

# PLANNING COMMISSION FINAL REPORT

Case No. 0716-02

HTE No. 16-10000022

**Planning Commission Hearing Dates:** July 13, 2016

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Shaws Development Joint Venture  <b>Representatives:</b> John Wallace  <b>Legal Description/Location:</b> Being an 11.84-acre tract of land out of Lots 1, 8 and 9, Artemus Roberts Subdivision, located on the west side of Rand Morgan Road between Goodnight Loving Trail and McNorton Road.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single-Family 6 District  <b>To:</b> "RS-4.5" Single-Family 4.5 District  <b>Area:</b> 11.84 acres  <b>Purpose of Request:</b> To allow development of a single-family subdivision with a minimum lot size of 4,500 square feet.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RS-4.5" Single-Family 4.5	Low Density Residential	Low Density Residential
	<i>South</i>	"RS-6" Single-Family 6	Church, public semi-public and Vacant	Low Density Residential
	<i>East</i>	"FR" Farm Rural	Estate Residential and vacant	Light Industrial
	<i>West</i>	"RS-6" Single-family	Drainage Corridor and Vacant	Drainage Corridor and Low Density Residential
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> 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 "RS-4.5" Single-family District is consistent with the adopted Future Land Use Plan.  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 270 feet of street frontage along Rand Morgan Road, which is an "A-2" Secondary Arterial Divided, and approximately 50 feet of street frontage along Chisolm Trail, which is a local residential street at this particular location. The maximum desirable average daily trips for an "A2" Secondary Arterial Divided street is 20,000 to 30,000, and for a Local Street is 1,600.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
Street R.O.W.	Rand Morgan Road	"A2" Secondary Arterial Divided	100' ROW 54' paved	80' ROW 22' paved	6,094 ADT (2013)
	Chisolm Trail	Local Residential	50' ROW 28' paved	50' ROW 28' paved	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 4.5 District to allow the development of a residential subdivision.

**Development Plan:** The applicant is proposing to rezone 11.84 acres of land. The existing "RS-6" District allows a minimum lot size of 6,000 square feet or overall gross density of 7.26 units per acre versus the "RS-4.5" District with a minimum lot size of 4,500 square feet and an overall gross density of 9.68 units per acre. A subdivision design was provided with the application showing the 11.84 acres to be developed with 69 lots at a density of 5.83 units per acre. The proposed lots average 5,500 square feet in area and 50 feet in width.

**Existing Land Uses & Zoning:** The current use of the property is vacant land. North of the subject property are single-family dwellings zoned "RS-4.5" Single-Family 4.5. South of the subject property is zoned "RS-6" Single-Family 6 and with a church, a wastewater lift station and vacant land. East of the subject property is zoned "FR" Farm Rural with estate residential uses and vacant land. West of the subject property is zoned "RS-6" Single-family Residential District and contains a drainage corridor and vacant land.

**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 Comprehensive Plan and the Northwest Area Development Plan (ADP) slate the subject property for low density residential uses. The proposed change of zoning of the 11.84-acre tract of land to the "RS-4.5" Single-family 4.5 District is consistent with the adopted Future Land Use Map, and meets other criteria of the Comprehensive Plan and ADP, such as:

- The construction of quality, affordable new homes, and the rehabilitation of substandard homes should be encouraged. (Comprehensive Plan, Housing Policy Statement B),
- Encouraging infill development on vacant tracts within developed areas (Comprehensive Plan, Residential Policy Statement F), and

- The density of development in an area should be directly related to the design capacity of the infrastructure. (Comprehensive Plan, General Policy Statement F)

**Plat Status:** The subject property is not platted.

**Department Comments:**

- The rezoning is consistent with the Comprehensive Plan and the Northwest Area Development Plan as outlined in the previous section of this report.
- The rezoning is compatible and is a continuation of an existing development pattern in terms of use and density of the Northwest Crossing Subdivision.
- The property to be rezoned is suited for low density residential development.
- The rezoning does not have a negative impact on the surrounding neighborhood.

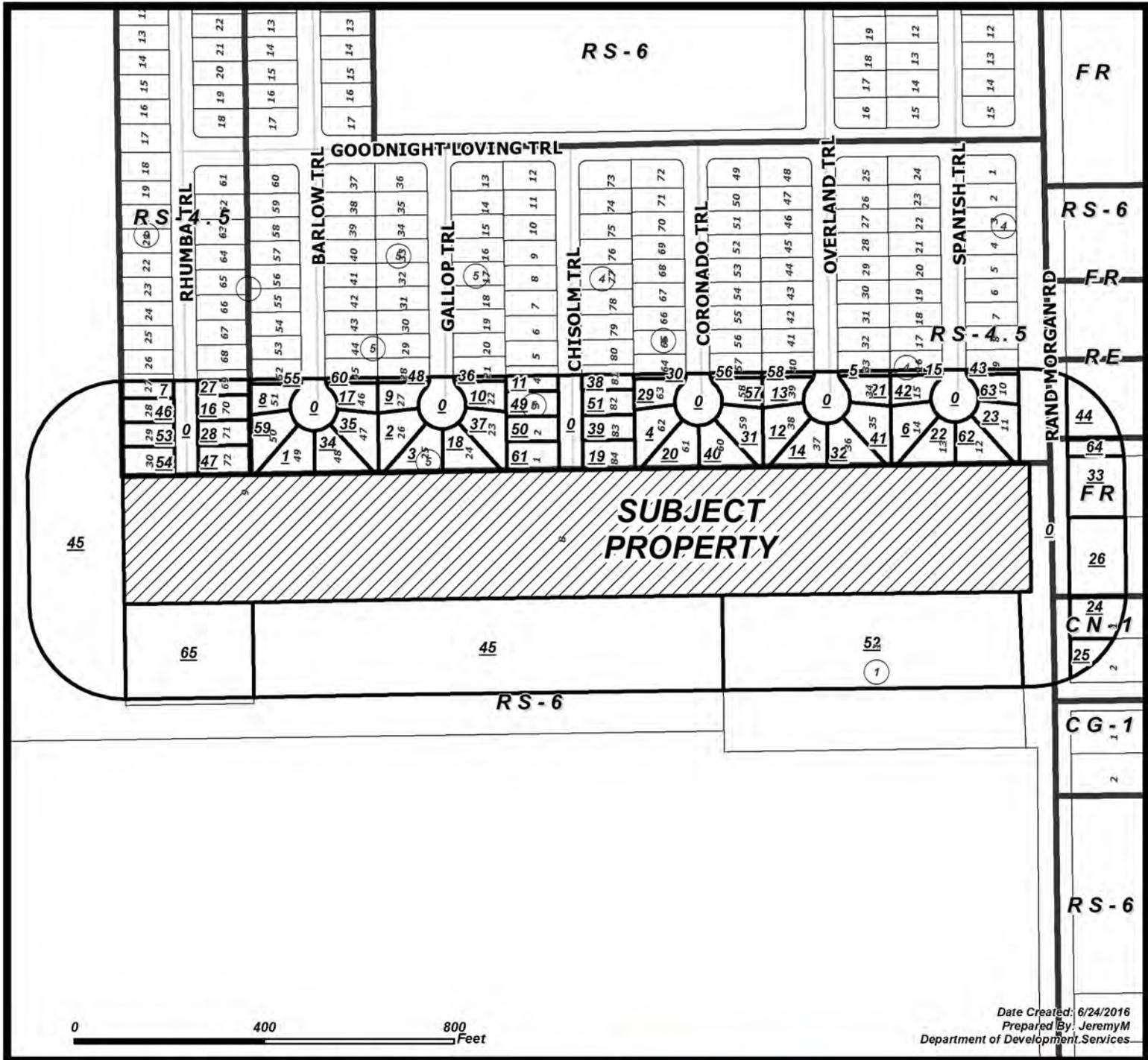
**Planning Commission and Staff Recommendation:**

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

<b>Public Notification</b>	Number of Notices Mailed – 65 within 200-foot notification area 5 outside notification area
	<b><u>As of July 19, 2016:</u></b>
	In Favor – 2 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
Totaling 0.36% of the land within the 200-foot notification area in opposition.	

**Attachments:**

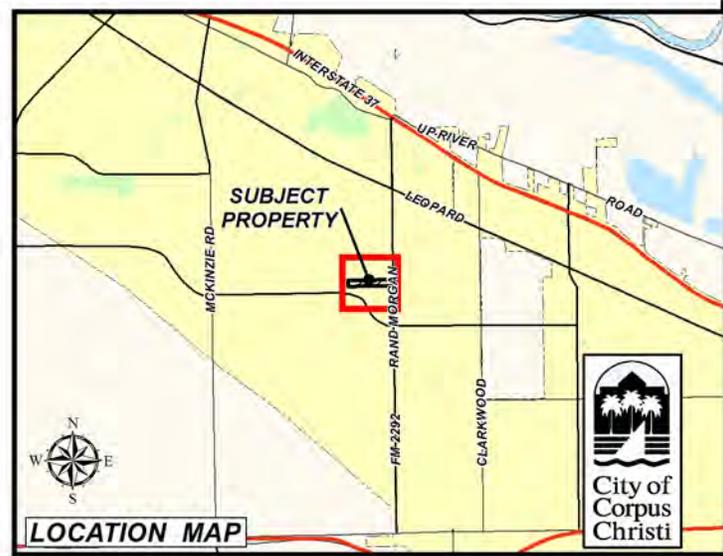
1. Location Map (Existing Zoning & Notice Area)
2. Proposed Subdivision Plat
3. Public Comments Received (if any)



Date Created: 6/24/2016  
 Prepared By: Jeremy M  
 Department of Development Services

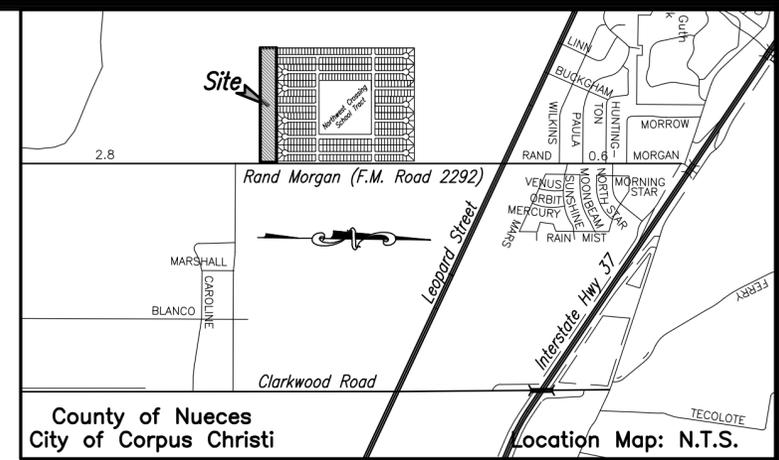
## CASE: 0716-02 ZONING & NOTICE AREA

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	



**Notes:**

- 1.) Total platted area contains 11.84 acres of land. (Includes Street Dedication)
- 2.) The receiving water for the storm water runoff from this property is the Oso Creek. The TCEQ has not classified the aquatic life use for the Oso Creek, but it is recognized as an environmentally sensitive area. The Oso Creek flows directly into the Oso Bay. The TCEQ has classified the aquatic life use for the Oso Bay as "exceptional" and "oyster waters" and categorized the receiving water as "contact recreation" use.
- 3.) Bearings based on GPS, NAD83 (2011), Texas Coordinate System of 1983, Texas South Zone 4205.
- 4.) By graphic plotting only, this property is in Zone "C" on Flood Insurance Rate Map, Community Panel No. 485464 0133 C, City of Corpus Christi, Texas, which bears an effective date of September 17, 1992 (Panel not printed) and is not in a Special Flood Hazard Area.
- 5.) The yard requirement, as depicted is a requirement of the Unified Development Code and is subject to change as the zoning may change.



*Plat of*  
**Northwest Crossing Unit 8**

*11.84 Acres of Land out of Lots 1, 8 and 9, Artemus Roberts Subdivision, a map of which is recorded in Volume 3, Page 41, Map Records of Nueces County, Texas; said 11.84 Acres being out of a 13.445 Acre Tract of Land, described as Option Tract "B", and shown on Exhibit "A" in Special Warranty Deed from D.H. Braman, Jr., Joe Braman, D.H. Braman, III, and D.H. Braman, Jr., as Trustee of the Kate S. O'Connor Trust for Thomas Edward Braman, to Shaws Development Joint Venture, recorded in Document No. 2007024157, Official Public Records of Nueces County, Texas.*

State of Texas  
County of Nueces

Shaws Development Joint Venture, a Joint Venture, hereby certifies that we are the owners of the lands embraced within the boundaries of the foregoing plat; that we have had said lands surveyed and subdivided as shown; that streets shown are dedicated to the public use forever; that easements as shown are dedicated to the public use for the installation, operation and use of public utilities; and that this map was made for the purpose of description and dedication.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: Shell Land Management Company, Inc., Managing Joint Venture

By: \_\_\_\_\_  
John Wallace, Vice-President

State of Texas  
County of Nueces

This instrument was acknowledged before me by John Wallace, as Vice-President of Shell Land Management Company, Inc., and the Corporation acknowledged this instrument as Managing Joint Venture on behalf of Shaws Development Joint Venture, a Joint Venture.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

State of Texas  
County of Nueces

George S. Hawn, hereby certifies that he holds a lien on the property owned by Shaws Development Joint Venture, a Joint Venture, as shown on the foregoing map and he approves of the subdivision and dedication for the purposes and considerations therein expressed.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
George S. Hawn

State of Texas  
County of Nueces

This instrument was acknowledged before me by George S. Hawn.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

State of Texas  
County of Nueces

This final plat of the herein described property was approved by the Department of Development Services of the City of Corpus Christi, Texas.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Ratna Pottumuthu, P.E., LEED AP  
Development Services Engineer

State of Texas  
County of Nueces

This final plat of the herein described property was approved on behalf of the City of Corpus Christi, Texas by the Planning Commission.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Daniel M. McGinn, P.E., A.I.C.P.  
Interim Secretary

\_\_\_\_\_  
Philip J. Ramirez, A.I.A., LEED AP, Chairman

State of Texas  
County of Nueces

I, Kara Sands, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, with its certificate of authentication was filed for record in my office the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. At \_\_\_\_ O'clock \_\_\_\_M., and duly recorded the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ O'clock \_\_\_\_M., in said County in Volume \_\_\_\_\_, Page \_\_\_\_\_, Map Records.

Witness my hand and seal of the County Court, in and for said County, at office in Corpus Christi, Texas, the day and year last written.

No. \_\_\_\_\_  
Filed for Record

\_\_\_\_\_  
Kara Sands, County Clerk  
Nueces County, Texas

at \_\_\_\_\_ O'clock \_\_\_\_M.  
\_\_\_\_\_, 20\_\_\_\_\_

By: \_\_\_\_\_  
Deputy

State of Texas  
County of Nueces

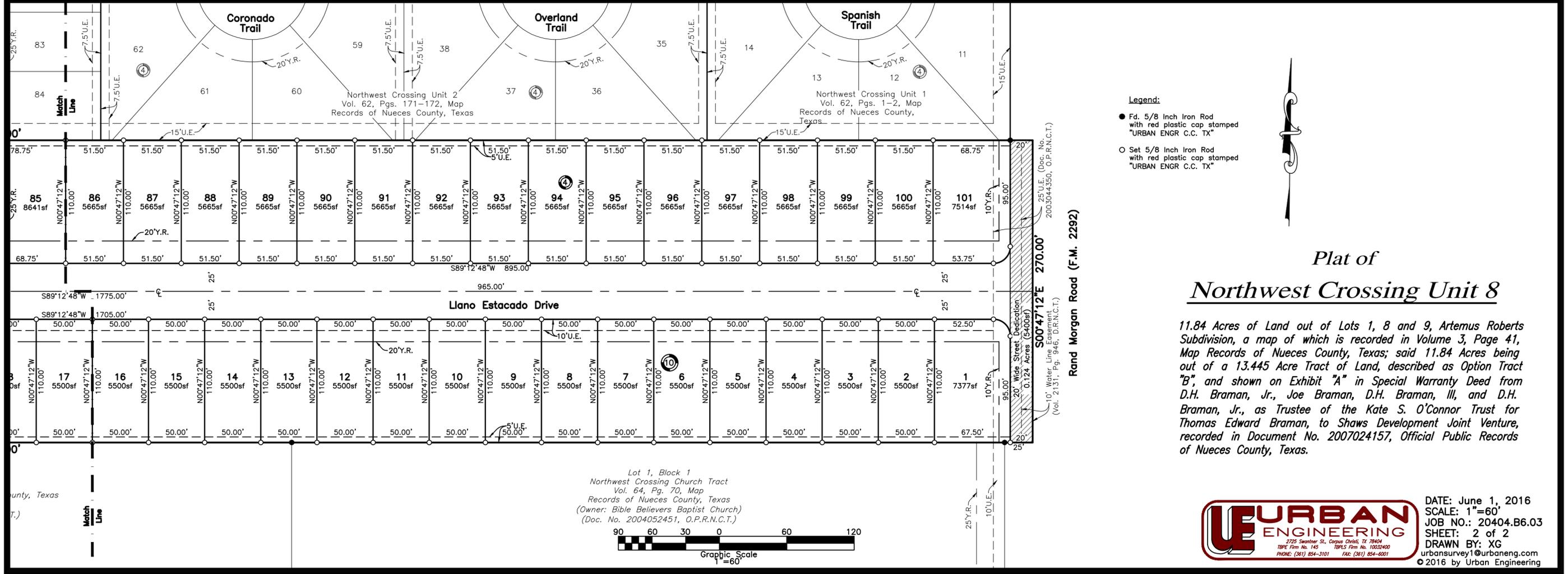
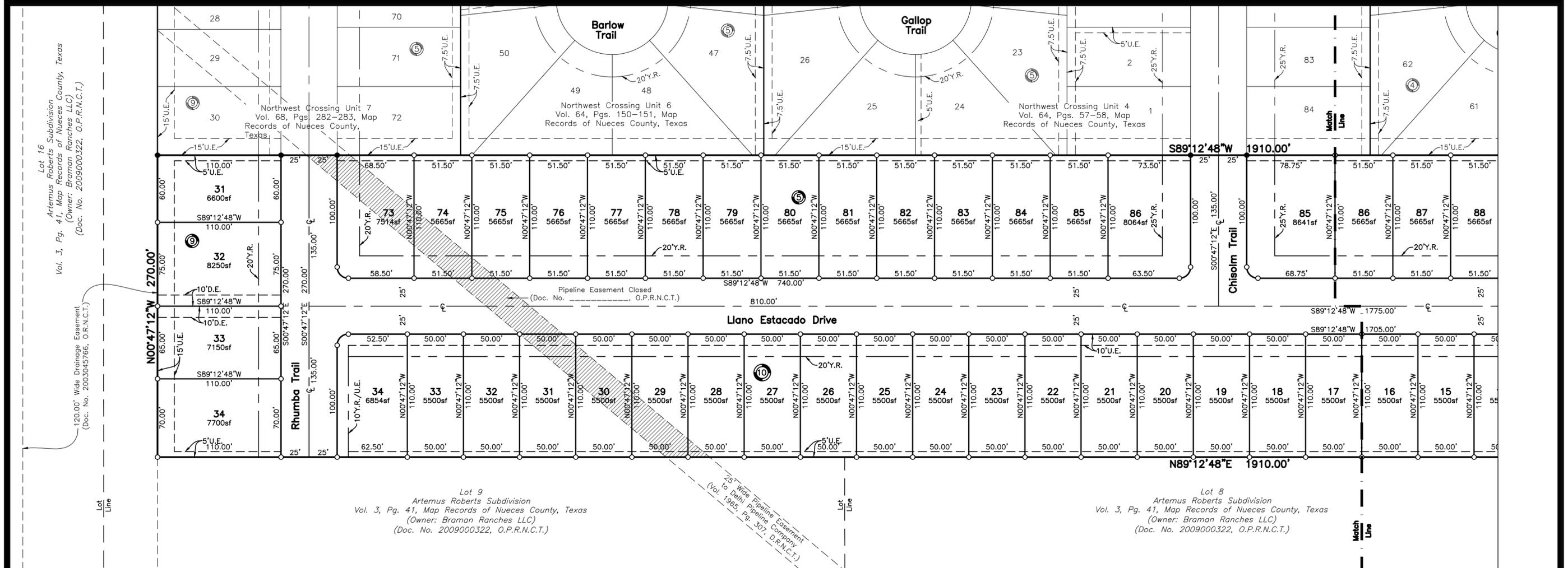
I, James D. Carr, a Registered Professional Land Surveyor for Urban Engineering, have prepared the foregoing map from a survey made on the ground under my direction and is true and correct to the best of my knowledge, information and belief; I have been engaged under contract to set all Lot and Block corners as shown herein and to complete such operations with due and reasonable diligence consistent with sound professional practice.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
James D. Carr, R.P.L.S.  
Texas License No. 6458



DATE: June 1, 2016  
SCALE: 1"=60'  
JOB NO.: 20404.B6.03  
SHEET: 1 of 2  
DRAWN BY: XG  
urbansurvey1@urbaneng.com  
©2016 by Urban Engineering

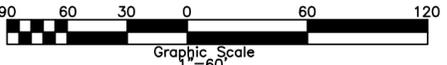


- Legend:**
- Fd. 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR C.C. TX"
  - Set 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR C.C. TX"

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Lot 1, Block 1  
Northwest Crossing Church Tract  
Vol. 64, Pg. 70, Map  
Records of Nueces County, Texas  
(Owner: Bible Believers Baptist Church)  
(Doc. No. 2004052451, O.P.R.N.C.T.)



DATE: June 1, 2016  
SCALE: 1"=60'  
JOB NO.: 20404.B6.03  
SHEET: 2 of 2  
DRAWN BY: XG  
urbansurvey1@urbaneng.com  
© 2016 by Urban Engineering

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

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la commission durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**RECEIVED**  
JUL 13 2016  
DEVELOPMENT SERVICES  
SPECIAL SERVICES

**CITY PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
Rezoning Case No. 0716-02**

**Shaws Development Joint Venture** has petitioned the City of Corpus Christi to consider a rezoning from the **"RS-6" Single-Family 6 District** to the **"RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Map.** As a continuation of the Northwest Crossing Subdivision, the applicant proposes to develop 69 single-family lots with average lot sizes of approximately 5,500 square feet and average lot widths of approximately 50 feet. The property to be rezoned is described as:

**Being an 11.84-acre tract of land out of Lots 1, 8 and 9, Artemus Roberts Subdivision, located on the west side of Rand Morgan Road between Goodnight Loving Road and McNorton Road.**

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 conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, July 13, 2016**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

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

Printed Name: JOSEPH A. COYLE ALICE R. COYLE  
Address: 1705 CHESHAM TRAIL City/State: CORPUS CHRISTI, TX  
 IN FAVOR ( ) IN OPPOSITION Phone: 361-243-2129  
REASON:

*Joseph A. Coyle Alice R. Coyle*  
Signature

SEE MAP ON REVERSE SIDE  
Property Owner ID: 50  
HTE# 16-1000022

Case No. 0716-02  
Project Manager: Bob Payne

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

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Rezoning Case No. 0716-02**

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Printed Name: Robert Ortiz

Address: 1713 Coronado Trl City/State: C.C. TX

IN FAVOR ( ) IN OPPOSITION Phone: 361-548-6940

REASON:

[Signature]  
Signature

SEE MAP ON REVERSE SIDE  
Property Owner ID: 30  
HTE# 16-1000022

Case No. 0716-02  
Project Manager: Bob Payne

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**R**  
JUL 13 2016  
DEVELOPMENT SERVICES  
SPECIAL SERVICES

**CITY PLANNING COMMISSION  
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Rezoning Case No. 0716-02**

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Printed Name: Chris Pettus Ashley Pettus  
Address: 1714 Blumberg Trl City/State: Corpus Christi, TX  
( ) IN FAVOR  IN OPPOSITION Phone: \_\_\_\_\_

REASON: Hogan Doesnt need to build any more homes until they fix the current ones

Signature [Handwritten Signature]

SEE MAP ON REVERSE SIDE  
Property Owner ID: 27  
HTE# 16-1000022

Case No. 0716-02  
Project Manager: Bob Payne