

# ZONING REPORT

Case No. 0413-05  
 HTE No. 13-10000012

**Planning Commission Hearing Date:** May 22, 2013 (Tabled from April 24<sup>th</sup>)

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant:</b> Jubalee Properties, Ltd.  <b>Owners:</b> Mostafa Bighamian, Morteza Shafinury, and First National Bank  <b>Legal Description:</b>          Tract 1 being Lots 1 through 5, Block 2, Baywood Addition, and Tract 2 being Lot 4 and the northeast 25 feet of Lot 5, Block 1, Baywood Addition  <b>Location:</b> Located south of South Padre Island Drive (SH 358) on Baywood Lane.</p>		
<b>Zoning Request</b>	<p><b><u>Tract 1</u></b>  <b>From:</b> "CG-1" General Commercial District and "RS-6" Single-Family 6 District  <b>To:</b> "IL" Light Industrial District  <b>Area:</b> 1.11 acres</p> <p><b><u>Tract 2</u></b>  <b>From:</b> "RS-6" Single-Family 6 District  <b>To:</b> "CG-1" General Commercial District  <b>Area:</b> 0.23 acres</p> <p><b>Purpose of Request:</b> To allow a manufacturing facility for small fiberglass boats on Tract 1 and outdoor display/storage of completed boats on Tract 2.</p>		
<b>Existing Zoning and Land Uses</b>	<b>TRACT 1</b>		
	<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
<i>Site</i>	"CG-1" General Commercial & "RS-6" Single-Family 6	Vacant Light Industrial & Church	Commercial
<i>North</i>	"CG-1" General Commercial	Commercial	Commercial
<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Commercial
<i>East</i>	"CG-1" General Commercial & "RS-6" Single-Family 6	Medium & Low Density Residential & Vacant	Commercial
<i>West</i>	"CG-1" General Commercial & "RS-6" Single-Family 6	Commercial & Vacant	Commercial

Existing Zoning and Land Uses	TRACT 2				
		Existing Zoning District	Existing Land Use	Future Land Use	
	Site	"RS-6" Single-Family 6	Vacant	Commercial	
	North	"CG-1" General Commercial	Church	Commercial	
	South	"RS-6" Single-Family 6	Low-Density Residential	Commercial	
	East	"CG-1" General Commercial & "RS-6" Single-Family 6	Vacant Light Industrial & Church	Commercial	
	West	"CG-1" General Commercial	Commercial	Commercial	
ADP, Map & Violations	<p><b>Area Development Plan:</b> The subject property is within the boundaries of the Flour Bluff Area Development Plan (ADP) and is planned for commercial uses on both Tract 1 and 2. The proposed change of zoning to the "IL" Light Industrial District on Tract 1 is inconsistent with the Future Land Use Plan. The proposed change of zoning to the "CG-1" General Commercial District on Tract 2 is consistent with the Future Land Use Plan.</p> <p><b>Map No.:</b> 036032</p> <p><b>Zoning Violations:</b> None</p>				
Transportation	<p><b>Transportation and Circulation:</b> Tract 1 has 135 feet of frontage on South Padre Island Drive (SH 358), which is designated as an "F1" Freeway/Expressway, and 360 feet of frontage on Baywood Lane. Tract 2 has 75 feet of frontage on Baywood Lane.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Padre Island Drive	"F1" Freeway	400' ROW Varies	250' ROW Varies	3,851 ADT (2009)
	Baywood Lane	Local Street	50' ROW 28' Paved	60' ROW 28' Paved	N/A

**Staff Summary:**

**Requested Zoning:** On Tract 1, the applicant is requesting a change of zoning from the "CG-1" General Commercial District and "RS-6" Single-Family 6 District to the "IL" Light Industrial District on 1.11 acres to allow a facility that manufactures small fiberglass boats. Staff determined that the manufacturing of small watercraft under five tons

requires "IL" Light Industrial zoning. On Tract 2, the applicant is requesting a change of zoning from the "RS-6" Single-Family 6 District to the "CG-1" General Commercial District on 0.23 acres to allow for outdoor display/storage of completed boats. The City's Unified Development Code (UDC) allows the retail sale and display of boats in the "CG-1" General Commercial District.

**Applicant's Development Plan:** The applicant plans to purchase and redevelop the existing structures on Tract 1 for a fiberglass boat manufacturing and trailer assembly facility. Tract 1 contains an existing 9,200-square foot building previously occupied by Casa Materials, which supplied building materials to contractors. A church also occupied a part of the existing building. The applicant plans to open up the interior space of the existing building and eventually add on approximately 5,800 square feet to the building. Tract 2 is vacant land where the applicant plans to store finished boats and trailers.

The boat manufacturing process takes place in three stages with all activity occurring indoors. The first part of the fabrication process involves constructing the boats' wooden framework and applying the fiberglass exterior by hand. This stage will take place in a 1,400-square foot area. The second stage of the process involves fitting and assembly of parts in a 2,800-square foot area. The third part of the process involves rigging and preparation of the final product in an 800-square foot area.

The facility will also have a sales office of approximately 1,800 square feet. The facility will employ 10 people. The hours of operation will be from Monday through Saturday, 7:00 A.M. to 7:00 P.M. The property has two commercial driveways on South Padre Island Drive (SH 358) and two points of access, which do not appear to be properly constructed driveways, on Baywood Lane. For redevelopment of the two tracts, a 10-foot wide landscape buffer yard that achieves 15 buffer points is required between the "IL" Light Industrial District on Tract 1 and the abutting single-family district. A five-foot wide landscape buffer yard that achieves 10 buffer points is required between the "CG-1" General Commercial District and single-family district on Tract 2.

**Existing Land Uses & Zoning:**

Tract 1: Currently, the subject property is occupied by a vacant building that was the former site of a building materials wholesale facility and a church. To the north of the subject property is the South Padre Island Drive (SH 358) right-of-way. West of the subject property across Baywood Lane is a retail center and church zoned "CG-1" General Commercial District and a single-family residence zoned "RS-6" Single-Family 6 District. East of the subject property is a multifamily use in a "CG-1/SP" General Commercial District with a Special Permit, vacant land zoned "RS-6" Single-Family 6 District, and a single-family residence zoned "RS-6" Single-Family 6 District. To the south of the subject property are residential uses in a "RS-6" Single-Family 6 District.

Tract 2: The subject property is vacant and zoned "RS-6" Single-Family 6 District. North of the subject property is a retail center and church zoned "CG-1" General Commercial District. West of the subject property is a self-storage facility zoned "CG-1" General

Commercial District. East across Baywood Lane is Tract 1 with the existing commercial structure and church. South of the subject property is a single-family residence zoned "RS-6" Single-Family 6 District.

**AICUZ:** The subject property is located in a Navy Air Installation Compatibility Use Zone (AICUZ). The property falls within an Accident Potential Zone-2 (APZ- 2). According to the AICUZ Study for Naval Air Station Corpus Christi, the proposed land use and related structures for manufacturing of fiberglass boats is compatible in the APZ-2 without restrictions.

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The proposed rezoning to the "IL" Light Industrial District on Tract 1 is not consistent with the adopted Future Land Use Plan, which designates the property for future commercial uses. The proposed rezoning to the "CG-1" General Commercial District on Tract 2 is consistent with the Future Land Use Plan, which designates Tract 2 for commercial uses. The Flour Bluff Area Development Plan states that low intensity activities should be located next to single-family uses. Intensive commercial or light industrial uses are not appropriate next to single-family uses. A Special Permit on Tract 1 would impose conditions to make the proposed use more consistent with the Plan.

**Plat Status:** The property is currently platted as multiple lots.

**Department Comments:**

- Although this rezoning is not consistent with the adopted Future Land Use Plan, it is a reasonable reuse of the existing structure and would not significantly impact the adjacent residential and commercial uses if conditions were imposed through a Special Permit to reduce negative impacts.
- In comparison to the Limited Vehicle Service use, which is allowed in the "CG-1" General Commercial District, this fiberglass boat manufacturing facility where much of the manufacturing process is done by hand is not anticipated to cause significant nuisances to the surrounding properties.
- Much of the single-family residential uses to the south are planned for future commercial uses. If those residential properties are converted to commercial properties in the future, the proposed manufacturing facility would no longer impact a residential neighborhood.
- The rezoning of Tract 2 to a commercial use is consistent with the Comprehensive Plan. Boat sales and storage is a common land use in the Flour Bluff area and is permitted in the "CG-1" General Commercial District. A buffer yard in accordance with the UDC would be required on Tract 2 to protect the adjacent single-family use.

**Planning Commission and Staff Recommendation (May 22, 2013):**

**Tract 1** – Denial of the change of zoning from the "CG-1" General Commercial District and "RS-6" Single-Family 6 District to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-1/SP" General Commercial District with a Special Permit subject to the following nine conditions:

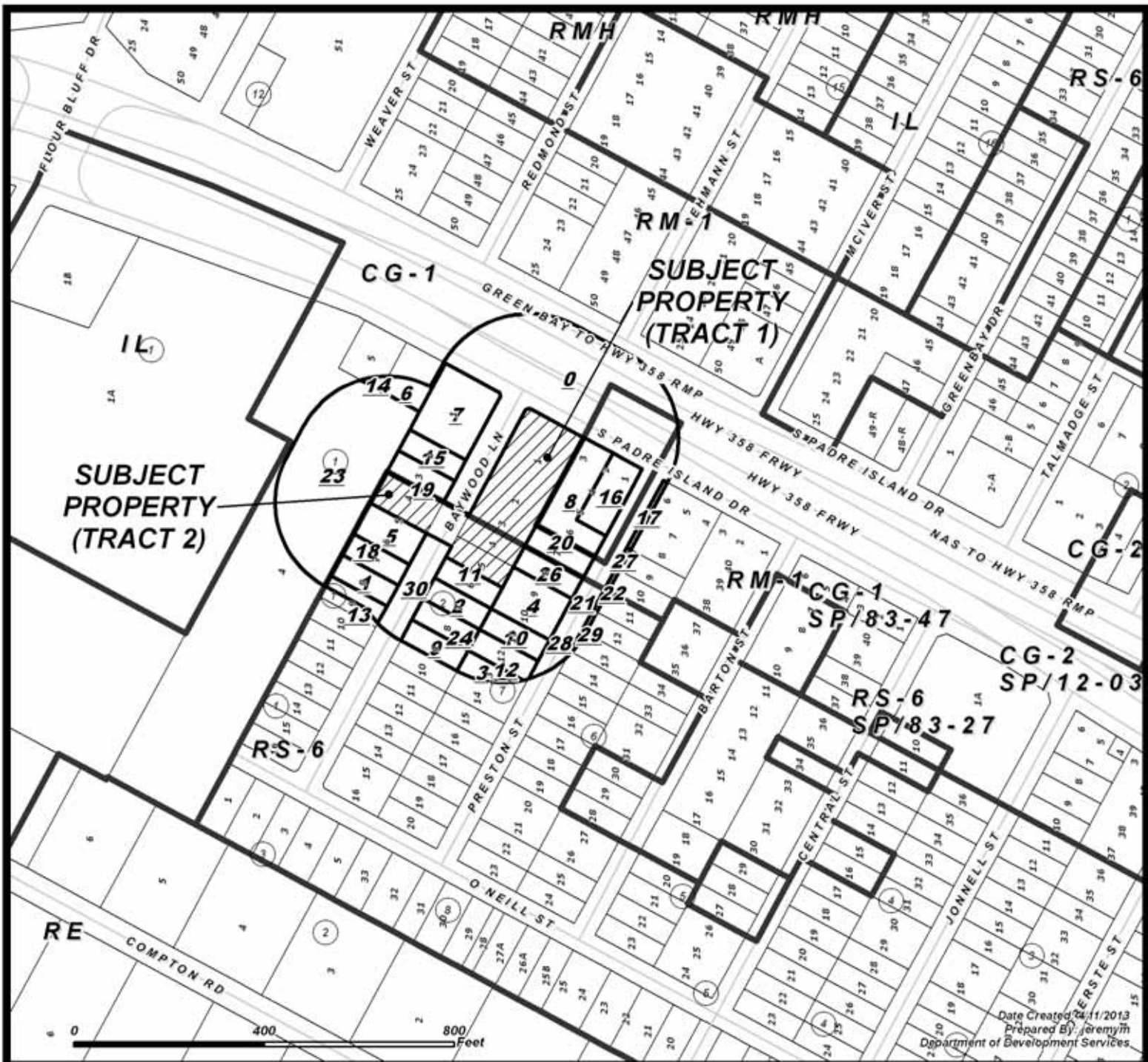
1. **Use:** A facility for the manufacturing of fiberglass boats that weigh less than five tons and the assembly of boat trailers are the only uses allowed on the Property other than those uses allowed by right in the “CG-1” General Commercial District. All stages of the manufacturing process and boat trailer assembly must occur indoors to reduce the potential impact of dust, noise, and odors on surrounding properties.
2. **Structure:** Expansion of the existing structures or construction of new structures for the uses authorized by Condition 1 shall maintain a 30-foot wide setback from the adjacent “RS-6” Single-Family 6 District to the south. Except for man-doors, openings in structures are prohibited from facing residential areas.
3. **Noise:** The use of machinery or equipment that produces offensive noise in compliance with City Code of Ordinances Chapter 31 on the Property is prohibited.
4. **Screening:** A six-foot tall solid masonry wall must be constructed, maintained, and remain in place around the perimeter of the facility. Screening is not required around the parking area located along South Padre Island Drive (SH 358) or around the outdoor retail display of finished boats.
5. **Landscaping:** The Owner shall plant and maintain canopy trees with a minimum of a 2.5-inch caliper every 30 feet on the center within the required 10-foot wide buffer yards and on the interior of the screening wall along the side and rear property lines adjacent to the single-family residences.
6. **Outside Storage:** Outside storage of materials and equipment is allowed on the Property as long as it is screened from view of the right-of-way and neighboring properties by means of a six-foot tall solid masonry wall.
7. **Hours of Operation:** The hours of operation for the manufacturing of fiberglass boats that weigh less than five tons and assembly of boat trailers shall be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m.
8. **Air Quality:** The Owner must comply with all applicable state and local air quality regulations.
9. **Time Limit:** This Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

**Tract 2** – Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-1” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 29 within 200' notification area; 2 outside notification area
	<u>As of May 23, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 1 (inside notification area); 0 (outside notification area)
For 1.73% in opposition.	

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Conceptual Facility Layout
- C. Notice Returned in Opposition



**CASE: 0413-05**  
**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 in opposition
- 4** Owners within 200' listed on attached ownership table

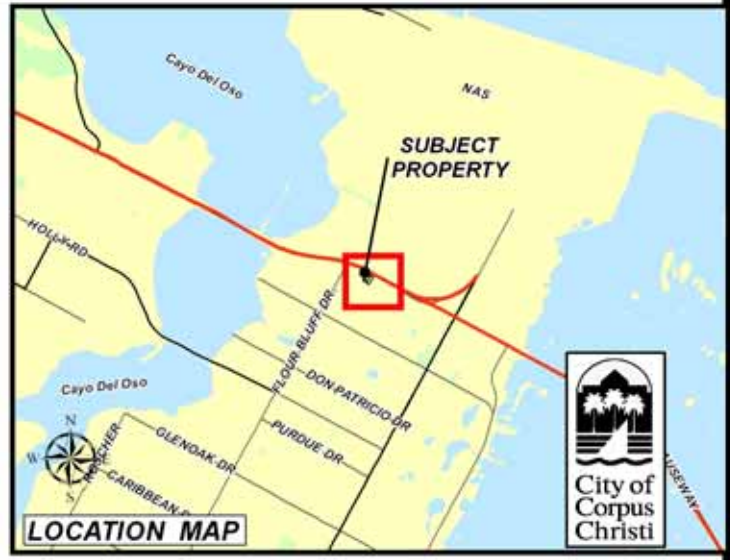
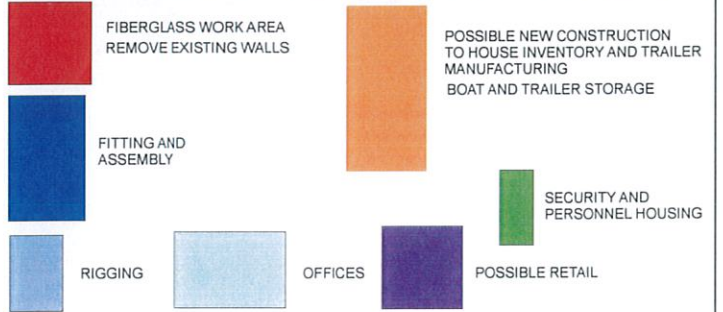


EXHIBIT A



JUBALEE PROPERTIES LTD  
9801 SPID





Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Department of Development Services 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 solicita que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

Si usted desea asistir a esta junta y dirigirse a la comisión y su inglés es limitado, alguien estará presente para ayudarle a interpretar. Para más información, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240.

RECEIVED  
APR 23 2013  
DEVELOPMENT SERVICES  
SPECIAL SERVICES

**CITY PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
Case No. 0413-05**

Jubalee Properties, Ltd. has petitioned the City of Corpus Christi to consider a change of zoning from the "CG-1" General Commercial District and "RS-6" Single-Family 6 District to the "IL" Light Industrial District on Tract 1 and from the "RS-6" Single-Family 6 District to the "CG-1" General Commercial District on Tract 2, resulting in a change to the Future Land Use Plan from commercial to industrial on Tract 1 and not resulting in a change to the Future Use Plan on Tract 2 on the property described below:

**Tract 1** being Lots 1 through 5, Block 2, Baywood Addition, and **Tract 2** being Lot 4 and the north half of Lot 5, Block 1, Baywood Addition, located south of South Padre Island Drive (SH 358) on Baywood Lane.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. 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 hold a public hearing on Wednesday, April 24, 2013 at 5:30 p.m. The hearing will be held in the City Council Chambers, 1201 Leopard Street, to discuss and formulate a recommendation to City Council. You are invited to attend this public hearing to express your views on this zoning change request. For further information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MAY BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER AND MAILED IN ITS ENTIRETY TO THE DEPARTMENT OF DEVELOPMENT SERVICES, 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.

NAME: ANTHONY G. LAMANNA Margaret LaManna  
Please print  
ADDRESS: 749 TRUK DR CORPUS CHRISTI; TELEPHONE NO. 361-688-2100

( ) IN FAVOR (X) IN OPPOSITION

REASONS: Family neighborhood lots of children who ride bikes + play in street! Property Value.  
Signature: Anthony G. LaManna  
Margaret LaManna

SEE MAP ON REVERSE SIDE  
Placed with US Postal Service on April 12, 2013  
Property Owner ID: 9

Case No. 0413-05  
HTE: 13-10000012  
Project Manager: Annika Gunning

Exhibit C

#9 OPPOSED