

PLANNING COMMISSION FINAL REPORT

Case No. 0415-06
 HTE No. 15-10000021

Planning Commission Hearing Date: April 22, 2015

Applicant & Legal Description	<p>Applicant/Owner: GMG Partners, LP Legal Description/Location: Being 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard and north of Bates Drive.</p>			
Zoning Request	<p>From: "IL" Light Industrial District To: "IL/SP" Light Industrial District with a Special Permit for Resource Extraction Area: 34.12 acres Purpose of Request: Special Permit to allow the extraction of sand and gravel</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>North</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>South</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>East</i>	"RS-6" Single-Family	Vacant	Light Industrial
	<i>West</i>	"RS-6" Single-Family	Vacant	Light Industrial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for light industrial uses. The proposed rezoning to the "IL/SP" Light Industrial District with a Special Permit remains consistent with the adopted Future Land Use Plan and the Westside Area Development Plan. Map No.: 050042 Zoning Violations: N/A</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 1,100 feet of street frontage along South Navigation Boulevard, which is an "A-1" Minor Arterial and 560 feet of street frontage along a proposed section of Omaha Drive, which is a "C-1" Minor Collector and a proposed section of Bates Drive, which is a "C-1" Minor Collector.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	South Navigation Boulevard	"A-1" Minor Arterial	N/A	95' ROW 64' paved	3,467 ADT
	Omaha Drive	"C-1" Minor Collector	60' ROW 40' paved	N/A	N/A
	Bates Drive	"C-1" Minor Collector	60' ROW 40' paved	N/A	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for resource extraction.

Development Plan: The applicant proposes to extract sand and gravel from the site for a period of two years. If the Special Permit is approved, the applicant will construct an office on site and store equipment (backhoes and other heavy equipment) and approximately 60 trucks to be used in extraction and removal of sand and gravel from the site. The applicant has indicated that the demand for the resources is significant at this time. The applicant requests that approval of the special use permit allow for hours of operation from 6:00 A.M. to 5:00 P.M.

Existing Land Uses & Zoning: The current use of the property is vacant. North and south of the subject property is zoned "IL" Light Industrial District. East and west of the subject property is property zoned "RS-6" Single Family 6 District. Approximately 1,000 feet from the subject property to the southwest is property zoned "RM-1" Multifamily 1 District which is developed.

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

Plat Status: The subject property is in the process of platting.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Westside Area Development Plan. The proposed rezoning to the "IL/SP" Light Industrial District with a Special Permit for resource extraction is consistent with the Westside Area Development Plan and the adopted Future Land Use Plan's designation of the property as light industrial.

The Unified Development Code Special Permit Review Criteria: The Unified Development Code sets forth review criteria for special use permits. Review criteria applicable to this application are as follows:

1. The use is consistent with the Comprehensive Plan.
2. The use complements and is compatible with the surrounding uses and community facilities.
3. The impact of the use on public infrastructure can be minimized without negatively impacting existing uses in the area and in the City.
4. The use contributes to, enhances or promotes the welfare of adjacent properties and the surrounding area.
5. The use does not substantially adversely affect adjacent and neighboring uses permitted.
6. The use does conform in all other respect to regulations and standards in this Unified Development Code.
7. The development provides ample off-street parking and loading facilities.

Department Comments:

1. Resource Extraction is also a heavy industrial use that the Unified Development Code allows in the “IL” Light Industrial District by Special Permit. A Special Permit is subject to limitations as deemed appropriate by the City Council.
2. The proposed use is appropriate at this location given the “IL” Industrial District designation of the subject property.
3. Extraction operations will be temporary and subject to a specific time period set forth in the approving ordinance.
4. An excavation permit approved by the Planning Commission will further ensure orderly operations. The excavation permit will include the requirement for erosion control and will include periodic inspection of the property.
5. The application is consistent with the Special Permit review criteria set forth in the Unified Development Code Section 3.6.3 B.
6. The proposed use will meet a demand that exists from various construction projects throughout the City which may include City infrastructure projects.
7. The site plan submitted is consistent with the criteria set forth in the Unified Development Code.

Planning Commission and Staff Recommendation:

Approval of the “IL/SP” Light Industrial District with a Special Permit for Resource Extraction subject to compliance with the site plan and the following conditions:

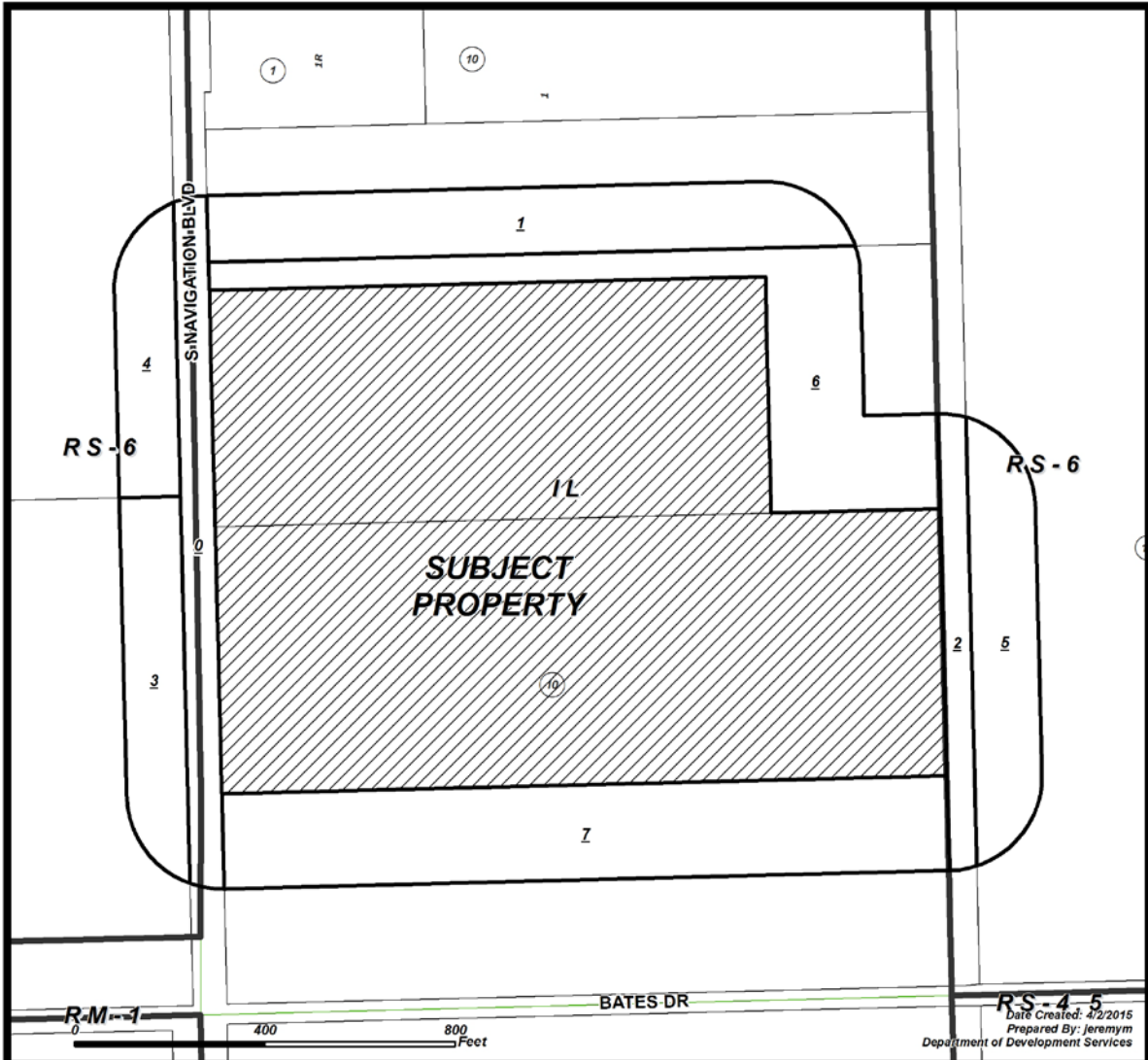
1. Use Regulation: The only use permitted under this Special Permit, other than those allowed by right in the “IL” Industrial District, is resource extraction as described herein; the extraction of sand, gravel, dirt, stockpiling thereof and accessory uses including the storage of equipment and structures necessary to conduct operations.
2. Erosion and Dust Control: Erosion and dust control shall be in accordance with all City, State, and Federal requirements and specifications.
3. Access: Vehicular access shall be allowed as per the approved site plan and excavation permit.
4. Hours of Operation: Hours of operation shall be limited to the hours between 7:00 A.M. and 5:00 P.M.
5. Restoration: The site shall be restored to pre-existing condition.

6. Time Limit: This Special Permit shall expire in three years or upon termination of the excavation permit, whichever comes first.

Public Notification	Number of Notices Mailed – 7 within 200-foot notification area 7 outside notification area
	<u>As of April 28, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
	Totaling 6.36% of the land within the 200-foot notification area in opposition.

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Site Plan
3. Public Comments Submitted

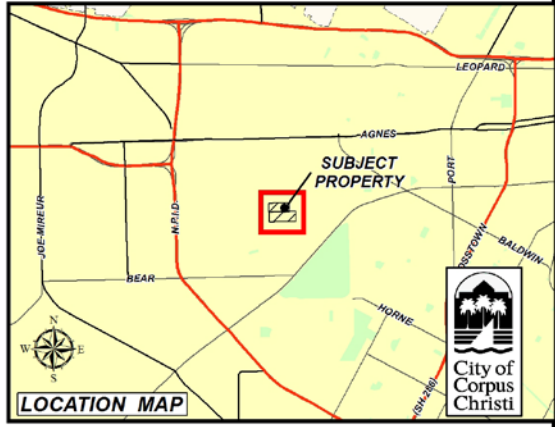


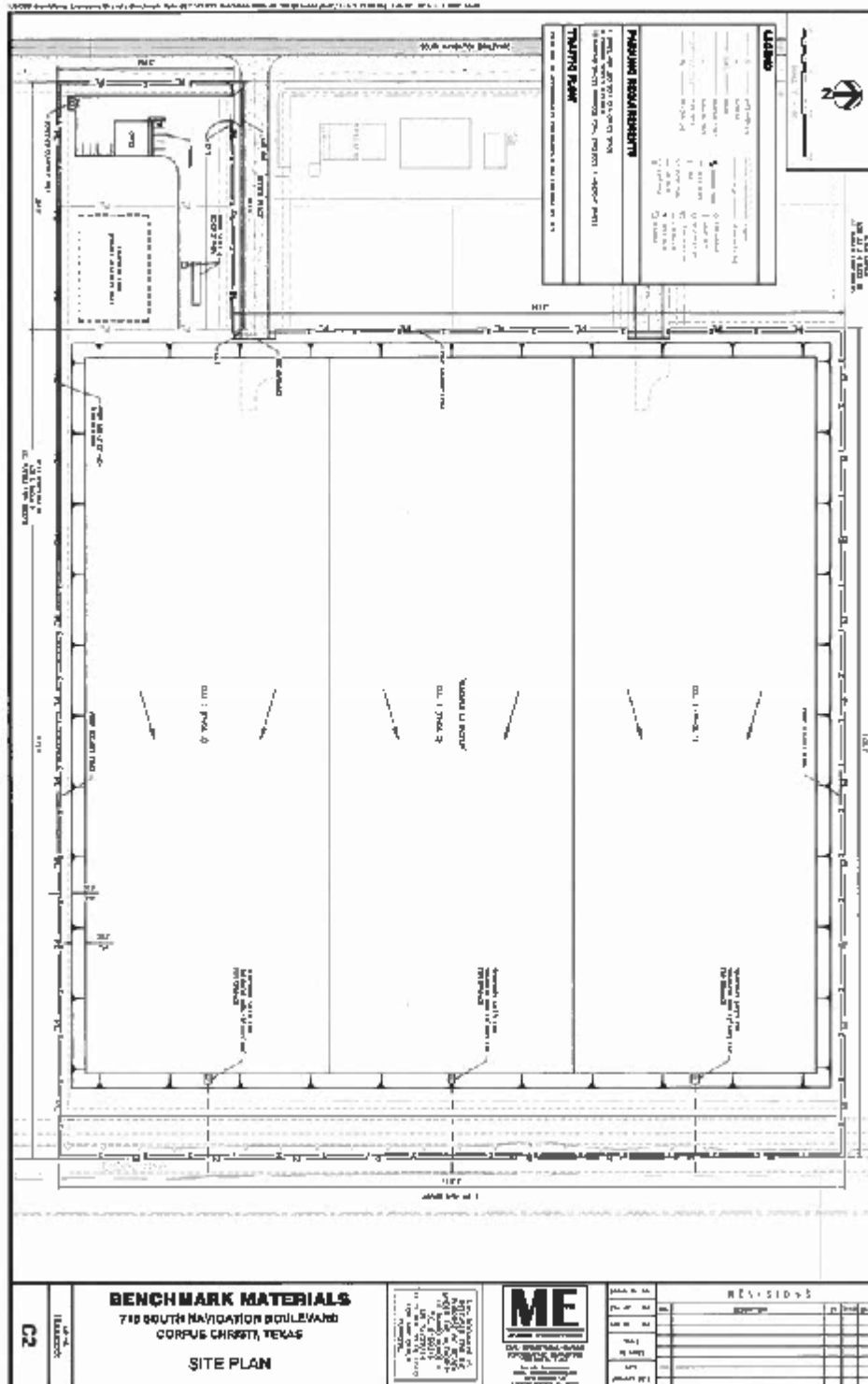
Date Created: 4/2/2015
Prepared By: jeremym
Department of Development Services

CASE: 0415-06
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
 Owners within 200' listed on attached ownership table
 Owners in opposition





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.

APR 21 2015
DEVELOPMENT SERVICES
SPECIAL SERVICES

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0415-06**

GMG Partners, LP has petitioned the City of Corpus Christi to consider a change of zoning from the **"IL" Light Industrial District** to the **"IL/SP" Light Industrial District with a Special Permit for Resource Extraction, not resulting in a change to the Future Land Use Plan.** The Special Permit is requested to allow the extraction of sand and gravel. The property to be rezoned is described as:

34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard and north of Bates Drive.

The Planning Commission may recommend to City Council approval or denial, or approval of different Special Permit conditions. 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, April 22, 2015**, 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: LH FARMS LTD
By JOAN R. LOCKE PR. GENERAL PARTNER (PRES. OF MANAGEMENT CO.)
Address: 100 W HOBSTADT ST STE 1452 City/State: SAN ANTONIO TX 78205

() IN FAVOR IN OPPOSITION Phone: 210 224-6755

REASON: owner be detrimental to neighborhood.

Joan R. Locke, Jr. Pres. LH Farms Management Co.
Signature Joan R. Locke

SEE MAP ON REVERSE SIDE
Property Owner ID: 4
HTE# 15-10000021

Case No. 0415-06
Project Manager: Dolores Wood

✓ bfg

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Printed Name: Broadway National Bank, Trustee of the David Locke Trust
Address: P.O. Box 17001 City/State: San Antonio, TX 78217
() IN FAVOR (X) IN OPPOSITION Phone: (210) 283-4083

REASON: We are a fractional owner of the property immediately west of the proposed re-zone. Extraction of sand + gravel will cause pollutants (dust) to settle on our site & change the character of the neighborhood limiting future development.

By: Kyle E. Gubernator
Signature
BROADWAY NATIONAL BANK
Kyle E. Gubernator, Senior Vice President

SEE MAP ON REVERSE SIDE
Property Owner ID: 4
HTE# 15-1000021

Case No. 0415-06
Project Manager: Dolores Wood