

STAFF REPORT

Case No. 1015-01
 HTE No. 15-10000058

Planning Commission Hearing Date: October 21, 2015

Applicant & Legal Description	<p>Applicant/Owner: Golden Real Estate and Construction Consulting Group, Inc. Representative: Amir Zarghooni Legal Description/Location: Being a 12.00 acre tract of land deeded to Golden Real Estate and Construction Group, Inc., in document File No. 2012038800 Official Public Records Nueces County, Texas and being out of Lots 18, 19, 20, 29, 30 and 31 Section 11 of the Flour Bluff & Encinal Farm Garden Tracts, located approximately 850 feet east of South Staples Street (FM2444) between Corsica Road and Timbergate Drive.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RS-4.5" Single-Family 4.5 District Area: 12 acres Purpose of Request: To allow for the construction of a detached single-family subdivision.</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>	"RM-1" Multifamily 1	Medium Density Residential	Medium Density Residential
	<i>South</i>	"RS-6" Single Family 6	Low Density Residential	Low Density Residential
	<i>East</i>	"RS-6" Single Family 6	Vacant	Low Density Residential
	<i>West</i>	"CN-1" Neighborhood Commercial	Vacant	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is consistent with the adopted Future Land Use Map and the Southside Area Development Plan. Map No.: 044032 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has access to Spanish Wood Drive, which the Urban Transportation Plan classifies as a "C1" Minor Residential Collector street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
	Spanish Wood Drive	"C1" Minor Residential Collector	60' ROW 40' paved	N/A	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family District to allow for the construction of a detached single-family subdivision with a minimum lot size of 4,500 square feet.

Development Plan: The property owner intends to develop a single family residential subdivision consisting of approximately sixty-two (62) lots. The lots are planned to be approximately 5,500 square feet in area with dwelling units ranging from 1,500 to 1,800 square feet in size. Platting of this subdivision will include the extension of Spanish Wood Drive to connect with Timbergate Drive.

Existing Land Uses & Zoning: The property to the north of the subject property is zoned "RM-1" Multifamily District and is currently developed as the Mirador Retirement Community. The property to the south is zoned "RS-6" Single-Family and is developed with single-family dwellings. The property to the east of the subject property is zoned "RS-6" Single-Family and is vacant. The property to the west is also vacant and is zoned "CN-1" Neighborhood Commercial.

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 not platted.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is consistent with the Future Land Use Map designation of the property as low density residential.

Department Comments:

- The request to rezone conforms to the Comprehensive Plan and the Southside Area Development Plan with respect to land use and infill development policies contained therein.
- The request to rezone the property to "RS-4.5" Single Family 4.5 District is consistent with the Future Land Use Map which identifies the subject property as low density residential.
- The request, if approved, would allow development to occur that is compatible with adjacent properties.
- Approval of the request would not create an adverse impact on the surrounding properties or overall character of the area.

- The subject property is suited for single-family development.

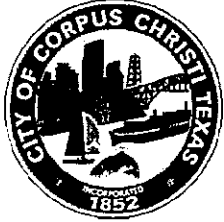
Staff Recommendation:

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District.

Public Notification	Number of Notices Mailed – 54 within 200-foot notification area 5 outside notification area
	<u>As of October 14, 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. Application
3. Public Comments Received (If Any)



Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

REZONING APPLICATION

Office Use Only

Case No.: 1015-01 Map No.: 044032

PC Hearing Date: 10/21/15 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: Golden Real Estate & Construction Group, Inc. Contact Person: Amir Zarghooni
Mailing Address: 5525 S. Staples St. Suite B2
City: Corpus Christi State: Tx ZIP: 78414 Phone: (361) 510-8249
E-mail: _____ Cell: (361) 510-8249

2. Property Owner(s): Amir Zarghooni Contact Person: Amir Zarghooni
Mailing Address: 46 West Bar-Le-Doc Drive
City: Corpus Christi State: Tx ZIP: 78414 Phone: (361) 510-8249
E-mail: _____ Cell: (361) 510-8249

3. Subject Property Address: North End of Spanish Wood Area of Request (SF/acres): 12AC
Current Zoning & Use: RS6 Proposed Zoning & Use: RS 4.5
12-Digit Nueces County Tax ID: 2476 0011 0176
Subdivision Name: TBD Block: N/A Lot(s): N/A
Legal Description if not platted: F.B.& ENC FRM GDN TR. 12 ACS OUT OF LTS 17-20 & 29-32 SEC 11

4. Submittal Requirements:
 Early Assistance Meeting: Date Held 9-4-15; with City Staff Andrew Dimas
 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
Amir Zarghooni
Owner or Agent's Printed Name

Applicant's Signature

Applicant's Printed Name

Office Use Only: Date Received: 9/21 Received By: blp ADP: SS
Rezoning Fee: 1976.75 + PUD Fee 0 + Sign Fee 10.00 = Total Fee 1986.75
No. Signs Required 1 @ \$10/sign Sign Posting Date: 10/6/15

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.

The purpose of this request is to change the zoning of this property from RS-6 to RS-4.5.

The property is currently a vacant, unplatted 12 acre tract located at the north end of Spanish Trail Drive. The existing property to the east is occupied by an elementary school. The existing property to the south is occupied by single family residential subdivisions. The existing property to the west is primarily vacant property up to South Staples Street. The existing property to the north is occupied by a large independent and assisted senior housing facility. There is also a multi-unit apartment complex under construction in this area.

The proposed use of the property will provide for the construction of a detached single family residential subdivision, containing approximately 62 lots of approximately 5,500 square feet in area. It is currently anticipated that the homes to be built on these lots will be based on 1,500 to 1,800 square feet of living space.

Construction of the subdivision will include extension of City water, wastewater, and storm water systems, and new street construction, including the extension of Spanish Woods Drive to connect to Timbergate Drive.

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

North - Medium Density Residential

South - Low Density Residential

East - Institutional - Education

West - Vacant

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: Texas Geo Tech, Engineering & Land Surveying, Inc.

Mailing Address: 5525 S. Staples St. Suite B2

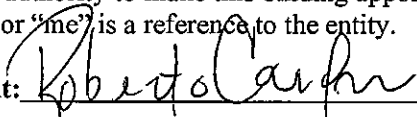
City: Corpus Christi State: Tx Zip: 78411

Home Phone: () Business Phone: (361) 993-0808 Cell: (361) 438-2850

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:  Title: owner

Printed/Typed Name of Agent: Roberto Cardenas Date: 9-18-15

*Signature of Property Owner:  Title: owner

Printed/Typed Name of Property Owner: Amir Zarghooni Date: 9-18-15

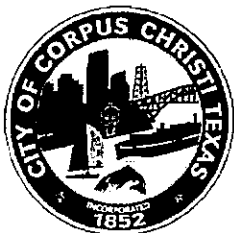
*Signature of Property Owner: _____ Title: _____

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.



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: Golden Real Estate & Construction, Inc. (Amir Zarghooni)
STREET: 46 West Bar-Le-Doc Drive CITY: Corpus Christi 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>	_____
_____	_____

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>	_____
_____	_____

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>	_____
_____	_____


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>	_____
_____	_____

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: Amir Zarghooni Title: owner
(Print Name)

Signature of Certifying Person:  Date: 9-18-15



TexasGeoTech

LAND SURVEYING, INC.

EXHIBIT "A"

Being a 12.00 acre tract of land deeded to **Golden Real Estate and Construction Group, Inc.**, in document File No. **2012038800** Official Public Records Nueces County, Texas and being out of Lots 18, 19, 20, 29, 30 and 31 Section 11 of the **Flour Bluff & Encinal Farm Garden Tracts**, a plat of which is recorded in Volume A, Pages 41-43 Map Records of Nueces County, Texas, and being more particularly described as follows;

BEGINNING at a found 5/8 inch iron rod, being the south corner of Lot 1, Block 3 – The Village at Timbergate Unit 1, a plat which is recorded in volume 67, pages 344-345 of the Map Records of Nueces County, Texas, same being the northeast corner of the tract herein described;

THENCE S 28° 37' 53" W – a distance of 394.92 feet to a found 5/8 inch iron rod for the southeast corner of the tract herein described;

THENCE N 61° 28' 18" W – a distance of 1322.69 feet to a found 5/8 inch iron rod, being on the north lot line of Lot 6 – Barclay Grove Unit 11, a plat which is recorded in volume 68, pages 302-303 Map Records of Nueces County, Texas, same being the southwest corner of the tract herein described;

THENCE N 28° 37' 53" E – a distance of 395.47 feet to a found 5/8 inch iron rod, being on the south lot line of Lot 2, Block 1 – The Village at Timbergate Unit 1, a plat which is recorded in volume 68, page 382 Map Records of Nueces County, Texas, same being the northwest corner of the tract herein described;

THENCE S 61° 26' 53" E - a distance of 1322.69 feet to the PLACE OF BEGINNING and containing 12.00 acres more or less.

BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NAD83 TEXAS SOUTH ZONE.

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

August 19, 2015
150909



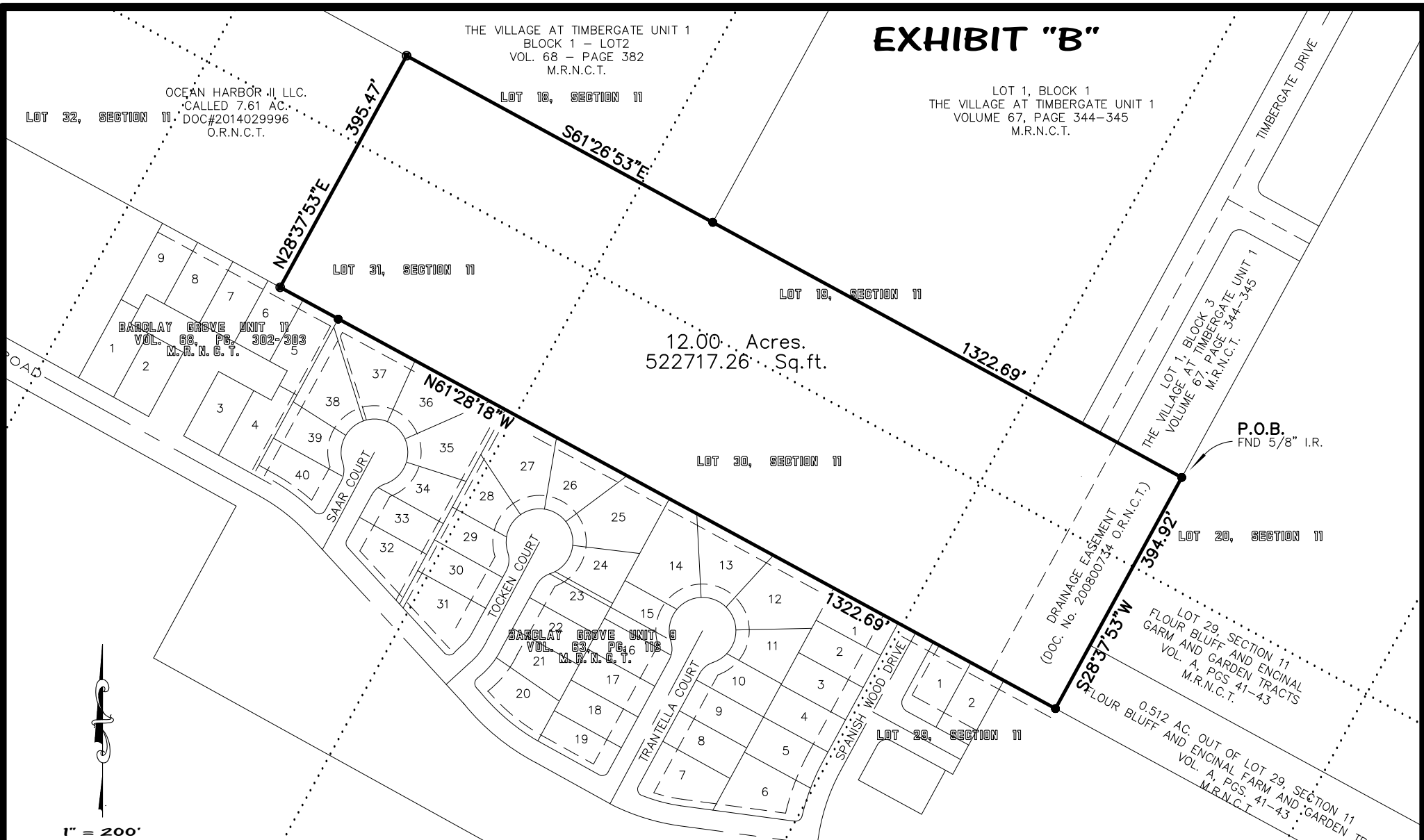

Jarrel L. Moore
Registered Professional Land Surveyor
Number 4854

EXHIBIT "B"

THE VILLAGE AT TIMBERGATE UNIT 1
BLOCK 1 - LOT2
VOL. 68 - PAGE 382
M.R.N.C.T.

LOT 1, BLOCK 1
THE VILLAGE AT TIMBERGATE UNIT 1
VOLUME 67, PAGE 344-345
M.R.N.C.T.

LOT 32, SECTION 11
OCEAN HARBOR II, LLC.
CALLED 7.61 AC.
DOC#2014029996
O.R.N.C.T.



12.00 Acres.
522717.26 Sq. ft.

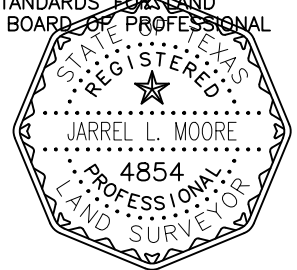
P.O.B.
FND 5/8" I.R.

DRAINAGE EASEMENT
(DOC. No. 200800734 O.R.N.C.T.)

1" = 200'

I, JARREL L. MOORE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND SUBSTANTIALLY COMPLIES WITH THE MINIMUM STANDARDS FOR LAND SURVEYING IN TEXAS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS THIS SEPTEMBER 19, 2015.

Jarrel L. Moore
JARREL L. MOORE
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE No. 4854



SURVEY OF:

A 12.00 ACRE TRACT OF LAND DEEDED TO GOLDEN REAL ESTATE & CONSTRUCTION GROUP, INC., IN DOCUMENT FILE No. 2012038800 OFFICIAL PUBLIC RECORDS NUECES COUNTY, TEXAS AND BEING OUT OF LOTS 18, 19, 20, 29, 30 & 31 SECTION 11 OF THE FLOUR BLUFF & ENCINAL GARM GARDEN TRACTS, A PLAT WHICH IS RECORDED IN VOLUME A, PAGES 41-43, MAP RECORDS OF NUECES COUNTY, TEXAS.

TEXAS GEO TECH ENGINEERING & LAND SURVEYING, INC

5525 S. STAPLES ST. SUITE B2
Corpus Christi, TX 78411
(361) 993-0808 Fax (361) 993-2955

Completion Date: 09/19/2015	Checked by: VSM
Scale: 1" = 100'	File Name: 150909"A"
Drawn by: RC	Surveyed by: JJ & NG

