### PLANNING COMMISSION FINAL REPORT

**Case No.** 1116-01 **HTE No.** 16-10000038

Planning Commission Hearing Date: November 2, 2016

	Applicant/Owner: Scott Electric Co.
z c	Representatives: Chris Flores
ar yal	<b>Legal Description/Location:</b> Four lots composed of Shoreline Park, Block 8,
	consisting of the following four lots: Southeast 40' of Lot 9; Northwest 10' of
dd Sc	Lot 9, all of Lot 10, and Southeast 20' of Lot 11; West 30' of Lot 11 and East
Applicant & Legal Description	10' of Lot 12; West 43.75' of Lot 12; located on Dempsey Street between
	Lexington Avenue and North Port Avenue.
	From: "RS-6" Single-Family 6 District and
ng est	"RS-6/SP" Single-Family 6 District with a Special Permit
Zoning Request	To: "IL" Light Industrial
Zo Se	<b>Area</b> : 0.5847 acres
- 12	Purpose of Request: To allow construction of a storage building.

		Existing Zoning District	Existing Land Use	Future Land Use		
Existing Zoning and Land Uses	Site	"RS-6" Single-Family 6 & "RS-6/SP" Single- Family 6 with a Special Permit	Industrial	Medium Density Single Family Residential		
	North	"IL" Light Industrial & "RS-6" Single-Family 6	Low Density Residential & Light Industrial	Medium Density Single Family Residential		
	South	"RS-6" Single-Family 6	Vacant, Low Density Residential & Industrial	Medium Density Single Family Residential & Mixed Use		
	East	"IL" Light Industrial	Light Industrial	Medium Density Single Family Residential		
	West	"RS-6" Single-Family 6	Vacant & Low Density Residential	Medium Density Single Family Residential		
	Area Development Dien. The cubicat property is leasted within the beautient					

ADP, Map & Violations

Area Development Plan: The subject property is located within the boundary of the Central Business Area Development Plan and is planned for commercial uses fronting Port Avenue and medium density residential uses fronting Lexington Avenue on all of Block 8 where the subject property is located. The proposed rezoning to the "IL" Light Industrial District is not consistent with the adopted Future Land Use Map or the Central Business Area Development Plan.

**Map No.**: 046045

Zoning Violations: None

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**Transportation and Circulation**: The subject property has approximately 205 feet of street frontage along Dempsey Street, which egresses onto Port Avenue that the Urban Transportation Plan designates as an "A1" Arterial. The maximum desirable average daily trips (ADT) for a designated "A1" is 15,000 to 24,000 daily trips. The subject property is located on the north side of Dempsey Street approximately 95 feet west of Port Avenue.

R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2015/2016)
Street R.(	Port Avenue	"A1" Minor Arterial Undivided	95' ROW 64' paved	72' ROW 58' paved	14,277 ADT
Str	Dempsey Street	Local Residential	50' ROW 28' paved	43' ROW 27' paved	N/A

### **Staff Summary**:

**Requested Zoning**: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District and the "RS-6" Single-Family 6 District with a Special Permit District to the "IL" Light Industrial District to allow the construction of a storage building.

**Development Plan:** The proposed rezoning is within the Shoreline Park Subdivision. The applicant is proposing a storage building on a 0.5847 acre tract of land. The proposed storage building will cross three of the four lots and be 40 feet by 100 feet, totaling 4,000 square feet of building area. It will be used to store electrical and air conditioning parts and material which is already stored on sight in smaller buildings. A buffer yard of 10 feet along with a 6 foot standard screening fence would be required along the property lines abutting the "RS-6" Single-Family 6 District and is already in place along with a 6 foot standard screening fence to provide a visual barrier for the surrounding neighborhood. The site is proposed to have access from Dempsey Street and Port Avenue.

**Existing Land Uses & Zoning**: The subject property is currently being used for commercial vehicle storage and zoned "RS-6/SP" Single-Family 6 with a Special Permit District. Scott Electric Co. also owns the lots north of the subject property and is being used as commercial vehicle and parts storage that is zoned "IL" Light Industrial and "IL/SP" Light Industrial with a Special Permit District. South of the subject property is a commercial business, single-family residential, and two vacant lots zoned "IL" Light Industrial District and "RS-6" Single-Family 6 District, respectively. East of the subject property there are more lots owned by Scott Electric Co. which are also being used and are commercially zoned "IL" Light Industrial District. West of the subject property are vacant lots zoned "RS-6" Single-Family 6 District.

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

Plan CC & Area Development Plan Consistency: The subject property is located within the boundary of the Central Business Area Development Plan which designates the subject property for medium density residential uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent with Plan CC and the Future Land Use Map which designate the area as Medium Density Single Family Residential. Additionally, the following are pertinent elements of Plan CC and the Central Business Area Development Plan that should be considered:

- Promote financial incentives for business investments that offer the potential for strong catalytic impacts, and structure incentives to provide the maximum public benefits. (Plan CC, Element 4, Goal 2, Strategy 2)
- Encourage the development of a high-quality workforce across a wide range of occupations and skill levels that meets the current and emerging needs of local businesses and makes workforce a positive factor for business prospects.
   (Plan CC, Element 4, Goal 2, Strategy 3)
- Encourage improvements of the port area and its facilities according to the Port of Corpus Christi's Strategic Plan. (Plan CC, Element 4, Goal 7, Strategy 1)
- Promote expansions of local businesses and target innovative and entrepreneurial businesses for relocation, and attract high-wage jobs in fields such as tourism, science, technology, and green or clean industries that create a vibrant economy. (OBJECTIVE Economic Development 1, Central Business Area Development Plan)
- Mixed-use districts are being actively encouraged, and locations for new mixed-use centers are being identified, providing live-work-shop opportunities that minimize travel needs. The properties located along Shoreline Boulevard have been identified as areas that shall be considered for tourist-related and residential mixed uses, with limited office or non-tourism related business uses. (POLICY Live-Work Units 1.2, Central Business Area Development Plan)

**Plat Status:** The subject property is currently comprised of four platted lots. In order to construct the proposed storage building, the property needs to be replatted.

### **Department Comments**:

- The proposed rezoning deviates from Plan CC:
  - Uses typically found in the "IL" Light Industrial District should be prohibited along Dempsey Street and Lexington Avenue which the future land use maps designates as Medium Density Single Family Residential.
  - The proposed storage building is completely within the lots owned by Scott Electric Co. which currently function as a commercial business and will not alter the aesthetics of the current buffer and standard screening fence.
- It is Staff's opinion that the proposed rezoning would negatively impact the surrounding residential properties and the property to be rezoned is inconsistent with the Future Land Use Plan's designation of the property as a Medium Density Single Family Residential use.
- An "IL" Light Industrial District would allow uses that are not compatible with the surrounding residential subdivision and could potentially increase traffic through residential areas on Dempsey Street and Lexington Avenue, which are local residential streets.

- Staff's opinion is that a storage building does not decrease the residential desirability of this neighborhood. This is one of the findings required per Plan CC when deciding which commercial uses to allow within residential areas.
- Property was previously rezoned in 2008 for an "SP" with conditions that created compatibility.
- It is Staff's opinion that a Special Permit with conditions could continue to work in this situation.

### <u>Planning Commission and Staff Recommendation</u>:

Denial of the change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "IL" Light Industrial District, and in lieu thereof, staff recommends extending the "RS-6/SP" Single-Family 6 District with a Special Permit to all four lots subject to the following six conditions:

- 1. <u>Uses:</u> The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is the outdoor storage of company and/or employee vehicles and a storage building for parts and material of air conditioners and electrical work.
- **2.** <u>Lighting:</u> All security lighting must be shielded and directed away from adjacent residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways and residential development.
- 3. <u>Landscape Strip</u>: A ten (10) foot wide visual landscape strip shall be installed and maintained running parallel to, in front of, and in the distance of the required six (6) foot standard screening fence.
- **4.** <u>Screening Fence</u>: A six (6) foot standard screening fence shall be installed and maintained to provide a visual barrier between the vehicular storage yard/building and the surrounding neighborhood.
- **5.** Hours of Operation: The hours of operation shall be the same as the business hours of operation from 7:00 AM to 5:30 PM Monday through Friday.
- **6.** <u>Time Limit:</u> In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (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.

Vote Results:

For: 5 Opposed: 0 Absent: 2

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Number of Notices Mailed – 26 within 200-foot notification area

2 outside notification area

### As of November 21, 2016:

In Favor – 1 inside notification area

- 0 outside notification area

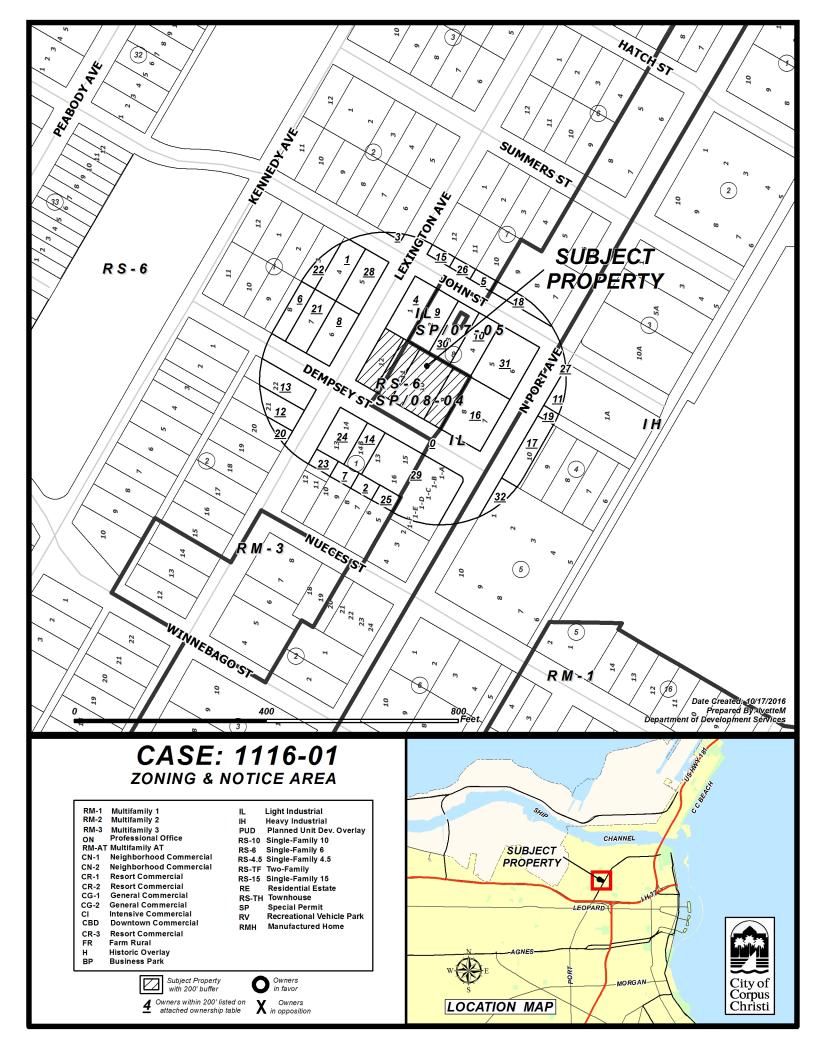
In Opposition – 1 inside notification area

- 0 outside notification area

Totaling 2.43% 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)



16-10000038



# **REZONING APPLICATION**

	Case No.:	Map No.	046045		
	PC Hearing Date:		Proj.Mgr:		
Development Services Dept. P.O. Box 9277	PC Hearing Date: Hearing Location: (	City Hall, Council Chambers 5:30 p.m.	, 1201 Leopard Street		
Corpus Christi, Texas 78469-9277 (361) 826-3240 Located at 2406 Leopard Street	A MAXIMUM OF FIVE	REZONINGS CASES ARE SCH CATIONS WILL NOT BE ACCEP			
2. Applicant Scott Electric Co.		Contact Person .	Christopher Flores		
Mailing Address: P.O. Box 181	9				
City: Corpus Christi					
E-mail:		Celi: (	361 <sub>)</sub> 533-3480		
2. Property Owner(s): Mike Hop	е	Contact Person :	Christopher Flores		
Mailing Address: P.O. Box 181	9	e erich de la erigen general sp <u>ares.</u>			
City: Corpus Christi	State: TX	ZIP: 78403 Phone:	361 884-6326		
E-mail	<u> </u>				
3. Subject Property Address: See Attached Sheet  Current Zoning & Use: RS-6 and RS-6/SP Proposed Zoning & Use: LD  12-Digit Nueces County Tax ID:					
■ Early Assistance Meeting: D. ■ Land Use Statement ① IF APPLICABLE: ☑ Peak Hour Trip Form (If request ☐ Metes & Bounds Description with	Disclosure of Interest  It is inconsistent with Future I  It exhibit if property includes	■ Copy of Warranty Dee and Use Plan) □ un-platted land (sealed by RPI	d Site Plan for PUD or Special Permit		
Flues		and the information provided i			
Owner of Agent's Signature Christopher Flores		Applicant's Signature			
Owner or Agent's Printed Name		Applicant's Printed Name			
Office Use Only: Date Received:	10-5-16 Receiv	ved By: AD	ADP: CB		
Rezoning Fee: 1107.50 +1	PUD Fee 9	+ Sign Fee 20 = To	otal Fee /127.50		
No. Signs Required@ \$10/s	ign Sign Posting Date		Form Revised 5/12/2015		

# Supplement Document

Property ID	Tax ID	Land area	Legal Description
1. 200021058	8013-0008-0090	0.1148 Acre 5000.0 Sqft	Shoreline PK SE40' LT 9 BK 8
2. 200021064	8013-0008-0095	0.2296 Acre 10000.0 Sqft	Shoreline PK NW10' LT 9, All LT 10 & SE20' of LT 11 BK 8.
3. 200021073	8013-0008-0120	0.1148 Acre 5000.0 Sqft	Shoreline PK W30' LT 11 & E10' of LT 12 BK 8
4. 200021076	8013-0008-0125	0.1255 Acre 5468.0 Sqft	Shoreline PK W43.75' of LT 12 BK 8

Total Land Area

0.5847 Acre / 25,468 Sqft

# 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.
  - \* Scott Electric Co. is requesting a re-zoning in order to build a new 40' x 100' (4000 sqf) storage building. This building will be strictly for storage of electrical and a/c parts and material. The hous of operation will be the same as our business hours ...Monday thru Friday 7:00am 5:30pm.

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

North - Business-Scott Electric Main Office

South - Business- GIS Const. LLC

East - Business- Bradleys

West - Residential- Lexington 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:	Scott E	Electric Co.			
STREE	r: 2001	N. Port Ave	city: Corp	us Christi	<sub>ZIP:</sub> 78403
FIRM is	: Corp	oration Partnership	Sole Owner	Association (	)Other
		O			
15 - 4-222			DISCLOSURE QUI		¥.
		is necessary, please use			
		mes of each "employe 3% or more of the owner			ving an "ownership interest"
Nan				Job Title and City D	Department (if known)
N//	4				
2 54-4				Object to	
		imes or each "official" 3% or more of the owner			ing an "ownership interest"
Nan	ne			Title	
N/ <i>A</i>	4				
	stituting ( ne	nes of each "board men 3% or more of the owner			aving an "ownership interest"
оп а	iny matte e of the o ie	nes of each employee or r related to the subject o wnership in the above n	of this contract and	ultant" for the City of has an "ownershi	of Corpus Christi who worked p interest" constituting 3% or
withhe	y that all ir ld disclosu	are of any information requ	iested; and that sup Corpus Christi, Texa	ne date of this statem plemental statements s as changes occur.	nent, that I have not knowingly s will be promptly submitted to
Certifyin	g rerson:	(Print Name)	-	Title:	
Sionatur	e of Certif	vina Person:		Date:	10-3-16



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 A	Address: 1919 N. Po	ort Ave						
Legal Des	cription (Subdivis	sion, Lot, Block):						
Applicant	Name: Scott Electri	ic Co.						
Address:	-	1.8.		_ City/Sta	te/Zip: Cor	pus Christi, 1	TX 78403	24 12-4
Telephone	361-884-6326		Email:	Ų.				
Applicatio	on Status (Select C	one): X Rezoning	Site Plan	Stree	t Closure			
Existing L	and Use							
Tract Acres	Unit of Measure	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
0 - 56		RS-6 + RS-6/5P for Industrial	Industral	110	0.56	0-56	0.56	0-56
Proposed 1	Land Use Unit of	Zoning	Land Use	I.T.E.	A.M.	Peak	P.M.	Peak
Acres	Measure			Code	Trip Rate	A.M. Trips	Trip Rate	P.M. Trips
0.56		TL	LDR	210	0.77	0.77	1.02	1.02
					Total	0.77	Total	4.02
Abutting S	Streets							1100
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	the City to dis A Traffic Impa exceed the est	act Analysis <u>IS</u> required scuss the scope and requ act Analysis is <u>NOT</u> req tablished threshold. spact Analysis has been	irements of the and juired. The propose	eparing the dysis prior d traffic ge	to beginnin enerated doc	g the TIA.		
						oate: 10-3-16		
R	eviewed By:				D	ate: 10-3-16	,	

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.

#### 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: Christoher Flores Mailing Address: P.O. Box 1819 City: Corpus Christi \_\_\_\_\_\_State: TX Zip: 78403 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. Flores Title: Manager \*Signature of Agent:\_\_\_\_ Printed/Typed Name of Agent: Christopher Flores Date: 10-3-16 \*Signature of Property Owner: Printed/Typed Name of Property Owner: Mike Hope Date: 10-3-16 \*Signature of Property Owner: \_\_\_\_\_\_\_ Title: Printed/Typed Name of Property Owner: \_\_\_\_\_\_ Date: \_\_\_\_\_ \*Signature of Property Owner: \_\_\_\_\_\_ Title:\_\_\_\_\_ Printed/Typed Name of Property Owner: \_\_\_\_\_\_\_ Date:

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

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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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.

# CITY PLANNING COMMISSION PUBLIC HEARING NOTICE Rezoning Case No. 1116-01

Scott Electric, Co. has petitioned the City of Corpus Christi to consider a change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single Family 6 District with a Special Permit to the "IL" Light Industrial, resulting in a change to the Future Land Use Map from low density residential uses to light industrial uses. The property to be rezoned is described as:

Being four lots composed of Shoreline Park, Block 8, consisting of Southeast 40' of Lot 9; Northwest 10' of Lot 9, all Lot 10, and Southeast 20' Lot 11; West 30' Lot 11 and East 10' of Lot 12; West 43.75' of Lot 12; located on Dempsey Street between Lexington Avenue and North Port Avenue.

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 <u>Wednesday</u>, <u>November 2</u>, <u>2016</u>, during one of the Planning Commission's regular meetings, which begins at <u>5:30 p.m.</u>, 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: JOSES J. LEYVA	
Address: 1821 N. Port Avenue	City/State: Cuy pus Christi, Tx 7840
	Phone: 361. 885. 7700
REASON:	, Hollo

Level & Leve

Signature

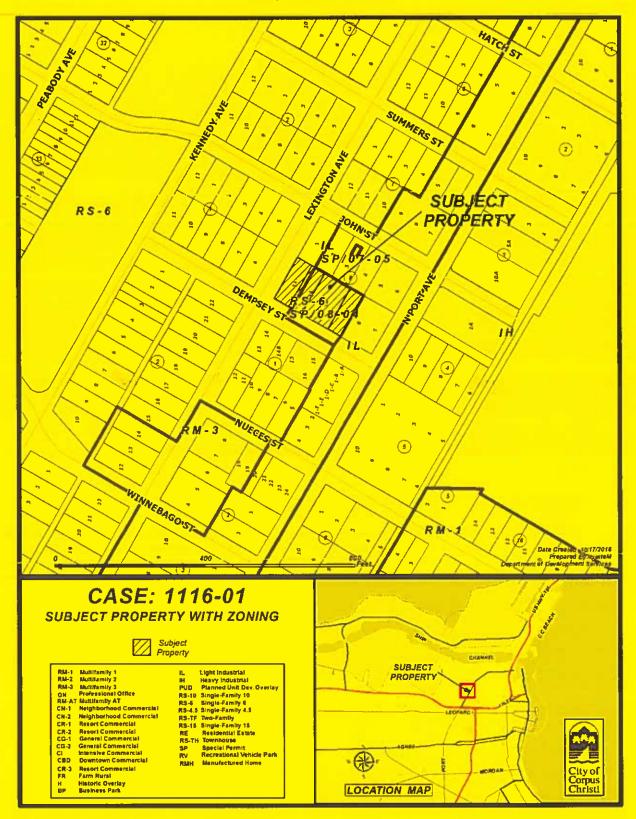
SEE MAP ON REVERSE SIDE Property Owner ID: 29 HTE# 16-10000038

Case No. 1116-01 Project Manager: Brenda Joyas City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469



29 855700010010 GIS CONSTRUCTION LLC 1821 N Port Ave Corpus Christi, TX 78401

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Printed Name: Mencia Buggs

Address: 1884 Milluffel City/State: Hasten, 1X

(i) IN FAVOR XIN OPPOSITION Phone: \$32-146-25/5

REASON: 1000 Milluffel (2404 Dempsey, 18401)

Signature

SEE MAP ON REVERSE SIDE Property Owner ID: 21 HTE# 16-10000038

Case No. 1116-01 Project Manager: Brenda Joyas City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469



21 801300010070 WEATHERSBY-GRAY VANECIA & VALENCIA BUGGS 11826 Mill Valley Rd Houston, TX 77048

