

STAFF REPORT

Case No. 0216-01
HTE No. 16-10000002

Planning Commission Hearing Date: February 24, 2016

| Applicant & Legal Description | Applicant/Owner: IHS Consultants, LP Representatives: Ronald A. Voss Legal Description/Location: Being 6.709 acres out of the East ½ of the East ½ of Lot 3, Block 2, Nueces River Irrigation Park, located near the southwest corner of Northwest Boulevard (FM 624) and River Hill Dr. | | |
|--|---|---------------------------------|--------------------------|
| Zoning Request | From: "FR" Farm-Rural District To: "CG-2" General Commercial District Area: 6.709 acres Purpose of Request: To allow commercial uses. | | |
| Existing Zoning and Land Uses | | Existing Zoning District | Existing Land Use |
| | <i>Site</i> | "FR" Farm Rural | Vacant |
| | <i>North</i> | "CG-2" General Commercial | Vacant |
| | <i>South</i> | OCL | Residential Estate |
| | <i>East</i> | "FR" Farm Rural | Public/Semi Public |
| | <i>West</i> | "FR" Farm Rural | Vacant |
| ADP, Map & Violations | Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for medium density residential and commercial uses. The proposed rezoning to the "CG-2" General Commercial District is largely consistent with the adopted Future Land Use Map and the Northwest Area Development Plan. Map No.: 068050 Zoning Violations: None | | |
| Transportation | Transportation and Circulation: The subject property is a part of a larger parcel which has approximately 275 feet of street frontage along Northwest Boulevard (FM 624), which is classified as an A-3 Primary Arterial Divided street, and approximately 500 feet of street frontage along River Hill Drive, which is classified as an "C1" Minor Residential Collector street. | | |

| Street R.O.W. | Street | Urban Transportation Plan Type | Proposed Section | Existing Section | Traffic Volume (2012) |
|---------------------|----------------------------------|--------------------------------|-----------------------|------------------|-----------------------|
| Northwest Boulevard | “A3” Primary Arterial Divided | 130’ ROW 79’ paved | 155’ ROW 76’ paved | 31,060 ADT | |
| | “C1” Minor Residential Collector | 60’ ROW 40’ paved | 60’ ROW 40’ paved | N/A | |

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “FR” Farm Rural District to the “CG-2” General Commercial District.

Development Plan: The property proposed to be rezoned is within the Nueces River Irrigation Park Subdivision. The land use statement provided by the applicant indicates an intent to develop retail commercial uses such as a restaurant on the most northerly portion of the property and office uses on the most southerly portion of the property.

Existing Land Uses & Zoning: The subject property is vacant land zoned “FR” Farm Rural. North of the subject property is vacant land zoned “CG-2” General Commercial. South of the subject property is outside city limits. East of the subject property is Grace United Methodist Church in the “FR” Farm Rural District and west of the subject property is vacant land zoned “FR” Farm Rural.

Transportation: The City’s adopted Urban Transportation Plan includes a planned roadway between the subject property and the adjacent property to the east. That roadway now known as River Hill Drive, a “C1” Minor Residential Collector, will eventually connect to County Road 52. The construction of Phase 2 of County Road 52, approved in the Bond 2014 package, is in the design and acquisition phase with the City being responsible for design and acquisition and the County being responsible for the construction. The adjacent property to the east, which is developed as a church, dedicated and constructed a segment of River Hill Drive. It is important to note that a future dedication and/or improvements will be required from the subject property via subsequent development applications. Such dedication and improvements will serve to further the construction of River Hill Drive.

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 a portion of a platted lot.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Northwest Area Development Plan (ADP). The proposed rezoning to the “CG-2” General Commercial District is largely consistent with the adopted Future Land Use Map’s designation of the property as suitable for commercial uses and medium density residential uses.

The following Comprehensive Plan policy is pertinent to this application.

- Infill development should be encouraged on vacant tracts within developed areas. (Comprehensive Plan, Policy Statement H)

Department Comments:

- The requested “CG-2” General Commercial zoning designation is largely consistent with the Future Land Use Map and the Northwest Area Development Plan.
- The Future Land Use Map splits the subject property and designates a portion suitable for commercial uses and for medium density residential uses.
- A change from medium density residential uses to commercial uses will not alter the overall intent of the Northwest Area Development Plan and the Future Land Use Map as it pertains to the overall development of the subject property or other property in the immediate vicinity.
- The requested “CG-2” designation generally conforms to the goals and land use policies contained in the Comprehensive Plan and the Northwest Area Development Plan.
- Approval of the change in zoning may further policies of the Comprehensive Plan that pertain to infill development.
- Subsequent development of the subject property may further the City’s adopted Urban Transportation Plan as it pertains to the construction of River Hill Drive, a planned “C1” Minor Residential Collector.
- A “CG-2” District would allow uses that are suited for the property and compatible with the adjacent, existing land uses.
- The zoning change will not have a negative impact upon the surrounding properties.
- Development standards and requirements in the Unified Development Code and adopted construction standards will ensure that eventual development occurs in a manner that will be compatible with future adjacent development.
 - Specific development requirements including but not limited to drainage, infrastructure requirements and so forth will be determined via subsequent permit processes.

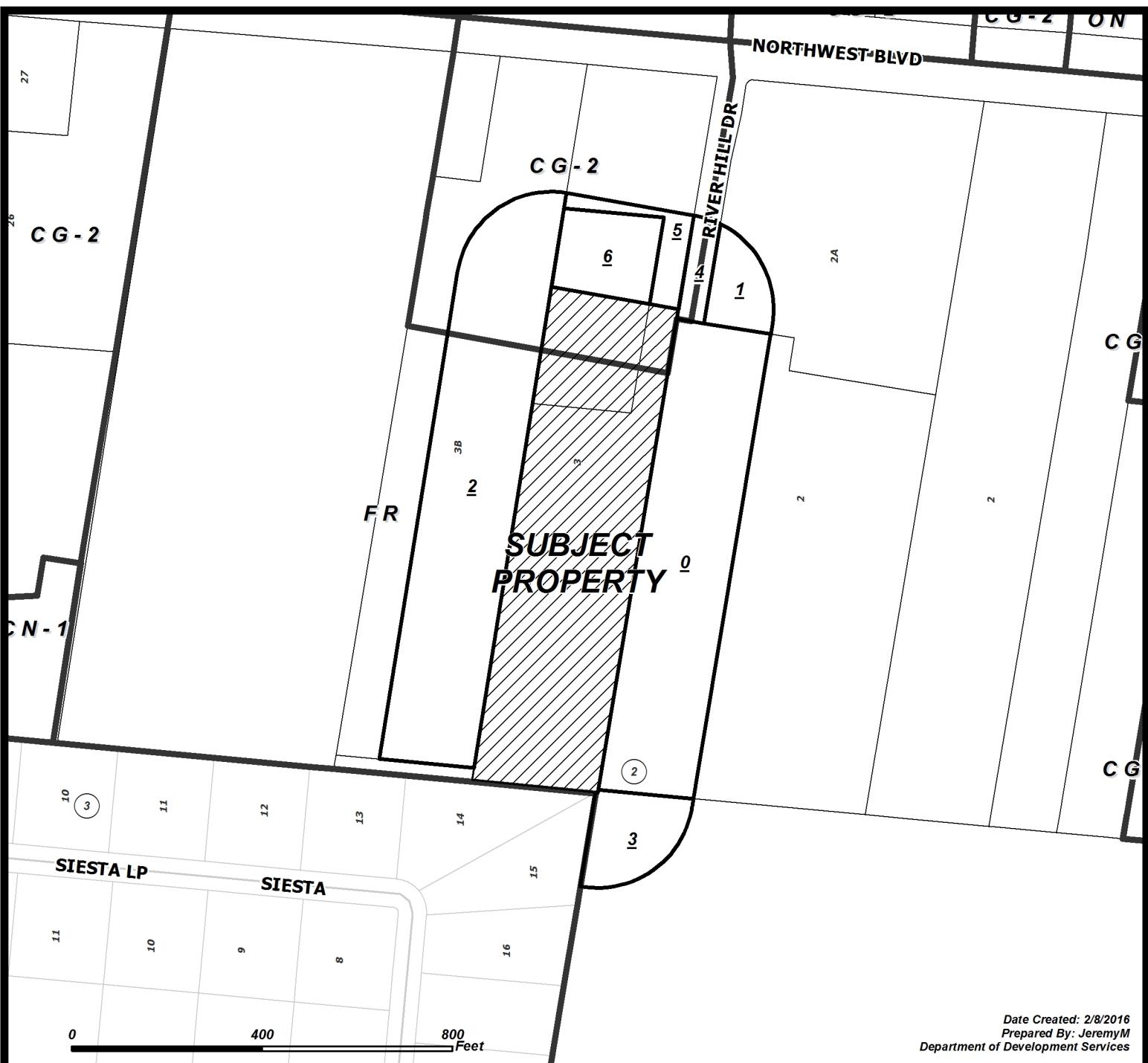
Staff Recommendation:

Approval of the change of zoning from the “FR” Farm-Rural District to the “CG-2” General Commercial District.

| | | | | | |
|----------------------------|--|----------|---|---------------|---|
| Public Notification | <p>Number of Notices Mailed – 4 within 200-foot notification area 2 outside notification area</p> <p><u>As of February 17, 2016:</u></p> <table><tbody><tr><td data-bbox="323 354 530 432">In Favor</td><td data-bbox="670 354 1062 432">– 0 inside notification area – 0 outside notification area</td></tr><tr><td data-bbox="323 460 530 538">In Opposition</td><td data-bbox="670 460 1062 538">– 0 inside notification area – 0 outside notification area</td></tr></tbody></table> <p>Totaling 0.00% of the land within the 200-foot notification area in opposition.</p> | In Favor | – 0 inside notification area – 0 outside notification area | In Opposition | – 0 inside notification area – 0 outside notification area |
| In Favor | – 0 inside notification area – 0 outside notification area | | | | |
| In Opposition | – 0 inside notification area – 0 outside notification area | | | | |

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)





REZONING APPLICATION

Office Use Only

Case No.: 0216-01 Map No.: 068050

PC Hearing Date: 2-24-1 Proj. Mgr: _____

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
Hearing Time: 5:30 p.m.

*A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.
*INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: IHS CONSULTANTS Contact Person: ISMAEL H. SALAZAR
Mailing Address: P.O. Box 8354
City: CORPUS CHRISTI State: TX ZIP: 78468 Phone: (361) 853-7700
E-mail: JRC@IHSCONSTRUCTIONINC.COM Cell: ()

2. Property Owner(s): IHS CONSULTANTS, L.P. Contact Person: ISMAEL H. SALAZAR
Mailing Address: P O Box 8354
City: CORPUS CHRISTI State: TX ZIP: 78468 Phone: (361) 853-7700
E-mail: JRC@IHSCONSTRUCTIONINC.COM Cell: ()

3. Subject Property Address: FM 624 Area of Request (SF/acres): 18807 Acres
Current Zoning & Use: CR Cg-2 Proposed Zoning & Use: Cg-2
12-Digit Nueces County Tax ID: 5824-0002-0025
Subdivision Name: NUEVES RIVER IRRIGATION PARK Block: _____ Lot(s): _____
Legal Description if not platted: Doc # 2009023698, Deo Records Nueces Co, Texas 9.81Ac

4. Submittal Requirements:

Early Assistance Meeting: Date Held 11/15/15; with City Staff LETICIA KANMORE, ET AL.
 Land Use Statement Disclosure of Interest Copy of Warranty Deed

IF APPLICABLE:

Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) Site Plan for PUD or Special Permit
 Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) Lien Holder Authorization
 Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a complete application for review; that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

Owner or Agent's Signature

Applicant's Signature

Owner or Agent's Printed Name

Applicant's Printed Name

Office Use Only: Date Received: 1-12-16 Received By: BKP ADP: NW

Rezoning Fee: 1692.20 + PUD Fee 0 + Sign Fee 10.00 = Total Fee 1702.50

No. Signs Required 1 @ \$10/sign Sign Posting Date: _____



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA".

NAME: ITS CONSULTANTS, L.P.

STREET: PO Box 8354 CITY: CORPUS CHRISTI, TX ZIP: 78468

FIRM is: Corporation Partnership Sole Owner Association Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Job Title and City Department (if known)

None

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Title

None

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Board, Commission, or Committee

None

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Consultant

None

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: ISMAEL H. SALAZAR, JR. Title: Pres/Owner
(Print Name)

Signature of Certifying Person: Ismael H. Salazar Date: 11/28/15

LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

CHANGE ZONING FR TO CG-2

SIZE & USAGE OF BUILDINGS UNKNOWN
AT THIS TIME

(SEE ATTACHED PROPOSED DIVISION OF
LAND & ROAD)

FRONT 2 LOTS WILL BE RETAIL ie.
RESTAURANT OR SOME OTHER BUSINESS
THE REMAINING LOTS WILL BE SMALL
WAREHOUSES/OFFICE.

2. Identify the existing land uses adjoining the area of request:

North - NORTHWEST BLVD / FM 628 - RESTAURANT

South - 1/4 ACRE RESIDENTIAL TRACTS

East - 1 1/2 - CHURCH, 5 1/2 - PASTURE

West - 1 1/2 - RESTAURANT, MIDDLE 1/3 - MOBILE HOME, 5-1/2 - FIELD



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA".

NAME: Ronald Voss, Voss Engineering, Inc
STREET: 6838 Greenwood Dr - CITY: CORPUS CHRISTI, TX ZIP: 78415
FIRM is: Corporation Partnership Sole Owner Association Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name _____ Job Title and City Department (if known) _____
None _____

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name _____ Title _____
None _____

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name _____ Board, Commission, or Committee _____
None _____

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name _____ Consultant _____
None _____

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Ronald Voss Title: President/Owner
(Print Name)

Signature of Certifying Person: Ronald Voss Date: 1/25/06

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Ronso A. Voss

Mailing Address: 6838 GREENWOOD DRIVE

City: CORPUS CHRISTI, State: TEXAS Zip: 78415

Home Phone: (361) 482-1708 Business Phone: (361) 854-6202 Cell: (—) —

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the entity.

*Signature of Agent: Mr Title: ENGINEER

Printed/Typed Name of Agent: Ronso A. Voss Date: 11/30/15

*Signature of Property Owner: Angela H. Salazar Title: General Partner

Printed/Typed Name of Property Owner: ISMAEL H. SALAZAR Date: 10/21/15

*Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

*Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

*Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.