

ZONING REPORT

Case No.: 1012-01

HTE No. 12-10000030

Planning Commission Hearing Date: October 10, 2012

Applicant & Legal Description	<p>Applicant/Owner: The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co. Representative: Cobb, Lundquist & Atnip, Inc. Legal Description/Location: Being a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Airline Road and Lipes Boulevard.</p>				
Zoning Request	<p>From: "FR" Farm Rural District To: "RM-2" Multifamily 2 District (Tract 1) and "RS-6" Single-Family 6 District (Tract 2) Area: 21.179 Purpose of Request: To allow construction of a single-family subdivision and apartment complex.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
	<i>Site</i>	"FR" Farm Rural	Vacant	Commercial & Medium Density Residential	
	<i>North</i>	"FR" Farm Rural	Vacant	Commercial	
	<i>South</i>	"FR" Farm Rural	Drainage Corridor	Drainage Corridor	
	<i>East</i>	"FR" Farm Rural & "RS-6" Single-Family 6	Vacant & Low Density Residential	Commercial & Low Density Residential	
	<i>West</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for commercial and medium density residential uses. The proposed change of zoning to the "RS-6" Single-Family 6 District and the "RM-2" Multifamily 2 District is not consistent with the adopted Future Land Use Plan. Map No.: 042031, 042030 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has 1,400 feet of frontage on Airline Road, which will be eliminated south of Lipes Boulevard in the future. The subject property has 600 feet of frontage on the existing Lipes Boulevard, which is a "C3" Primary Collector street, and will have 270 feet of frontage on Lipes Boulevard when it is relocated to connect with Airline road at a right angle. The southern portion of the property will have an access street connecting to Rodd Field Road, which is a proposed "A3" Primary-Arterial Divided street.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Airline Rd. (North of Lipes)	"A1" Minor Arterial Undivided	95' ROW, 64' paved	75' ROW, 24' paved	3,716 (2009 ADT)
	Lipes Blvd.	"C3" Primary Collector	75' ROW, 50' paved	75' ROW, 24' paved	Not Available
	Rodd Field Rd.	"A3" Primary-Arterial Divided	130' ROW, 79' paved	115' ROW, 24' paved	9,901 (2009 ADT)

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “FR” Farm Rural District to the “RS-6” Single-Family 6 District and the “RM-2” Multifamily 2 District in order to construct a single-family neighborhood and a high density apartment complex. The southern 8.556-acre tract of land (Tract 2) is to be rezoned to the “RS-6” Single-Family 6 District. The northern 12.623-acre tract of land (Tract 1) at the corner of the property is to be rezoned to the “RM-2” Multifamily 2 District.

Applicant’s Development Plan: The proposed apartment complex on Tract 1 will consist of 27 buildings, 324 units, two swimming pools, and an office building. The buildings will be three stories with a maximum height of 34 feet. The buildings will meet the required setbacks based on building height with the adjacent single-family subdivision. The proposed density for this apartment complex will be 25.7 dwelling units per acre, which will classify the use as high density residential (more than 22 dwelling units per acre). Tract 2, the southern 8.556 acres of the property, will be developed as a single-family neighborhood with a minimum lot size of 6,000 square feet with approximately 30 lots.

Existing Land Uses: North and east of the subject property are vacant tracts of land that are zoned “FR” Farm Rural District. To the east of the property across Airline Road, which is scheduled to be closed, is vacant land zoned “FR” Farm Rural District. West of the subject property is a temporary drainage corridor that is zoned “RS-6” Single-Family 6 District, and will be developed into a single-family neighborhood in the future. There is also a public drainage corridor south of the property.

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

Transportation: Lipes Boulevard is currently under construction and is being realigned to connect with Airline Road at a 90-degree angle, which is a safer configuration than the current design. Airline Road also has an unsafe intersection with Rodd Field Road. The section of Airline Road between Lipes Boulevard and Rodd Field Road, which borders the east side of the subject property, will be closed in the near future. When this section of Airline Road is closed and when the Airline Road-Lipes Boulevard intersection is reconfigured, the apartments will have convenient access to Airline Road via Lipes Boulevard. The single-family subdivision on the south end of the subject property will have direct access to Rodd Field Road and to Lipes Boulevard via a connecting local residential street through the adjacent proposed single-family subdivision to the west.

Comprehensive Plan & Area Development Plan (ADP) Consistency: The proposed change of zoning is within the Southside Area Development Plan. The proposed developments would not be consistent with the adopted Future Land Use Plan, which slates the property for commercial and medium density residential uses. Due to the future closure of Airline Road, Staff recommends a multifamily use at the intersection of Lipes Boulevard and Airline Road rather than commercial and a single-family use on the southern portion of the property rather than a multifamily. The rezoning is consistent with other elements of the Comprehensive Plan such as:

- 1.) Traffic Hazards should be lessened by discouraging through traffic within residential areas (*Comprehensive Plan, Residential Policy Statement J*).
- 2.) High-density residential developments should be located with direct access to arterials (*Comprehensive Plan, Residential Policy Statement E*).

Plat Status: The subject property is not platted.

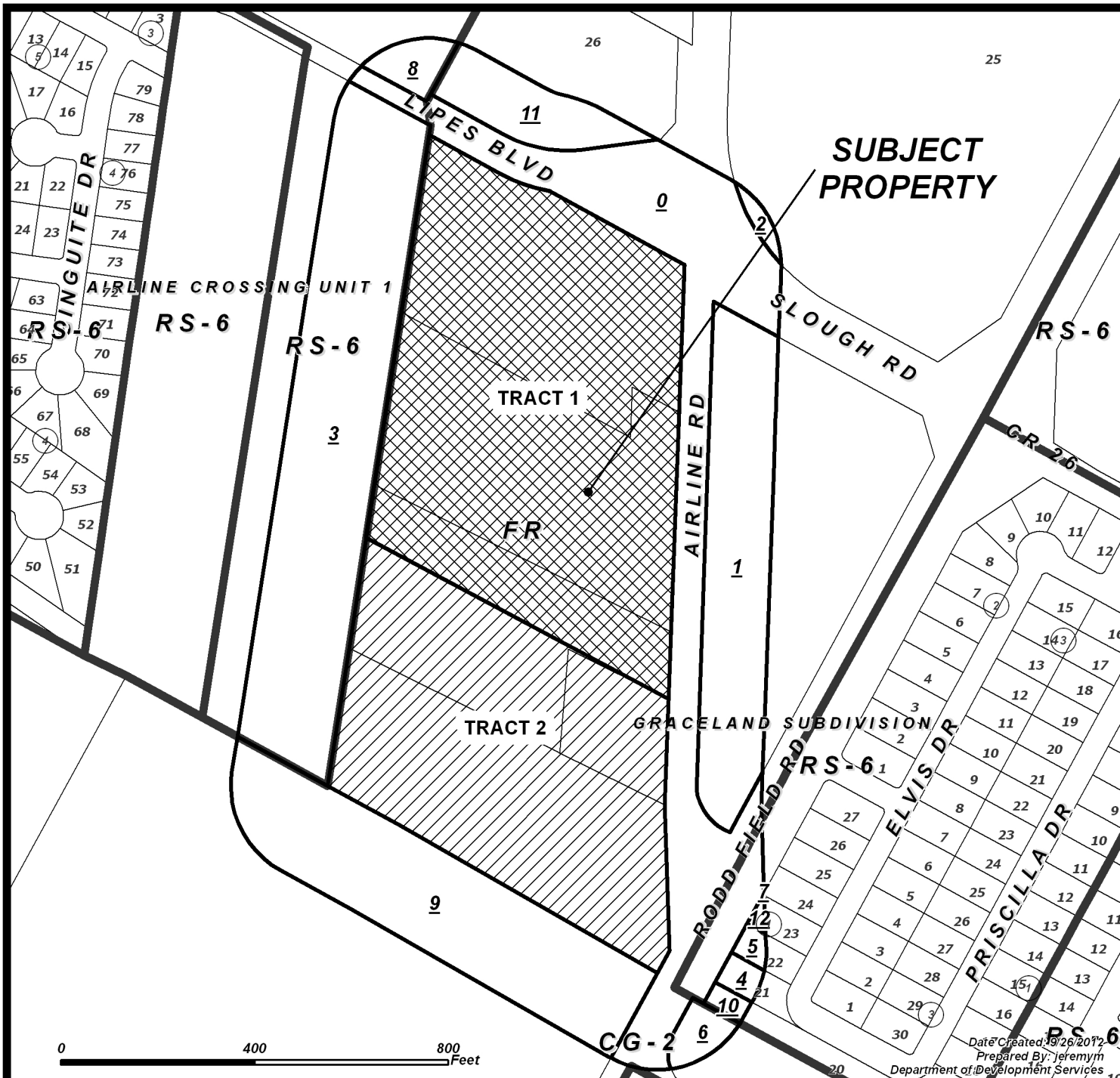
Department Comments:

- Although inconsistent with the adopted Future Land Use Plan, the proposed rezoning provides more appropriate land uses due to Airline Road, which is a highly traveled road, being closed south of Lipes Boulevard in the future. The future Land Use Plan proposes commercial land uses at the intersection are better suited at Arterial roadways.
- The proposed apartment complex will have sufficient access to Airline Road, an arterial roadway, via Lipes Boulevard. The single-family neighborhood will have access to Rodd Field Road and will also have access to Lipes Boulevard.
- The land in this area of town is beginning to develop multiple subdivisions for low density residential uses. This rezoning to multifamily and single-family is suitable for the subject property.
- The apartment complex will comply with setback and buffering requirements from the future single-family subdivisions adjacent to the property.

Planning Commission and Staff Recommendation (October 10, 2012): Approval of the change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on Tract 1 and the “RS-6” Single-Family 6 District on Tract 2.

Public Notification	Number of Notices Mailed – 12 within 200’ notification area; 2 outside notification area
	<u>As of October 15, 2012:</u>
	In Favor – 1 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
For 0.00% in opposition.	

- Attachments:
1. Location Map (Existing Zoning & Notice Area)
 2. Development Plan



Date Created: 9/26/2012
 Prepared By: Jeremyn
 Department of Development Services

CASE: 1012-01

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

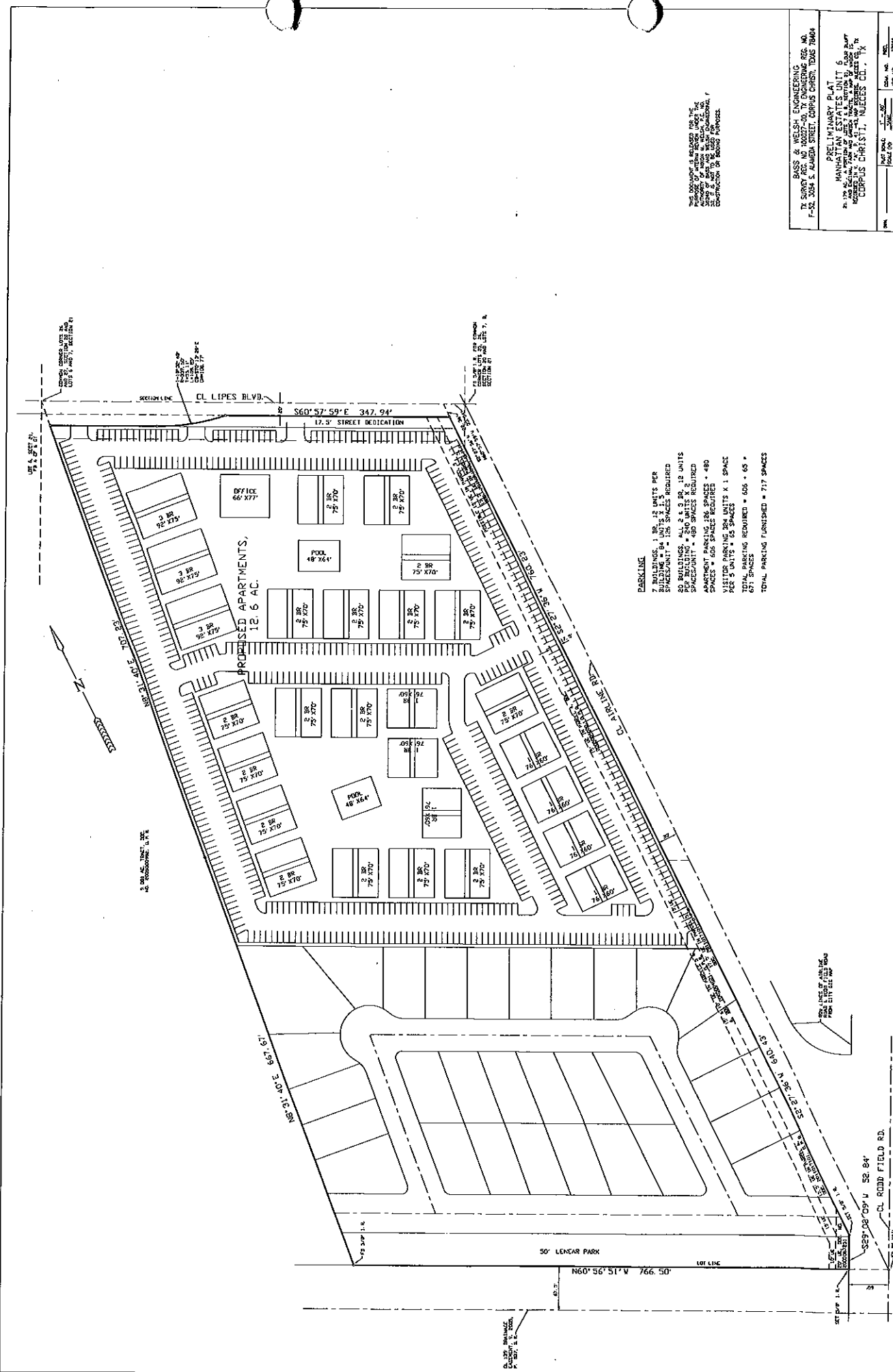
Owners within 200' listed on attached ownership table

Owners in opposition



LOCATION MAP





PARKING
 7 BUILDINGS = 1 BR, 12 UNITS PER BUILDING = 84 UNITS X 1.3 SPACES/UNIT = 109 SPACES REQUIRED
 20 BUILDINGS = 2 BR, 2 BR, 12 UNITS PER BUILDING = 240 UNITS X 1.3 SPACES/UNIT = 312 SPACES REQUIRED
 APARTMENT PARKING 106 SPACES + 480 SPACES = 586 SPACES REQUIRED
 VISITOR PARKING 204 UNITS X 1 SPACE PER 5 UNITS = 65 SPACES
 TOTAL PARKING FURNISHED = 608 + 65 = 673 SPACES

THIS SURVEY AND RECORD MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF THE STATE OF TEXAS, PASSED AT THE 45TH REGULAR SESSION, 1927, AND AS AMENDED, AND THE ACTS OF THE LEGISLATURE OF THE STATE OF TEXAS, PASSED AT THE 53RD REGULAR SESSION, 1941, AND AS AMENDED.

BASS & WELSH ENGINEERING
 71 SURVEY REG. NO. 20027-00, TX ENGINEERING REG. NO. F-52, 3084 S. AMANDA STREET, CORPUS CHRISTI, TEXAS 78404

PREPARED BY: PARELLI WINSKY, P.L.L.C.
 MANHATTAN ESTATES UNIT 6
 21, 178 21/2 AC. TRACT OF LAND 7.4 AC. SURVEYED BY ALICE BARRY REGISTERED IN TEXAS SURVEYORS' LICENSE NO. 11,343, 11,344, 11,345, 11,346, 11,347, 11,348, 11,349, 11,350, 11,351, 11,352, 11,353, 11,354, 11,355, 11,356, 11,357, 11,358, 11,359, 11,360, 11,361, 11,362, 11,363, 11,364, 11,365, 11,366, 11,367, 11,368, 11,369, 11,370, 11,371, 11,372, 11,373, 11,374, 11,375, 11,376, 11,377, 11,378, 11,379, 11,380, 11,381, 11,382, 11,383, 11,384, 11,385, 11,386, 11,387, 11,388, 11,389, 11,390, 11,391, 11,392, 11,393, 11,394, 11,395, 11,396, 11,397, 11,398, 11,399, 11,400, 11,401, 11,402, 11,403, 11,404, 11,405, 11,406, 11,407, 11,408, 11,409, 11,410, 11,411, 11,412, 11,413, 11,414, 11,415, 11,416, 11,417, 11,418, 11,419, 11,420, 11,421, 11,422, 11,423, 11,424, 11,425, 11,426, 11,427, 11,428, 11,429, 11,430, 11,431, 11,432, 11,433, 11,434, 11,435, 11,436, 11,437, 11,438, 11,439, 11,440, 11,441, 11,442, 11,443, 11,444, 11,445, 11,446, 11,447, 11,448, 11,449, 11,450, 11,451, 11,452, 11,453, 11,454, 11,455, 11,456, 11,457, 11,458, 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