

PLANNING COMMISSION FINAL REPORT

Case No. 0915-01

HTE No. 15-10000019

Planning Commission Hearing Date: September 9, 2015

Applicant & Legal Description	<p>Representative: Naismith Engineering, Inc. Owner: AI Development, Inc. Legal Description/Location: Being a 14.25 acre tract of land out of a 91.594 acre tract of land as recorded in Document Number 2012050691, Deed Records of Nueces County, Texas, located approximately 260 feet south of Northwest Boulevard (FM 624) between CR 73 and FM 1889.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RM-1" Multifamily 1 District Area: 14.25 acres Purpose of Request: To allow construction of an apartment complex.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"RS-6" Single-Family 6	Vacant	Low Density Residential
<i>North</i>		"CG-2" General Commercial	Vacant	Commercial
<i>South</i>		"RS-6" Single-Family 6	Vacant	Low Density Residential
<i>East</i>		"RS-4.5" Single-Family 4.5	Vacant	Low Density Residential
<i>West</i>		"FR" Farm Rural	Vacant	Medium and Low Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RM-1" Multifamily 1 District is not consistent with the adopted Future Land Use Plan or the Northwest Area Development Plan. Map No.: 069050 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property is located approximately 260 feet south of Northwest Boulevard, which is an "A3" Primary Arterial Divided street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Northwest Boulevard	"A3" Primary Arterial Divided	130' ROW 79' paved	140' ROW 90' paved	14,113 ADT

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District to allow the construction of an apartment complex.

Development Plan: The applicant is proposing a 160 unit gated apartment complex consisting of 20 buildings with eight units each. Access to the site will initially be from an abutting CG-2 zoned property fronting on Northwest Boulevard. The Unified Development Code requires a 20-foot street yard setback (same for the "CG-2" and "RM-1" Districts). Minimum side and rear yards of 10-feet are required. However, any multi-family building must be setback from the abutting "RS-4.5" and "RS-6" Districts at a ratio of 1:2 or two-foot of setback for each foot of building height where abutting RS Districts. Maximum height of the "RM-1" District is 45 feet except if the development has 40% or more in non-vehicular open space then there is no height limit.

Existing Land Uses & Zoning: The subject property and all adjacent properties are vacant. The property to the north is zoned "CG-2" General Commercial, the subject property and property to the south is zoned "RS-6" Single-Family 6 Residential, property to the east is zoned "RS 4.5" Single-Family 4.5, and to the west is "FR" Farm Rural zoning.

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

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 "RM-1" Multifamily District is not consistent with the Northwest Future Land Use map's designation of the property as low density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- The Corpus Christi Policy Statements suggest multifamily use as a good buffer use between commercial (along Northwest Blvd.) and areas designated for low density residential uses south of the subject property. The proposed rezoning is consistent with this buffer concept illustrated in the Corpus Christi Policy Statements.
- The setback requirements of the Unified Development Code are generally sufficient to mitigate most incompatibilities between the adjacent future single-family residential areas and the proposed apartment complex.

- The area was annexed into the city in 1995 and has remained undeveloped. A goal of the city is to encourage infill development and the proposed development is consistent with this goal.
- Locating multifamily uses near commercial services creates opportunities for walking or biking to nearby services, thereby reducing the number of vehicles on city streets.
- The change of zoning will not impact any existing and abutting single-family development.

Plat Status: The subject property is not platted and must be platted prior to issuance of any building permits.

Department Comments:

- The proposed rezoning deviates from the Future Land Use plan map but is consistent with a several important goals of the city.
 - Encourage infill development;
 - Encourage land use compatibility.
- Sufficient street capacity exists to handle the traffic generated from the proposed apartment complex. The proposed development for 160 apartment units at 11 units per acre is estimated to generate 1,064 trips per day. At the “RM-1” District maximum density of 22 units per acre the site could be developed with 313 apartment units and generate an estimated 2,084 trips per day.
- While much of the area is vacant and much more traffic will be generated from future full development, the impact to the street system from the increase in development density will be mitigated by:
 - Development of the arterial and collector street grid in accordance with the Urban Transportation Plan. Currently, the arterial and collector grid network is only partially developed or non-existent in the area.
 - The likely continuation of pockets of large lot rural very low density and low traffic generating developments in the area.
- A staff concern for an apartment project of this magnitude is the single point of access to a single street, Northwest Boulevard. While the city does not have a requirement or standard for multiple points of access in the Unified Development Code, a “best practice” would be to have at least two points of access for large apartment complexes. While there is not presently two streets to connect to, the design of the project could allow for a future connection as the property owner owns much of the surrounding land areas.

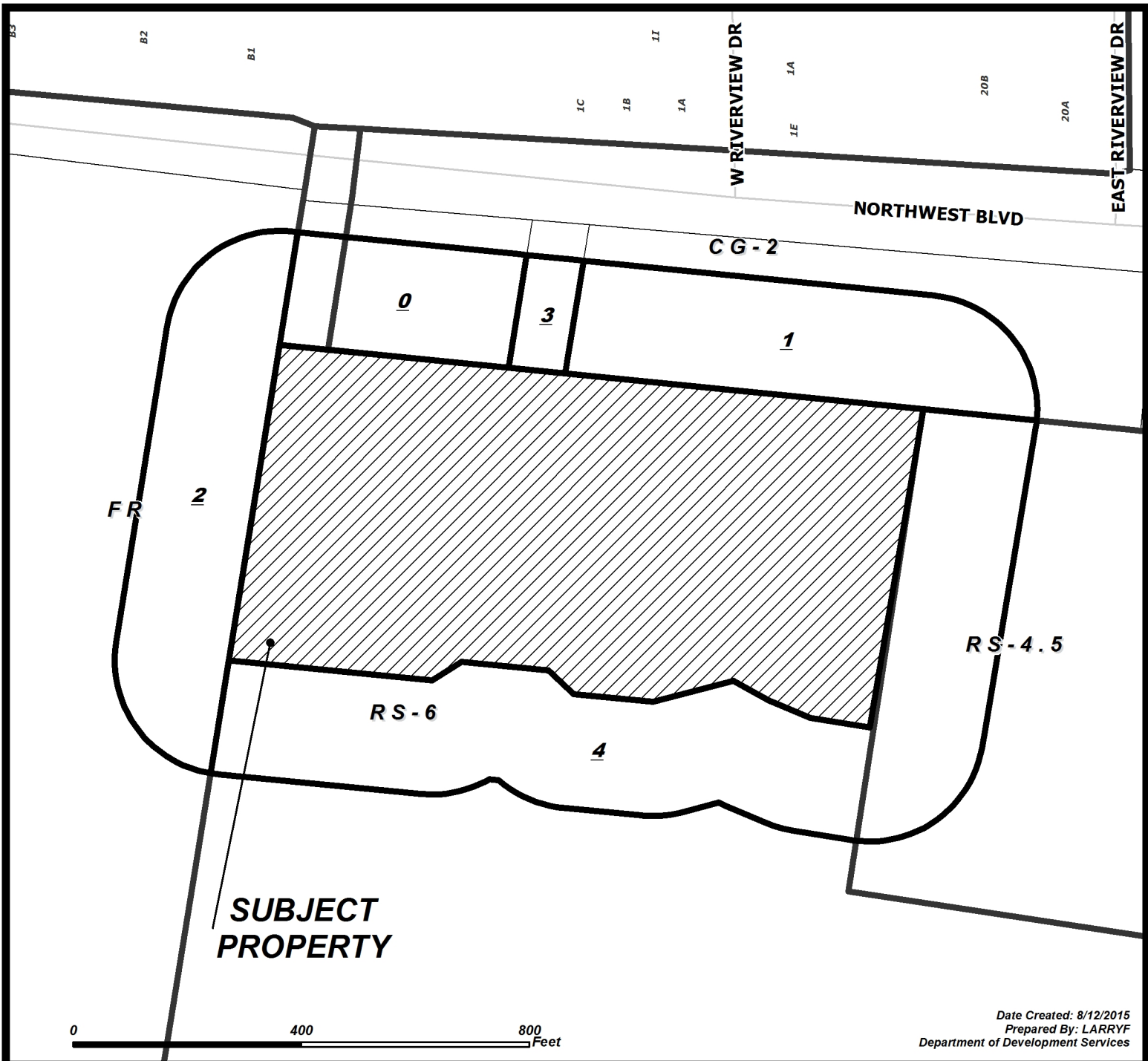
Planning Commission and Staff Recommendation:

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily District.

Public Notification	Number of Notices Mailed – 5 within 200-foot notification area 5 outside notification area
	<u>As of September 28, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:

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



CASE: 0915-01 ZONING & NOTICE AREA

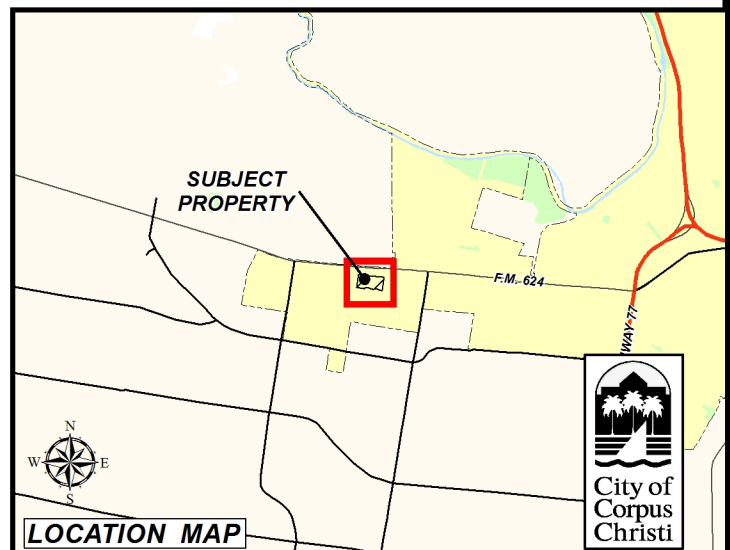
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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

4 Owners within 200' listed on attached ownership table

X Owners in opposition



#15-10000019



CITY OF CORPUS CHRISTI
DEVELOPMENT SERVICES
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street
(Corner of Leopard Street and Port Avenue)

APPLICATION FOR A CHANGE OF ZONING

Office Use Only

Case No.: 0915-01 Map No.: 069050

*Planning Commission Hearing Date: 9/9/15

Location: City Hall Council Chambers, 1201 Leopard Street at 5:30 p.m.
*A maximum of five applications are scheduled per hearing. Applications received after the five maximum will be scheduled to the next available meeting.

1. Applicant/Representative: Naismith Engineering, Inc. Telephone: (361) 814 - 9900
Address (City, State, Zip): 4501 Gollihar Road, Corpus Christi, Texas 78411
E-mail Address: [REDACTED] Cell Phone: (N/A)

2. Property Owner(s): AI Development, Inc. Telephone: (N/A)
Address (City, State, Zip): 24 W Bar Le Doc Drive, Corpus Christi, Texas 78414
E-mail Address: _____ Cell Phone: (361) 510 - 5432
Ownership Type: Sole Partnership Corporation Other: _____

3. Current Zoning and Use: RS-6 Proposed Zoning and Use: RM-1
Project Address: 15205 Northwest Blvd Area of Request (sq. ft./acres): 14.25 Ac.
12-Digit Nueces County Tax ID: 4 9 6 3 - 0 0 0 0 - 4 0 0 2
If platted, Subdivision Name: _____ Block: _____ Lot(s): _____
Legal description: Mcintyre Partition 91.594 acres out of tract 4

4. DOCUMENTS ATTACHED
REQUIRED: Land Use Statement Disclosure of Interest Copy of Warranty Deed
IF APPLICABLE: Executed Appointment of Agent
 Metes and bounds if request is for a portion of a platted lot or an unplatted lot

I certify that the information provided is accurate, correct and signed by all owners.

[Signature]
(Owner's Signature)

[Signature]
(Applicant's Signature)

Alireza Mostaghasi
(Owner's Printed Name)

Thomas B. Tiffin, P.E.
(Applicant's Printed Name)

All signatures on this application shall be original signatures. No copied prints or faxed copies.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Application Fees (as of November 1, 2011):	
0.00 - 0.99 acre	\$ 1,107.50
1.00 - 9.99 acres	\$ 1,692.50
10.00 - 24.99 acres	\$ 1,976.75
25 + acres	\$ 1,976.75 plus \$50.00 per acre over 25 acres
Notice Sign Fee	\$10.00 per sign

Office Use Only
Date Received: _____ Received By: _____
Application Fee: 1976.75
No. Signs Required 1 X \$10 Sign Fee: 10.00
Total: 1986.75
Sign Posting Date: 8/28/15 ADP: NW
Form Revised 8/24/12

RCVD 3/27/15



P.O. Box 9277
Corpus Christi, TX 78469-9277
(361) 826-3240
Located at: 2406 Leopard St.

LAND USE STATEMENT

Complete land use statement form containing the following information:

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.

The intended use will be for a gated apartment complex consisting of 20 buildings with 8 units each, ranging from 1 to 3 bedrooms. The complex will also have amenities and a detention pond.

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

North - CG-2
South - RS-6
East - RS-4.5
West - FR



City of Corpus Christi, Texas
 Department of Development Services
 P.O. Box 9277
 Corpus Christi, Texas 78469-9277
 (361) 826-3240
 Located at: 2406 Leopard Street
 (Corner of Leopard St. and Port Ave.)

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: Al Development, Inc.
STREET: 24 W Bar Le Doc Drive **CITY:** Corpus Christi, Texas **ZIP:** 78414
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)
<u>n/a</u>	<u>n/a</u>
_____	_____

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
<u>n/a</u>	<u>n/a</u>
_____	_____

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
<u>n/a</u>	<u>n/a</u>
_____	_____

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
<u>n/a</u>	<u>n/a</u>
_____	_____

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: Alireza Mostaghasi **Title:** Owner
 (Print)

Signature of Certifying Person:  **Date:** _____



City of Corpus Christi, Texas
 Department of Development Services
 P.O. Box 9277
 Corpus Christi, Texas 78469-9277
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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: Thomas B. Tiffin, P.E. **Title:** Engineer
 (Print)

Signature of Certifying Person:  **Date:** 3/26/2015



Development Services
 2406 Leopard Street, Corpus Christi, TX 78408
 Phone: (361)826-3240 www.cctexas.com

PEAK HOUR TRAFFIC (PHT) FORM

A Traffic Impact Analysis (TIA) determination must be made prior to the submittal of any rezoning application, site plan or street closure request. The Peak Hour Traffic Generation (PHT) Form is required to be completed for developments that are projected to contain 500 or fewer weekday peak hour (A.M. or P.M.) trips (UDC Section 3.29.4).

Property Address: 15205 Northwest Blvd

Legal Description (Subdivision, Lot, Block): Mcintyre Partition 91.594 acres out of Tract 4

Applicant Name: AI Development, Inc.

Address: 24 W Bar Le Doc Drive City/State/Zip: Corpus Christi, Texas 78414

Telephone: _____ Email: _____

Application Status (Select One): Rezoning Site Plan Street Closure

Existing Land Use

Tract Acres	Building (SF)	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
14.25	0	RS-6	Vacant	-	-	-	-	-

Proposed Land Use

Tract Acres	Building (SF)	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
14.25	160 UNITS	RM-1	Multi-Family	220	0.55	88.00	0.67	107.20
Total						88.00	Total	107.20

Abutting Streets

Street Name	Access Proposed To Street?	Pavement Width (FT)	ROW Width (FT)
Northwest Blvd (FM 624)	Yes	88.00	150.00

- For City Use Only**
- A Traffic Impact Analysis **IS** required. The consultant preparing the TIA must meet with the City to discuss the scope and requirements of the analysis prior to beginning the TIA.
 - A Traffic Impact Analysis is **NOT** required. The proposed traffic generated does not exceed the established threshold.
 - The Traffic Impact Analysis has been waived for the following reason(s):

Reviewed By: Bob Pje Date: 9/2/2015

Note: This completed and reviewed form must accompany any subsequent application for the IDENTICAL project. CHANGES to the proposed project will require a new TIA determination to be made.