applicant &amp; Subject Property</b>			
<b>District:</b> 4 <b>Owner:</b> Horizon Land Properties LLC <b>Applicant:</b> MVR Construction Company Inc <b>Address:</b> 601 Graham Road, located along the west side of Waldron Road, north of Don Patricio Road, south of Graham Road, and west of Flour Bluff Drive. <b>Legal Description:</b> 17.28 Acres Out of Lot 24, Section 48, Flour Bluff & Encinal Farm Garden Tract <b>Acres of Subject Property:</b> 17.285 acre(s). Refer to Attachment (A) Metes and Bounds.			
<b>Zoning Request</b>			
<b>From:</b> "RM-1" Multi-Family District <b>To:</b> "RS-4.5" Single-Family District and "CG-2" General Commercial District <b>Purpose of Request:</b> To allow the development of the property into a residential subdivision and commercial uses.			
<b>Land Development &amp; Surrounding Land Uses</b>			
	Zoning District	Existing Land Use	Future Land Use
<b>Site</b>	"RM-1" Multi-Family	Vacant	Medium-Density Residential
<b>North</b>	"RS-6" Single-Family, "RE" Residential Estate	Low-Density Residential, ROW (Graham Rd), Vacant, Public/Semi-Public	Low- Density Residential, Medium-Density Residential, Transportation (Graham Rd), Government
<b>South</b>	"RM-1" Multi-Family, "RV" Recreational Vehicle Park	Vacant, ROW (Waldron Road), Manufactured Home, Public/Semi-Public	Medium-Density Residential, Transportation (Waldron Rd), High-Density Residential
<b>East</b>	"RE" Residential Estate, "CG-2" General Commercial	Public/Semi-Public, ROW (Waldron & Graham Road), Commercial, Vacant	Government, Transportation (Waldron & Graham Road), High-Density Residential
<b>West</b>	"RS-6" Single-Family, "RM-1" Multi-Family	Low-Density Residential, Vacant	Low-Density Residential, Medium-Density Residential
<b>Plat Status:</b> The subject property is not platted. <b>Military Compatibility Area Overlay District (MCAOD, Effective August 22, 2022):</b> The subject property is not within a MCAOD District. <b>Code Violations:</b> None.			

Transportation and Circulation			
Graham Road	Designation	Section Proposed	Section Existing
	"C1" Minor Residential Collector	60-Foot ROW 2 Lanes, No Median/Center Turn Lane	60-Foot ROW 2 Lanes, No Median/Center Turn Lane
Waldron Road	Designation	Section Proposed	Section Existing
	"A2" Secondary Arterial Divided	100-Foot ROW 4 Lanes, Center Turn Lane	80-Foot ROW 4 Lanes, Center Turn Lane
<b>Transit:</b> The Corpus Christi RTA provides service to the subject property via Bus Route 8 S Flour Bluff Mall and 4 Flour Bluff near Waldron Road and Graham Road.			
<b>Bicycle Mobility Plan:</b> The subject property is approximately 700 feet from the nearest off-road multi-use trail along the O'Neil Ditch north of Waldron Road, and a 1-way Cycle Track along both sides of Waldron Road.			
Utilities			
<b>Gas:</b> 3-inch WS (gas main) exists along the south side of Graham Road, and a 4- and 8-inch WS along the west side of Waldron Road. <b>Stormwater:</b> 33-, 16-, and 30-inch RCP exist along the east side of Waldron Road. <b>Wastewater:</b> 18-inch DIP (Public Force Main) exists along the west side of Waldron Road. <b>Water:</b> 8-inch RCP (Public Distribution) line exists along the west side of Waldron Road, and a 6-inch ACP along the south side of Graham Road.			
Corpus Christi Comprehensive Plan (Plan CC)			
<b>Plan CC:</b> Provides a vision, goals, and strategies, to guide, regulate, and manage future development and redevelopment within the corporate limits and extraterritorial jurisdiction (ETJ) was adopted in 2016. <b>ADP (Area Development Plan):</b> According to Plan CC the subject property is located within the Flour Bluff ADP (Adopted on June 22, 2021). <b>Water Master Plan:</b> Improvements have been proposed; an 18-inch water line extension. <b>Wastewater Master Plan:</b> Improvements have been proposed; which, includes a future force main. <b>Stormwater Master Plan:</b> No improvements have been proposed. <b>Roadway Master Plan:</b> Improvements have been proposed; which, includes the widening of Waldron Road.			
Public Notification			
Number of Notices Mailed		48 within a 200-foot notification area 4 outside 200-foot notification area	
In Opposition		0 inside the notification area 0 outside the notification area 0 % in opposition within the 200-foot notification area (0 individual property owner)	

<b>Public Hearing Schedule</b>
<b>Planning Commission Hearing Date:</b> August 7, 2024 <b>City Council 1<sup>st</sup> Reading/Public Hearing Date:</b> September 17, 2024 <b>City Council 2<sup>nd</sup> Reading Date:</b> October 15, 2024

**Background:**

The subject property is a 17.28-acre tract out of the Flour Bluff area, located at the southwest quadrant of Graham Road, a C1 class collector road, and Waldron Road, an A2 class arterial road. The area is characterized primarily by single-family uses with Flour Bluff having most commercial uses along South Padre Island Drive, and sparingly between Yorktown Boulevard and Graham Road, the Oso, and the Laguna Madre.

The properties to the north are zoned “RS-6” Single-Family and “RE” Residential Estate and have low-density residential and public/semi-public land uses. Those to the south are zoned “RM-1” Multi-Family District and “RV” Recreation Vehicle Park District. Some lots are vacant, and another property hosts a recreational vehicle park. The properties to the east are zoned “RE” Residential Estate and “CG-2” General Commercial, with a current land use of commercial. The properties to the west are zoned “RS-6” Single-Family 6 and “RM-1” Multi-Family District, with low-density residential, and vacant land uses.

The applicant is requesting to amend the current zoning district to tentative development the property with a medium-density residential subdivision of 78 lots and a commercial development separated to the Waldron Road frontage by a right-of-way. Per the preliminary layout, the development will consist of 11.77 acres of residential use out of the 17.285 acres, with the remaining for retail sales and services.

The “RS-4.5” Single-Family District allows single-family detached houses and group homes. A limited number of public and civic uses are allowed, subject to the restrictions necessary to preserve and protect the single-family character of the neighborhood. The “CG-2” General Commercial District permits restaurants, apartments, townhouses, overnight accommodation uses, educational facilities, medical facilities, commercial parking, offices, retail sales, and services, vehicle sales and services, and water-oriented uses.

**Plan CC (City of Corpus Christi Comprehensive Plan) Consistency:**

The proposed rezoning is consistent with Elements, Goals and Strategies for Decision Makers:

- Housing and Neighborhoods:
  - New and redeveloped housing is resource efficient.
    - Support resource efficiency in City-assisted housing, whether new or rehabilitated.
  - New cost-effective residential subdivisions are established in high-growth corridors to support the demand for new housing.
  - The design of new developments promotes a broader sense of neighborhood and community rather than creating isolated subdivisions or apartment complex developments with a lack of interconnection.
    - Encourage appropriate transitions between commercial and residential developments and between high and low-density residential developments.
- Future Land Use, Zoning, and Urban Design:
  - Corpus Christi development patterns support efficient and cost-effective use of resources and a high quality of life.

- Encourage the protection and enhancement of residential neighborhoods.
- Promote the stabilization, revitalization, and redevelopment of older neighborhoods.
- Encourage orderly growth of new residential, commercial, and industrial areas.
- 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.
- Corpus Christi has well-designed neighborhoods and built environments.
  - Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods.
  - Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses.
  - Encourage convenient access from medium-density residential development to arterial roads.
  - Screening fences, open spaces, or landscaping can provide an essential buffer between shopping and residential areas.

**Flour Bluff ADP (Area Development Plan) and FLUM (Future Land Use Map) Consistency:**

The proposed rezoning is consistent with the Flour Bluff ADP; however is not consistent with the FLUM designation of Medium-Density Residential along Waldron Road, where a commercial use is being proposed.

**Staff Analysis:**

Staff reviewed the subject property's background information and the applicant's purpose for the rezoning request and conducted research into the property's land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning's consistency with the applicable elements of the comprehensive plan. As a result of the above analysis, staff notes the following:

- The proposed rezoning is consistent with several elements and goals of the comprehensive plan; however, is inconsistent with the future land use designation of Medium-Density Residential along Waldon Road.
- The request to amend the subject property to accommodate residential subdivision and commercial developments is compatible with the present zoning and conforming uses of the nearby property. The commercial area will be separated by a right-of-way from the residential subdivision.
- The subject property is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.

**Staff Recommendation:**

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, Staff Recommends approval of the change of zoning from the "RM-1" Multi-Family District to the "RS-4.5" Single-Family and "CG-2" General Commercial District.

**Attachment(s):**

- (A) Metes & Bounds Description and Exhibit.
- (B) Existing Zoning and Notice Area Map.

## (A) Metes & Bounds Description and Exhibit

### EXHIBIT "A", TRACT 1 OF 2

#### STATE OF TEXAS COUNTY OF NUECES

Field notes of an 11.775 acre tract of land being out of a 17.285 acre tract of land, said 17.285 acre tract also being out of Lot 24, Section 48, Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, pages 41-43 of the Map Records of Nueces County, Texas, and as described in a general warranty deed from Morteza Shafinury to Horizon Land Properties, LLC recorded under Document No. 2024018722 of the Official Public Records of Nueces County, Texas (**the parent 17.285 acre tract**). Said 11.775 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found in the southerly right of way line of Graham Road, said point also being the point of curvature in the northerly boundary line of Lot 1, Block 1, Diamond Subdivision, as recorded in Volume 56, Page 111 of the Map Records of Nueces County, Texas, and being the **POINT OF COMMENCEMENT**;

THENCE, North 61° 33' 22" West, along the southerly right of way line of Graham Road and northerly boundary of Lot 1, Block 1, Diamond Subdivision as recorded in Volume 56, Page 111 of the Map Records of Nueces County, Texas, a distance of 165.00 feet, to a 5/8" iron rod found in said right of way line and the northerly boundary of Lot 1, Block 1, Diamond Subdivision, said point also being the northwest corner of Lot 1, Block 1, Diamond Subdivision and the **POINT OF BEGINNING**;

THENCE, South 28° 44' 41" West, along the common westerly boundary line of Lot 1, Block 1, Diamond Subdivision and easterly boundary of this tract, a distance of 185.30 feet to a 5/8 inch iron rod set in the common southerly boundary line of Lot 1, Block 1, Diamond Subdivision and easterly boundary of this tract, said point also being southwest corner of Lot 1, Block 1 Diamond Subdivision, and an exterior corner of this tract;

THENCE, North 61° 14' 35" West, a distance of 46.00 feet to a 5/8 inch iron rod set for an interior corner of this tract;

THENCE, South 28° 33' 27" West, along the easterly boundary of this tract, a distance of 987.11 feet to a 5/8 inch iron rod set for an interior corner of this tract;

THENCE, South 61° 32' 04" East, along the easterly boundary of this tract, a distance of 25.00 feet to a 5/8 inch iron rod set for an exterior corner of this tract;

THENCE, South 28° 33' 27" West, along the easterly boundary of this tract a distance of 110.00 feet to a 5/8 inch iron rod set in the common southerly boundary of this tract and the northerly boundary of a 5.88 acre tract of land belonging to Exxon Pipeline Company out of Lot 25 Section 48 of the Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, Pages 41-43 of the Map Records of Nueces County, Texas, said point also being the southeast corner of this tract;

THENCE, North 61° 32' 04" West, along the common southerly boundary of this tract and the northerly boundary of a 5.88 acre tract of land belonging to Exxon Pipeline Company out of Lot 25 Section 48 of the Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, Pages 41-43 of the Map Records of Nueces County, Texas, a distance of 412.24 feet to a 5/8 inch iron rod found in said common boundary line, said point also being the common northwest corner of the Exxon Pipeline property, southwest corner of the parent 17.285 acre tract, and southwest corner of this tract;

THENCE, North 28° 37' 18" East, along the common easterly boundary line of the Perry's Estate Subdivision and the westerly boundary of the parent 17.285 acre tract and westerly boundary of this tract, a distance of 1295.15 feet to a 5/8 inch iron rod found in the southerly right of way line of Graham Road, said point also being the northwest corner of the parent 17.285 acre tract and the northwest corner of this tract;

THENCE, South 61° 46' 56" East, along the southerly right of way line of Graham Road and northerly boundary of the parent 17.285 acre tract and northerly boundary of this tract, a distance of 432.45 feet to a 5/8 inch iron rod found in the southerly right of way line of Graham Road, said point being the northeast corner of the parent 17.285 acre tract and the northeast corner of this tract;

THENCE, South 28° 44' 41" West, along the easterly boundary of the parent 17.285 acre tract and the easterly boundary of this tract, a distance of 14.84 feet to the **POINT OF BEGINNING**, and containing 11.775 acres of land, more or less.

Notes:

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

I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 25<sup>th</sup> day of June, 2024, and is correct to the best of my knowledge and belief.



Fred C. Hayden, Jr.

Fred C. Hayden, Jr., RPLS No. 4486



THE SURVEY SHOWN HEREON WAS MADE UPON THE GROUND UNDER MY SUPERVISION, VISIBLE ENCROACHMENTS, EASEMENTS, DISCREPANCIES, PROTRUSIONS, IF ANY, ARE SHOWN HEREON. THE PROPERTY ADJUTS A PUBLIC R. O. W.

SURVEY OF WALDRON ESTATES  
TRACT 1 BEING 11.775 ACRES OUT  
OF A TOTAL OF 17.285 ACRES OUT OF  
LOT 24, SECTION 48, FLOUR BLUFF AND ENCINAL  
FARM AND GARDEN TRACTS V. A, PG. 41-43  
MAP RECORDS OF NUECES COUNTY, TEXAS

DATE: 06/24/2024  
SCALE: 1"=200'

**EXHIBIT "A", TRACT 2 OF 2**

**STATE OF TEXAS  
COUNTY OF NUECES**

Field notes of an 5.510 acre tract of land being out of a 17.285 acre tract of land, said 17.285 acre tract also being out of Lot 24, Section 48, Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, pages 41-43 of the Map Records of Nueces County, Texas, and as described in a general warranty deed from Morteza Shafinury to Horizon Land Properties, LLC recorded under Document No. 2024018722 of the Official Public Records of Nueces County, Texas (**the parent 17.285 acre tract**). Said 5.510 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found in the southerly right of way line of Graham Road, said point also being the point of curvature in the northerly boundary line of Lot 1, Block 1, Diamond Subdivision, as recorded in Volume 56, Page 111 of the Map Records of Nueces County, Texas, and being the **POINT OF COMMENCEMENT**;

THENCE, North 61° 33' 22" West, along the southerly right of way line of Graham Road and northerly boundary line of Lot 1, Block 1, Diamond Subdivision as recorded in Volume 56, Page 111 of the Map Records of Nueces County, Texas, a distance of 165.00 feet, to a 5/8" iron rod found in said right of way line and the northerly boundary of Lot 1, Block 1, Diamond Subdivision, said point also being the northwest corner of Lot 1, Block 1, Diamond Subdivision;

THENCE, South 28° 44' 41" West, along the westerly boundary line of Lot 1, Block 1, Diamond Subdivision, a distance of 185.30 feet, to a 5/8 inch iron rod set in the common southerly boundary line of Lot 1, Block 1, Diamond Subdivision and northerly boundary of this tract, said point also being southwest corner of Lot 1, Block 1 Diamond Subdivision and the **POINT OF BEGINNING**;

THENCE, SOUTH 61° 14' 35" East, along the common southerly boundary of Lot 1, Block 1, Diamond Subdivision and northerly boundary of this tract, a distance of 175.00 feet to a 5/8 inch iron rod found in the westerly right of way line of Waldron Road, said point also being the common southeast corner of Lot 1, Block 1, Diamond Subdivision and northeast corner of this tract;

THENCE, South 28° 33' 27" West, along the westerly right-of-way line of Waldron Road and easterly boundary of this tract, a distance of 1095.99 feet to a 5/8 inch iron rod found in the westerly right of way line of Waldron Road, said point being the common northeast corner of a 5.88 acre tract of land belonging to Exxon Pipeline Company out of Lot 25, Section 48 of the Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, Pages 41-43 of the Map Records of Nueces County, Texas, and southeast corner the parent 17.285 acre tract and the southeast corner of this tract;

THENCE, North 61° 32' 04" West, along the common southerly boundary line of the parent 17.285 acre tract and southerly boundary of this tract and northerly boundary of a 5.88 acre tract of land belonging to Exxon Pipeline Company out of Lot 25 Section 48 of the Flour Bluff and Encinal Farm and Garden Tracts as recorded in Volume A, Pages 41-43 of the Map Records of Nueces County, Texas, a distance of 196.00 feet to a 5/8 inch iron rod set in said boundary line, said point also being the southwest corner of this tract;

THENCE, North 28° 33' 27" East, along the westerly boundary of this tract, a distance of 110.00 feet to a 5/8 inch iron rod set for an interior corner of this tract;

THENCE, North 61° 32' 04" West, along the westerly boundary of this tract, a distance of 25.00 feet to a 5/8 inch iron rod set for an exterior corner of this tract;

THENCE, North 28° 33' 27" East, along the westerly boundary of this tract, a distance of 987.11 feet to a 5/8 inch iron rod set for the northwest corner of this tract;

THENCE, South 61° 14' 35" East, along the northerly boundary of this tract, a distance of 46.00 feet to the **POINT OF BEGINNING**, and containing 5.510 acres of land, more or less.

Notes:

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

I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 25<sup>th</sup> day of June, 2024, and is correct to the best of my knowledge and belief.



Fred C. Hayden, Jr.

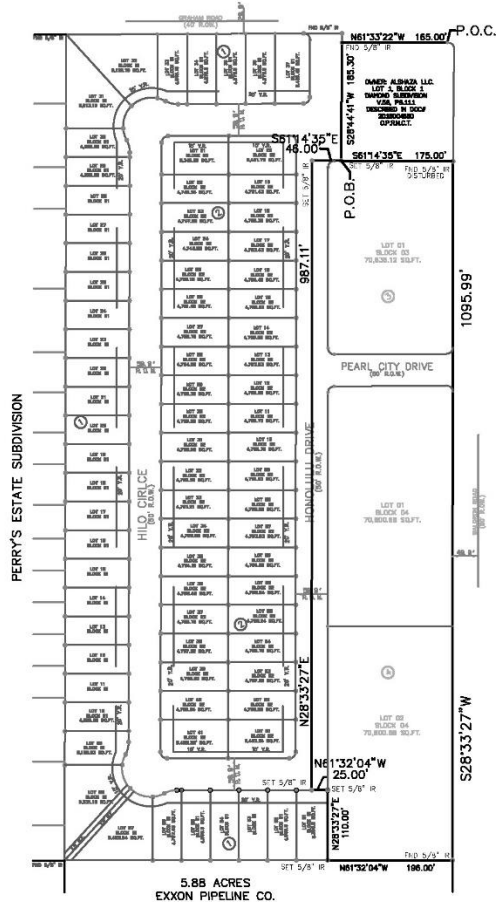
Fred C. Hayden, Jr., RPLS No. 4486



DATE: 06/24/24



I, THE UNDERSIGNED, IN MY PROFESSIONAL OPINION, HEREBY STATES THAT THIS SURVEY PLAT HEREON IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY UNDER MY DIRECTION. ALL MONUMENTS WERE FOUND OR SET AS REFLECTED ON THE SURVEY PLAT; THAT THERE ARE NO ENCROACHMENTS AND BOUNDARY CONFLICTS EXCEPT AS SHOWN ON THE SURVEY PLAT.



THE DIMENSIONS SHOWN ON THIS DRAWING ARE FOR THE USE OF TITLE AND MORTGAGE COMPANIES IN CONNECTION WITH THIS TRANSACTION AND SHALL NOT BE RELIED UPON FOR ANY OTHER PURPOSE.

MEASUREMENTS SHOWN ARE FROM THE PROPERTY LINE TO THE FOUNDATION, AND FROM CORNER TO CORNER OF THE FOUNDATION.

NO CASUALTY RESEARCH HAS BEEN PERFORMED BY HAYDEN SURVEYING, INC.

ALL BEARINGS AND DISTANCES SHOWN ON THIS SURVEY MATCH THE RECORD PLAT.

BUILDING SETBACK LINES ARE AS INDICATED ON RECORD PLAT.

THE SURVEY SHOWN HEREON WAS MADE UPON THE GROUND UNDER MY SUPERVISION. VISIBLE ENCROACHMENTS, EASEMENTS, DISCREPANCIES, PROTRUSIONS, IF ANY, ARE SHOWN HEREON. THE PROPERTY ADJUTS A PUBLIC R.O.W.

## EXHIBIT B-2

SURVEY OF WALDRON ESTATES  
TRACT 2 BEING 5.510 ACRES OUT  
OF A TOTAL OF 17.285 ACRES OUT OF  
LOT 24, SECTION 48, FLOUR BLUFF AND ENCINAL  
FARM AND GARDEN TRACTS V. A, PG. 41-43  
MAP RECORDS OF NUECES COUNTY, TEXAS

DATE: 06/24/2024  
SCALE: 1"=200'

## (B) Existing Zoning and Notice Area Map

